"MY GOD WHAT DID YOU DO IT FOR:"
HOMICIDE AND SOCIETY IN ROSS AND HOLMES COUNTIES,
OHIO, 1796-1880

A Thesis
Presented in Partial Fulfillment of the Requirements for
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by
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* * * * *

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INTRODUCTION

When John L. Tabb committed "willful murder" by shooting Robert Shaw on the streets of Chillicothe in 1813, Elias Langham immediately ran up to him and said "my god what did you do it for." Much the same question has dominated my thinking for quite some time.

The state of Ohio filled rapidly with people in the early 1800s. Coming from a variety of origins, these people formed communities, interacted, and sometimes killed each other. In so doing, they revealed what sort of people they were, from where they had come and, to an extent, the kind of state in which they would live.

I have chosen to examine two counties in Ohio, settled by two distinctly different groups of people. The two counties involved are Ross County, in the southern central part of the state; and Holmes County, in the northern central portion. Using newspaper accounts, court records, and invaluable coroner's inquests from the two counties, I have reconstructed the record of homicide. In quotations from the sources original spellings and grammar are retained.
Others, such as David J. Bodenhamer and David R. Kasserman, have used the study of violence as a means toward a greater understanding of history. Killing another human being is connected intimately to the cultural values at work in society. Acts of homicide form patterns and trends which reveal information about society.

Chapter One portrays the settlement and development of each of the two counties, explaining the backgrounds of the settlers, their experiences during settlement, and the changes over time that affected them until 1880. Those who came to Ross County were largely of Scottish and Scots-Irish background. They came to Ohio from Kentucky and western Virginia. In Ross County they generated relatively high homicide rates, though the rates varied considerably. High during times of conflict, rates tumbled following the War of 1812. After the building of the Ohio Canal in 1831 they rose again, and grew increasingly higher leading up to the deadliest sustained period in Ross County, during the Civil War. After the rebellion ended, homicide rates fell only slowly in the years leading to 1880.

Holmes County's record of homicide showed different rates and patterns. The first settlers and many who came later were Amish and Mennonites, who shared a strong commitment to non-violence. Unlike Ross County, Holmes was settled with little fear of Indian attacks and the early
years were quite peaceful. Homicide rates remained low well into the century. The people of Holmes County were isolated from other people in Ohio, and they were unified politically and religiously. During the 1860s, however, this condition ended as the Amish church split, and southern sympathizers attempted a rebellion which changed the county irrevocably from its prior state. Homicide rates rose during the tension-filled years of the Civil War, and remained much higher until 1880 than before the Civil War.

Chapters Two and Three deal with types and patterns of homicide in the two counties. Chapter Two explores the subject of infanticide. Few infanticides have been discovered in Holmes County, but Ross County's records reveal many of them. Linked to the War of 1812 and the Civil War, as well as to transportation developments, they dramatically illustrate the effects of numerous events upon the county. Also, the circumstances surrounding infanticide demonstrate important lessons about the values and thought processes of people in Ohio during the 1800s.

Chapter Three explains differences in homicide rates between the two counties by examining the importance of property and the influence of alcohol. It returns to a discussion of the heritage of the original settlers by discussing conceptions of honor and the ways in which people interacted with each other in Holmes and Ross counties.
Property was worth killing over in Ross County, but not in Holmes. This difference influenced homicide rates as did the use of alcohol. Alcohol was involved in many Ross County homicides, but only a small percentage of the killings in Holmes County. More disposed to homicide in the first place, alcohol's reduction of inhibitions rendered people in Ross County even more likely to kill. Further, using force could be a way to higher esteem in the eyes of others in Ross County; while in Holmes County many people looked down on the use of force in relationships and urged each other to live a quiet life of submission and yielding as a way to earn respect from others.

The thesis makes an important contribution in a number of ways. It adds a new perspective to the existing literature on violent death in history, and delves into the actual records of homicide over time to examine the ways other historians such as Bertram Wyatt-Brown and Edward Ayers have talked about the effects of value systems of honor on societies. Finally, it displays the development of the state of Ohio and the impact of the various groups who settled the state in a new and revealing light, to the benefit of those who would understand Ohio and the United States during the nineteenth century.
NOTES TO INTRODUCTION

1. Coroner's inquest on the body of Robert Shaw, July 1813.


CHAPTER I
Holmes and Ross Counties, 1796-1880

The first settlers of Ross and Holmes counties differed greatly in their backgrounds and experiences, which influenced their behavior, setting precedents and examples which would endure through 1880. Ross County lay in the midst of the Scioto Valley, named for the river which coursed from deep within the state through Ross County to the Ohio River. During the late 1700s Shawnee Indians dominated the valley which served as a battleground for Indians and transplanted Europeans. When Nathaniel Massie arrived from Kentucky and tried settling along the Scioto river in 1795 he and his party were repulsed by a group of Shawnee which killed one of Massie's companions. Following the Treaty of Greene Ville in June 1795, which ended most hostilities between settlers and Indians until the War of 1812, Massie returned in March 1796 to lay out a town. Named Chillicothe, by winter it boasted "several stores, taverns and shops." Chillicothe became the county seat of Ross County.

Most of the county lay within the Virginia Military District, established by Virginia in 1784 to enable it to
satisfy land warrants it gave its citizens who served in the Revolutionary War. By 1800 Ross County contained 8,540 inhabitants. Most who settled in the county were Virginians and Kentuckians who had redeemed their warrants or purchased their lands from speculators.

These Southerners coming to Ross County brought with them a history of violence, exhibiting homicide rates higher than that of other regions of the country. In *Vengeance and Justice* (1984) Edward Ayers attributes high levels of violence in the South to "the dictates of honor: a system of value within which you have exactly as much worth as others confer on you. Women, children, and slaves had no honor; only adult white males had the right to honor—and even they, if challenged, had to prove their worth through their courage." Ayers found southern violence "inexplicable" unless thought of in the context of honor. Ayers believed that "[s]lavery generated honor," separating the South from the non-slaveholding capitalist North which had lower rates of violence and which "celebrated 'dignity'—the conviction that each individual at birth possessed an intrinsic value at least theoretically equal to that of every other person." Bertram Wyatt-Brown had presented similar arguments in *Southern Honor*, two years before, except that he did not connect a system of honor in the South to the institution of slavery.
David Hackett Fischer offers a dramatically different explanation in *Albion's Seed* (1989). He finds that a great number of the people who came to America and settled in western Virginia and Kentucky (and later in Ross County) emigrated from the borderlands of North Britain, a place of "endemic violence" for centuries. As a result of disputed borders, Fischer notes, "From the year 1040 to 1745, every English monarch but three suffered a Scottish invasion, or became an invader in his turn." In addition, "private fighting continued between warlords on both sides of the border. Through the fifteenth century, North Britain was reduced to anarchy." 9

The endless battle for control waged across the borderlands produced a fearful people accustomed to violence. They developed a warrior ethic which they brought to the southern backcountry, including western Virginia and Kentucky. Whether Scottish, northern English, or Scots-Irish, a violent legacy accompanied them to America.

The first settlers of Holmes County had also known centuries of persecution and violence. Some were, as in Ross County, from Virginia and of Scots-Irish background. The majority, however, arrived from Pennsylvania. German and Swiss in their ethnic backgrounds, many adhered to the Amish and Mennonite faiths. These settlers from southeastern Pennsylvania, especially the counties of
Somerset, Berks, Lancaster and Mifflin,\textsuperscript{10} came to Holmes County in great numbers beginning in the 1810s and 1820s.\textsuperscript{11} The historian William Schreiber claimed that "The German-speaking Mennonites were the largest single group to settle in central Ohio."\textsuperscript{12} They too set standards and examples of behavior based on their past that would influence the county far into the 1800s.

The Amish and Mennonites were related religious groups. The Amish split from the Mennonites in 1693, but before that they shared over 150 years of a common heritage. Both descended from the Anabaptist faith that grew out of the tumult of the Reformation. Mennonites, named such in 1525, looked to Menno Simon for their guidance. Simon, a Dutch Catholic priest who rebelled against the Catholic church over doctrinal differences, joined in the Netherlands with the Anabaptists, who endured persecution from both the Catholic and Protestant church and state.\textsuperscript{13}

In response to their persecutors, the Anabaptists employed non-resistance, refusing to resort to violence against those who used force against them. Many were put to death from the 1520s until the early 1600s. "Anabaptist hunters were commissioned to torture, brand, burn, drown, imprison, dismember, and harass the religious heretics."\textsuperscript{14} The Anabaptists collected the tales of their martyrdom, compiling them in a large book of over one thousand pages called the \textit{Martyr's Mirror}. 
Partially in response to the violence directed against them, the Mennonites emphasized a conviction that killing was wrong. The sixth commandment, "Thou shalt not kill," became a cornerstone of their faiths. Menno Simon, writing in 1535, noted that "Christ did not want to be defended with Peter's sword," demanding to know "How can a Christian then defend himself with it?" Unswayed by the violence of his tormenters, Simon admonished his followers to "guard against all strange doctrine of swords and resistance and other like things which is nothing short of a fair flower under which lies hidden an evil serpent which has shot his venom into many. Let every one beware."15 As Mennonites took Simon's words to heart, pacifism and nonviolence became hallmarks of their faith. The Amish retained this commitment when they split from the Anabaptists in Switzerland in the 1690s.16

Thus, the Amish and Mennonites who settled in Holmes County brought with them a long-standing commitment to nonviolence and non-resistance. At the same time, they knew that penalties for violent acts on their part would come from not only civil authorities, but religious authorities as well. The Mennonite and especially the Amish were strict sects; deviant members faced strong sanctions for their actions. This strictness encouraged an orderly society in which there was little acceptance of violence.17 Though
it may indicate an Amish and Mennonite preference for dealing with lawbreakers within their own community as much as illustrate their law-abiding character, the Holmes County Farmer claimed in 1877 that during the half century since the founding of the county, no criminal cases had come before a Justice of the Peace in Walnutcreek township, one of the two townships most heavily populated by the two groups.18

Not only did those who arrived earliest differ in their backgrounds; the circumstances surrounding settlement in the two counties contrasted as well. When Massie and others began settling in Ross County in the 1790s, Indians were still there in substantial numbers, and interactions between the two groups were not always friendly. Thomas Thompson stood outside his tavern in 1798 as a drunken Indian on horseback quarreled with him. In his anger, Thompson hit his enemy with a handspike and killed him.19

The connection between alcohol and homicide was not singular. As noted before, Chillicothe had taverns within the year of its founding, and alcohol flowed freely in Ross County through 1880. The next known homicide after 1798 occurred in 1801. John Bowman and John Betz began fighting in a Chillicothe tavern one night and, unable to end their fight there, continued it outdoors. After fighting for a while Bowman pulled out a knife and stabbed Betz several
times. Betz fell to the ground and died. Bowman was eventually convicted of manslaughter, for which he had the letter "M" branded into the palm of his hand.20

Ross County witnessed four homicides in 1803, the year Ohio became a state, with two more the following year. Six homicides in two years in such a small population sent Ross County's homicide rate to a peak of 27.32 homicides per 100,000 inhabitants for 1803 and 1804. The settlers of Ross County feared Indian attacks, and when a local man was killed while working in his field in the spring of 1803, almost everyone in the area gathered at a few secure homes, fearful for their lives. No Indian attack materialized, and the slain man may have been killed by a political opponent, but in the wake of the killing, an Indian named Wawilaway was shot in the back. Before dying, he returned fire and killed one of his attackers, thus bringing to three the number of homicides that year.21 The other three homicides in that two-year span were not directly related to settlers' fears for their lives and property, but it is true that Ross County's homicide rate in the first years of settlement rose the highest when settlers believed they might be killed, or forced to leave the Ohio country.

Wawilaway was the last Indian killed in Ross County, as Native Americans moved north and west in search of better hunting and fewer whites. With their property secure for
the time being, the homicide rate dropped. Not until late in 1812 did a new wave of violence break out in Ross County.

When Congress declared war with Great Britain in June 1812, troops had already been raised in Ohio and Kentucky. Many passed through Chillicothe on their way to fight the British and Indians around Detroit. The stakes were high for the Americans. Their foothold in the Ohio country was precarious, and under the leadership of Tecumseh and Tenskwatawa, the Indian nations threatened to unite and wreak havoc among white settlers. Moreover, the British also desired to control the Ohio Valley. Allied with the Indians, they proved a formidable enemy. Once again, the people of Ross County faced fearful uncertainty concerning their lives and property. This was compounded by the presence of American troops stationed in Chillicothe and a prisoner-of-war camp that at one point housed about 300 people.

The camp was erected after Commodore Oliver Hazard Perry's naval victory on Lake Erie. Brought to Chillicothe beginning in September 1813, the last prisoner did not leave until December 1814. The people of Ross County reaped large economic profits by supplying prisoners and soldiers with goods and foodstuffs, but they reaped a bitter harvest as well. The instability of these years and the presence of a poorly disciplined, armed military force in Chillicothe made
a poor combination. Soldiers were involved in at least eight of the twelve homicides in Ross County between 1812 and 1814. One prisoner was shot by a guard, a soldier died in a fight at a guardhouse, and in July 1814 the army shot six men for desertion.24 One of the executed was a very young man from the Chillicothe area, but it is unknown whether other soldiers involved in homicides had lived in Ross County for a long period of time. Almost all able-bodied whites in the county served as soldiers. Furthermore, some of the troops traveling through Ross County were recruited from Kentucky. "Troops coming from the south passed regularly through the town often camping in the area over night." They shared a background like that of many in Ross, and some left after the War of 1812 only to return a short time later with their families in tow.25

With the end of the war, violence in Ross County lessened. From a height of 31.8 for 1813 and 1814, the homicide rate plunged thereafter. Ross County did not again experience periods of violence as extreme as those in its earliest years, not rising above 10.34 killings per 100,000 inhabitants in any three-year period up to 1880.

After the war, Ross County became less central in state affairs. Chillicothe served as the capital of Ohio from 1803 to 1810. The legislature then moved to Zanesville, where it remained for two years before a decision was made
to return it to Chillicothe until a permanent seat of government could be completed further up the Scioto Valley at Columbus in 1816. Ross County thereafter grew at a slower rate, rising to 20,619 people in 1820, up from 15,514 ten years before. The increase in county population is misleading, because parts of the county were sectioned off to form parts of Jackson and Hocking counties in 1816 and 1818. After Ross County redrew its boundary lines in 1818, however, it stabilized until it gave up some land in the forming of Vinton County in 1850, bringing it to its present-day size of 687 square miles.

The disruptions in Ross County were not replicated in Holmes. Fear of Indian attacks appears to have been minimal for all but the first settlers. The first settlement was not made until 1810, and few people arrived until after the War of 1812. Most who settled in Holmes County arrived during a peaceful time when property and life were more secure than in previous years. The circumstances under which Ross and Holmes were settled varied considerably.

The development of each county also proceeded along a different path. Holmes County continued to be settled by Pennsylvanians, as well as by immigrants coming directly from the Palatinate and Alsace, where Germany, France and Switzerland intersected. The population increased after the War of 1812, especially after the government reduced land
prices from $2.00 per acre to $1.25 per acre in 1820.29

Until the 1860s, the people of Holmes County went through a rather settled period in which they exhibited solidarity in a number of respects. The Amish and Mennonite faiths created a bond among many residents in the eastern portion of the county. Politically, unlike Ross County which was much more evenly divided, the county voted heavily for the Democratic party. The Holmes County Farmer, published in the county seat of Millersburg, began publishing in 1828 to support the candidacy of Andrew Jackson for President. With only one paper in the county until the late 1840s, the Farmer had many years to sway voters to the Democratic party, which became the majority party in every Holmes County township into the 1880s.

Holmes County was off the beaten path and only a small number of outsiders moved through the area. No major roads passed through. Even when the first state road in Ohio was built through Millersburg in 1832, its largest effect was to enable the farmers of the county easier access to the Ohio Canal in adjoining Tuscarawas County. Farmers prospered by transporting their grain to market more cheaply and quickly than before, but the road did not bring a large influx of travelers through the county.30 The railroad stretched to Millersburg in 1852 and later extended through Oxford and Napoleon, making the county more accessible to others, and
allowing those in Holmes to travel further faster. This did not initially appear to affect the county greatly, however, perhaps because many in Holmes County spoke German or French as their first language. Coming directly from Europe to an agriculturally-based county containing other French and German speakers did not encourage immigrants to learn English. A German-language newspaper issued from Winesburg beginning in the 1850s, and all Amish conducted their worship services in German. When Henry Mosenbaugh killed his wife in 1876 near the little town of Berlin, some men called to testify before the grand jury which indicted Mosenbaugh needed an interpreter, for they only spoke German.31

The Amish thrived in this area. Their religion stressed the need to keep themselves separate from non-Amish peoples. Located in substantial numbers in the eastern portion of the county, often with Mennonites as their neighbors, the Amish found a setting that accorded with their idea that they must live in the world, but not be of the world.32

The county was not cut off from the rest of the state, but it was insulated from the influence of other portions of the state, allowing it to run an independent course. A separatist religion, a distinctive ethnic background, a language barrier, and a lack of major transportation
arteries combined to unite the people of Holmes County and keep them separate from others, granting them security and freedom to govern themselves.

This changed in the 1860s. Civil war loomed and Holmes countians largely opposed the idea. As a strongly Democratic county, they objected to Republicans who advocated war to hold the Union together. As pacifists, the Amish and Mennonites opposed the use of violence for any means. As members of a locale that experienced little governance from outside the county, the people of Holmes opposed being controlled by outsiders, and they did not wish to impose upon others, either. The Amish creed demanded that they separate themselves from the world; those who were not Amish found that they were somewhat separated anyway.

With the outbreak of the Civil War, the solidarity Holmes County had known began to dissolve. The Amish and Mennonites came under criticism for their stance as conscientious objectors, resulting in a letter to the editor of the Farmer in 1862 explaining why two townships were having difficulty meeting their draft requirements. The writer of the well-written letter explained that "These [Amish] constitute more than one-half, probably three-fourths of the population of those two townships [German and Walnutcreek]. There are also many in Berlin, Paint and Saltcreek ...." The writer went on to cite two
articles from the Amish creed, numbers thirteen and fourteen, "Of Government," and "Of War or Vengeance," to explain clearly the Amish position in regard to both. 33 The presence of the letter reveals a tension existing between at least some in Holmes County, arising out of the demands of conscription during the Civil War.

Within the Mennonite community there was some dissension. "In Ohio's Holmes County young men reared in a Mennonite congregation enlisted even before the draft exerted pressure." 34 Nor were the Amish immune from stresses on their solidarity. In 1862 the Amish began a series of yearly ministers meetings, called Dienerversammlungen. Held in different Amish settlements, the meetings were called in an attempt to help the Amish deal with religious and theological issues that threatened to split the church. They discussed whether new, labor-saving machinery should be used by the Amish, or rejected as too worldly. They also addressed theological issues such as missionary work and stream baptism. The 1862 meeting took place in Wayne County, just north of Holmes County. Though those who attended did so in hopes that they could resolve some of the tensions in the Amish community, it soon became clear that there would be a split among the Amish--the first major split since they arrived in the United States beginning in the early 1700s. When a
Dienerversammlung met again in Wayne County in 1865, thirty-four traditional representatives from Pennsylvania, Ontario, Indiana and Ohio held their own meeting first in Holmes County and drafted a new and strict discipline, which was then offered at the general meeting. "The traditionalists were no doubt unyielding, but the more change-minded leaders hardly came halfway, either: they gave the Holmes County document short shrift by scarcely even discussing it."35 The tightly-knit Amish community in Holmes County had torn apart, the more traditional districts calling themselves Old Order, with more liberal districts referring to themselves as Amish-Mennonite.

Many hundreds of Holmes County men left to fight for the Union. Others refused to fight because they were pacifists or joined the Knights of the Golden Circle, an organization that believed in using force to oppose the cause of the North. Those who supported the Knights envisioned "a great empire, whose cornerstone was to be human slavery," expanding into Central America and the Caribbean, unattached to the northern United States.36 Most opposition to the war was loyal, but the Knights of the Golden Circle advocated disloyal opposition. At least two companies of Knights in Holmes County drilled openly near Fort Vallandigham and in the Daughty Valley, preparing for the day when they would oppose the government of the United States.37
That day arrived in the late spring of 1863. On May 1 Clement L. Vallandigham, the nation's best-known Southern sympathizer, spoke in Mount Vernon, a town south and west of Holmes County. Vallandigham had been so vocal in his opposition to Lincoln that he was later "charged with sedition and exiled, first to the Confederacy and then, voluntarily, to Canada."38 Vallandigham's name appeared frequently in the Farmer during the early 1860s, and his talk in Mount Vernon inflamed an area already receptive to his message. In the wake of his speech, leaders of the Knights of the Golden Circle told their listeners that "'Old nigger-lover, Abraham Lincoln' wanted to be a king ... and have the whites work for the negroes." They "told their men to arm ... to resist the draft and to shoot, if necessary, in order ... to establish liberty for clean-living white folk."39 Why the people of Holmes County, which never contained more than nine black people in any census before 1880, seemed to fear blacks so much is puzzling. Francis P. Weisenburger, the historian of Ohio, noted that "native-born and German farmers ... feared economic competition from the Negro of he were freed."40

In early June, in the southwest corner of the county, a small number of men drove off an enrolling officer, hitting him with a thrown rock and shooting a gun into the air as he hurriedly left the area. When a marshall from outside of
the county came with seven others to arrest the four men involved, the arrests were made peaceably. As they escorted the prisoners away, however, the marshall's company was met by at least 60 or 70 men. With pistols pointed at the marshall and his men, they were forced to release their captives and leave the area. On June 12 and 13, residents of Holmes County drove out enrolling officers from two more townships and matters came to a head. The Farmer had argued in previous weeks that opposing the government was not treason but an act of loyalty. On the front page of its June 11 issue the Declaration of Independence appeared without comment. None was necessary. "When in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with one another ..." spoke for itself.

Hundreds interested in dissolving political bands gathered at a farm on French Ridge in the southwest portion of the county. Some had come from adjoining counties to the farm called Fort Vallandigham, but many hailed from Holmes. In his history of the rebellion, D. W. Garber writes that "Most of the families living on French Ridge, in Richland township, were of Swiss-French or Swiss-German extraction," and more than half could speak and understand only a little English. This group contained a number of draft resisters, but no pacifists. Between 300 and 1000 gathered
at Fort Vallandigham in open rebellion. A party-like atmosphere prevailed, aided by a small distillery on the farm.44

The party ended when 420 Union troops45 arrived in the county by train from Columbus on the 17th. By the time the soldiers arrived at Fort Vallandigham only 100 rebels remained, and a rush by 50 Union soldiers caused those 100 to flee. The rebellion was over.46

The quashed rebellion altered the county. The uprising was over, but the county remained disrupted. Once united, it was now divided. Republicans who accepted loyal opposition found it difficult to condone rebellion. Loyal Democrats felt betrayed by the actions of disloyal Democrats, who had now tainted all opposition.

At the time of the uprising, the outcome of the war was yet uncertain, and the South was reaching its high tide. Had the rebels in Holmes County waited a few weeks longer, they might have been sobered by the events at Gettysburg and Vicksburg. The uprising may never have occurred had the outcome of the war been more certain. But the deed was done. Its effects would be felt into the 1900s. Homer Ramey claims that the Knights of the Golden Circle "remained intact long after the Civil War was over"47 and Holmes County stood by Vallandigham. In his run for the governorship in November of 1863, Holmes County cast 2,545
ballots for Vallandigham and only 1,140 for his opponent, not including the ballots of Holmes County soldiers, who voted 28 times for Vallandigham 211 for John Brough, the winner of the election.48

Despite voting for Vallandigham, Holmes County was embarrassed by what had happened. The Farmer made no mention of the events, though they were certainly newsworthy. The newspaper was not alone in denying what had happened. Fort Vallandigham, renamed Fort Fizzle, caused embarrassment in the county for decades. Even in 1941, Ramey claimed that "Citizens of Holmes County have been reluctant to discuss Fort Fizzle and for a long time would refuse to direct you to where it was, some even insisting that no such place ever existed."49

Denying its existence, though, did not change what had occurred. The loss of security and the dividing of the county manifested itself in homicide patterns. Before the Fort Fizzle incident, none of the three homicides (excluding infanticides) in which the weapon was known involved a gun. Afterwards, five of seven homicides (71%) involved firearms. In the new, divided Holmes County, people armed themselves with guns. They had owned guns before, but now they were carrying them, and using them on each other.

J. R. Vance was only a boy in Holmes County in 1863, but in an article published in 1931, he recalled how his
Democrat father bought a gun shortly before the Fort Fizzle rebellion out of anger at having been asked to join the uprising. The Farmer ran a number of editorials in the 1870s announcing that young men were purchasing and carrying pistols, and denounced the new state of affairs. One editorial protested that there was no need to carry pistols in Holmes County, betraying the fact that others obviously disagreed. The newspaper probably had little inkling of how instrumental it had been in bringing about the very situation it condemned.

The homicide rate rose during the Civil War, and stayed relatively high through 1880, with peak rates occurring much more frequently than in the past. Even when not fired in anger, guns made their presence known. In 1874, two girls about ten years of age found a pistol while playing together, and one managed to kill the other by shooting her in the head.

Despite the changes that took place in Holmes County, the homicide rate during and after the Civil War rose above four homicides per 100,000 inhabitants only during one three-year period (1877-1879). By comparison, Ross County's homicide rate stood above four thirteen times in the same time span. The people of Holmes simply did not commit homicide as often. The Amish and Mennonite influence helped keep homicide rates low, just as the example set by the
first settlers of Ross County endured into the 1880s, though the development of each county proceeded along separate paths.

The situation of Ross County during the Civil War and afterwards contrasted with Holmes County, partly because Ross County's connection with the rest of the state was much greater. Transportation developments had affected Ross from its earliest days. Zane's Trace, later known as the Maysville Road, which ran from Zanesville, Ohio to Maysville, Kentucky, passed through Chillicothe in the early 1800s. The Scioto River linked the county with the Ohio River and even New Orleans as early as 1803.53 People of Chillicothe loaded fifty boats with products for export in February 1811.54

Having lulled economically, after monies from the federal government dried up after the War of 1812 and the state capital relocated in 1816, Ross County became reinvigorated in 1829. Between 15,000 and 20,000 dollars were paid that year to contractors who began building the Ohio Canal through the county.55 C.C. Huntington and C.P. McClelland wrote in their History of the Ohio Canals that "Much of the work on the canal was done by farmers or their sons who lived near the canal and were glad to get the ready cash," but others, especially Irish and Germans, came from more distant areas.56 The building of the canal brought
new people into the county. After its completion more people traveled through than ever before, plying the waterway that connected the Great Lakes with the Ohio River.

Transportation developments continued with the building of the Marietta and Cincinnati Railroad through Ross County, bringing with it more new people, especially Irish workers. Begun in 1852, by 1854 the railroad spanned the county. The canal which ran north and south was now complemented by the Marietta and Cincinnati Railroad passing east and west. They combined to open the county to many different people, and offered the citizens of Ross County mobility.

Like Holmes County, homicide rates climbed high during the Civil War and remained high for a number of years. Unlike Holmes County, there is no indication that people in Ross County felt divided against each other by the war. They had already broken from the South and made their decision to leave slavery behind. Yet tensions ran high, and for many in Ross County who shared cultural and familial ties to the South, the war must have been a rending experience.

In both counties, the Civil War created pressures and provided an example of violence that both impacted the rates of homicide and numbed people to the effects of violence, resulting in homicides that appeared to have no justification at all. Jacob Baad of Holmes County had
served in the Union army for a few years. Discharged and living in Winesburg, one night he shot his neighbor Thomas Emmitt for no apparent reason.

One year before, in February 1863 in Ross County, a number of boys were throwing snowballs, having fun in the road outside the Shears residence. When a neighbor man, Schyler Currier, came close they threw snowballs at him, too. Currier said not a word, but went into his house and returned with a gun. He aimed it at the group of boys which included one of his own sons and snapped the gun twice. It went off neither time. Going back to the house, he returned once again, and resting the barrel on the water pump, shot Jacob Shears, who was throwing snowballs from atop a woodpile. Jacob's father stated in his deposition that "says he to me Father I am shot. says I, shot - the Devil. says he upon my word Father I am shot. I then turned around to him he had felt around to his side and raised his hand up I then saw the Blood dropping through his fingers . . . ."

Jacob Shears died from his wound, becoming the first homicide victim in Ross County in 1863. The depositions indicate Schyler Currier was upset that the boys were throwing snowballs. His response to his anger, however, was out of proportion to the stimulus. Few people seriously contemplate shooting children playing outside, let alone act
on such thoughts. Currier did both, and the Civil War may have provided a model of indiscriminate killing for his actions.

The two counties were different. The people who settled them came from disparate backgrounds, the circumstances of settlement differed, and the counties developed in unique ways, though as these past two examples indicate, some events affected the counties similarly. Homicide rates rose in both counties during the Civil War, and those years appear to have been edgy and divisive for all of the people.

Chapters two and three will focus on types and patterns of homicide, in an effort to understand the people, their values and priorities, and what they condoned as well as what they found unacceptable. It will also inspect how changes in the counties such as those described in Chapter One impacted patterns and rates of homicide.
NOTES TO CHAPTER I


3. Evans, Ross, 50.


10. Lyle Rexford Fletcher, "The Amish People of Holmes County, Ohio: A Study in Human Geography" (M.A. thesis, Ohio State University, 1932), 5.


15. *Complete Writings*, 45, 49.


18. (Holmes County, Ohio) *Farmer*, September 13, 1877.


31. **Farmer**, February 17, 1876. **Farmer**, February 24, 1876.


34. Theron F. Schlabach, **Peace, Faith, Nation: Mennonites and Amish in Nineteenth-Century America** (Scottdale, PA: Herald Press, 1988), 188.


37. D. W. Garber, **The Holmes County Rebellion** (1967).


40. Weisenburger, **Ohio**, 18.

41. Garber, **Holmes County Rebellion**.

42. **Farmer**, June 11, 1863.

43. Garber, **Holmes County Rebellion**.


45. (Columbus) **Ohio State Journal**, June 22, 1863.

46. Garber, **Holmes County Rebellion**.


50. Vance, "Holmes County Rebellion--Fort Fizzle," 34.

52. Farmer, August 20, 1874.


58. Coroner's Inquest on the body of Jakob Shears, February 1863.
CHAPTER II

"it is Nuthing but here say:"
Infanticide in Holmes and Ross Counties

The term infanticide describes the killing of a child under one year of age. A special type of homicide, the killer is almost always the mother of the victim. This differs markedly from most homicides. Quantifying infanticide poses difficulties for the researcher. Many homicides leave an adult body which exhibits visible signs of violent assault. One can suffocate a defenseless infant without leaving marks of violence. Also, the victim of infanticide has a small body easily hidden, making its discovery less likely. The infanticide victim, usually killed during the first day of life, has no circle of family and friends to report its disappearance. No one searches for the missing infant, as no one has a connection to it beyond the mother who killed it.

In Ross and Holmes counties, numerous infants were found in waterways, privies or vaults, and even hollow trees. In all cases, the parent or parents wanted to be unknown. Yet, the infant was not necessarily killed. The possibility of an infant being stillborn (dead at birth) was
a distinct possibility throughout the nineteenth century. As late as 1919, stillbirths accounted for 4.5% of all births in the United States.¹

Though often impossible to discern whether a dead infant had been stillborn or killed, circumstantial evidence could provide clues. A coroner's jury held an inquest over the body of a dead infant born to Hannah Nowbuck in Ross County in August 1817. Rebeckah Hinson told the jury "I believe the Child Died for want of proper attention, and that the child Died coming into the world or soon after and had [on] its head marks . . . and think the Scull was fractured on the back of the head." Fanny Henson agreed. "I think there was a neglect the mother of the Child told me that the Child was Dead Born, no clothing was prepared for Child."

Others concurred, but the Nowbucks dissented. Catherine Nowbuck testified "that she was with the mother of the Child at the time of her labour and that the Child was Dead born." The jury reported "the Mother stated that she Did not Expect it till the Last of next Month." The jury concluded "it is Impossible to Discover any cause . . . . the Child came to its Death through Mischance or Ignorance of the Mother. . . ."²

A jury of inquest would often ask whether clothing had been prepared for the infant, thinking that if the mother
had planned to destroy the infant she would not have prepared clothing. If there were no clothing, the mother would usually answer that the baby was premature. This claim both explained the lack of clothing and buttressed the argument that the baby did not live because of its premature condition.

In this study, possible infanticides have been separated from certain infanticides. A strangled infant or one with a skull fracture is a victim of certain infanticide; infants found in creeks or discovered buried with no marks of violence are usually treated as possible infanticides. Certainly, a portion of the infants discarded in canals, creeks, and privies died of drowning or suffocation. The rates of infanticide, possible infanticide, and the two together have been calculated to offer the most complete picture possible of the extent of infanticide in the two counties. All rates are inadequate; the certain infanticides are incomplete, while the possible infanticides contain both infanticides and stillbirths. The two together still include stillbirths, but not victims of infanticide whose graves were never discovered, or the record of their discovery was destroyed or lost. However, the information may be used profitably by focusing primarily upon the certain infanticides to draw conclusions, using possible infanticides to support or question those conclusions, and
remembering the combined rates as a possible indicator of the true extent of infanticide.

The record in Holmes County is more incomplete than in Ross County because coroner's inquests are missing. Only a total of three possible infanticides from Holmes County are known. All occurred in Hardy township, which contained the county seat, Millersburg. The Holmes County Farmer, the local newspaper, reported each one. The only certain infanticide occurred in June 1859, when a baby was killed and placed in a privy in Millersburg. Authorities questioned a woman thought to be the mother, but released her when they lacked evidence of her guilt.³

Six years later, the Farmer carried the story of T.P. Uhl. Uhl was walking through Millersburg late on a Saturday night toward his home just across the Killbuck creek on the west side of town. He saw a man scurrying along, carrying a basket, and followed him to the Killbuck creek. Uhl "heard what he believed to be the cry of an infant, saw the man throw something in the creek" and ran after the mysterious figure. He chased until the suspected killer whirled around, pointed a gun at Uhl, and threatened to shoot if he continued to follow him. On Monday morning citizens dragged the creek, but never found a body. The newspaper concluded, "There is little doubt but a most infamous crime has been perpetrated."⁴
In fact, there is much doubt. Not only was a dead infant never found, but the only evidence of the involvement of a live infant comes from one man's claim that he thought he heard its cry. Even if Uhl told the truth, he could have been mistaken, his mind hearing more than his ears during a time of excitement. Uhl may not have told the truth—or his perception may have been blurred late on a Saturday night. If true, the infanticide is uncharacteristic because a man killed the infant, not a woman. But without a victim or other supporting evidence, the incident can only be classified as a possible infanticide.

The third incident occurred in March 1871, when a baby was found in a box in the Killbuck creek a few miles south of Millersburg. A possible infanticide, the baby may have been slain or stillborn.⁵

That the one certain infanticide and two possible infanticides reported in the Farmer all occurred in Hardy township does not necessarily indicate unusual levels of violence there. Rather it may mean that the Farmer was more likely to know or write about happenings in Hardy township than those in other parts of the county. Other infanticides may have occurred between 1825 and 1880.

Ross County's record is more complete, and is replete with incidences of certain and possible infanticide. Though a different crime than most homicides, Ross County's
infanticides fit the general pattern observed in other homicides. In Ross County, the highest rates of certain infanticide occurred during the War of 1812 and the Civil War. People also committed infanticide after the building of the canal, and in the years preceding and following the Civil War. The two women who killed their babies during the War of 1812, in 1813 and 1814, sent the infanticide rate to 3.91 and 3.78 killings per 100,000 inhabitants for the three-year spans of 1812-1814 and 1813-1815, respectively. After the war ended, Ross County experienced no more certain infanticides until 1828, but upon the building of the Ohio canal to Chillicothe in 1831, there were infanticides in 1832, 1835, 1837, and 1842.

Following 1842, Ross County had no more reported infanticides until Thomas Hayes discovered a slain infant recently buried along a fence he was repairing in 1853. A strangled infant was discovered in 1859, and infanticides increased after this time, with two in 1861, followed by one each year in 1862, 1863, 1864, 1865, 1866, and 1870. Three more infanticides in 1874, 1877, and 1879 brought Ross County to the final year of this study.

The years and frequency of infanticide fit explanations of events already offered. Rates soared during periods of general violence such as the War of 1812 and Civil War. In Murdering Mothers: Infanticide in England and New England
1558-1803, Peter Hoffer and N.E.H. Hull found that rates of infanticide rose during violent periods, just as in Ross County. They also found that rates climbed during times of economic scarcity. In Ross County, infanticide rates do not correspond well with times of economic hardship in Ohio. The War of 1812 was a boom time for Chillicothe, yet infanticide rates were never higher, and rates were low following the Panics of 1819 and 1857. High infanticide rates correlate well with the Panic of 1837, but do not generally follow economic trends.

People who committed infanticide wanted anonymity. Many succeeded in this desire; no infanticidal person is known in Holmes County. The certain infanticide in 1859 resulted in the questioning of a woman and in 1865 T.P. Uhler claimed to have followed a man. Identities of killers or probable killers of infants in Ross County have survived more often. In most cases, the killer was the mother acting alone. In some cases she was employed as a hired girl within a home.

Jack Larkin explains in The Reshaping of Everyday Life 1790-1840 that "In the North, prosperous households usually had domestic 'helps' living with them—often young women from poorer families... They were strikingly mobile. Few stayed in one household as long as a year."(13) The literature on domestic servitude in the nineteenth century
describes it as terribly demanding work, and a generally undesirable sort of occupation. (8b) Those who entered it sometimes left it for another undesirable occupation. "Statistical evidence from the 1850s to the 1920s demonstrates that, as an occupational group, domestic servants . . . ranked high in cases of venereal disease and in the number of girls who became prostitutes." (70) In Ross County domestic servitude correlated highly with incidences of infanticide.

In one possible infanticide, Dr. John S. and Adelle Prettyman discovered a dead infant in their "backhouse" in the town of Kingston in 1850. Adelle testified that a Mary Mattocks had lived with them the previous five and a half months, and she thought Mattocks was pregnant. Though Mattocks always denied it, Adelle "suspected something was wrong + discharged her from my employ two weeks ago." Her husband John Prettyman did not appear to have been directly involved in the situation. Adelle employed Mattocks, confronted and eventually fired her, probably no more than a few days before Mattocks gave birth. George A. Wilson, M.D., believed the baby had been dead ten or twelve days. 9 Though Mattocks was not positively the mother of the child, the evidence pointed to her. Whoever the mother, she wanted to be unknown.
Edmund Lemoure and a few friends were playing near the Scioto River in late April 1864 when in a hollow sycamore tree they found a paper box containing a dead baby. Edmund ran home to tell his father, Hiram, who testified, "I have hired a girl by the name of Nancey an Curtis has been Suspicious of having a child Sum time abought 1st of Last March but it is Nothing but here say."10 Curtis may not have been the mother of the dead infant, which was killed by two blows to the head. Hiram's statement though, shows that if Curtis were pregnant, he did not ascertain that fact himself, and after being told, did not appear interested in the matter.

Harriet Gaskill worked as a servant for Catherine Barlow of Union township during the fall of 1867. Catherine believed that Gaskill was pregnant, but Gaskill denied it. When the time came for her to bear her child in early February, she refused to have any assistance. Catherine and her husband A.J. wanted her to at least have the baby in the room with a fire, but Gaskill refused. A.J. told the jury of inquest he had "told my wife if she wanted a physician I would send immediately." It is unclear whether the "she" A.J. referred to was Gaskill or his wife, but whoever refused, A.J. did not send for a doctor. The baby was judged born alive at eight pounds, and was found dead in a corner of the room in which Gaskill had birthed it wrapped in a cloth.11
Unlike the Prettymans, the Barlows did not try to rid themselves of their problem. They did not know what to do, but they wanted to help Harriet Gaskill, though they did not overrule her wish to be left alone. The Barlows did not deny her pregnancy, although Gaskill may have. Hoffer and Hull found two main kinds of infant murderers in their research. The characteristics of one of the types may describe Gaskill. "Extremely passive mothers, facing illegitimate birth, may feel shame and guilt which destruction of the infant relieves. This is often accompanied by passive ego defenses like denial of the pregnancy and dissociative reaction (that is, losing track of what was done with the child and by whom). These responses are genuine."12 Gaskill may have been this type of person. She denied that she was pregnant, but more importantly, did not seem to accept what was happening inside her. After the birth, she wrapped the baby in a cloth, hiding it from her sight, and laid it in a corner of the room.

Harriet Gaskill may not have known what was happening inside her body. Not all women did. Certainly, others around them sometimes had no idea of the pregnancy before the birth. On the night Elizabeth Baker gave birth in Chillicothe in 1844, she, her sister Catherine, and Mary Lumbach all went to bed together, and cleaned up the blood
on the floor they found after awaking in the night.
Catherine had asked Elizabeth if she were pregnant, but
Elizabeth denied it. Even after they cleaned up blood in
the chamber, the kitchen and the outhouse, Mary Lumbach
still did not think Elizabeth had given birth. "I was not
satisfied she had a child then -- thought the blood her
regular monthly [?]." Hoffer and Hull explain that
"Some young, ill-tutored mothers did not know when they were
pregnant, much less in labor, and their infant might have
fallen into a privy by accident, or been placed there after
stillbirth." Further in their book they claim "Labor pains
can resemble those of a bowel movement, and a weakened,
sick, or panicky new mother might lose a newborn into a
vault . . . ." This could have been Elizabeth Baker's
situation. She may not have lied when she denied her
pregnancy to her sister. Catherine suspected but did not
know for sure, and Mary Lumback had no clue until the night
of the birth. Whether the three ordinarily shared a room
and possibly even the same bed is unknown, but the incident
shows that a pregnancy could be hidden.

One way to hide a pregnancy was for the expectant
mother to leave her home community for another. In one
possible infanticide, Elsie Brown came to Ross County and
took a room in a hotel in Liberty township. She "said she
was the wife of Edgar Brown, Cincinnati Ohio, formerly of
Piketon [in Pike County directly south of Ross]." She took the room on August 22, and during the night of August 28 gave birth to a child which she hid the next day in a rockpile near the hotel. Franklin Redd testified that he "saw a woman calling herself Elsie Brown going down in that direction suspicioned something wrong think she done the act to hide her disgrace think she is a smart woman + ought to know better."

Redd's statement contains a number of insights. First of all, he did not know the woman, and perhaps did not believe her name truly to be Elsie Brown. He also believed that she had killed her baby, or "done the act."
Furthermore, Redd refers to her "disgrace." The disgrace for Redd lay not in the probable killing of the child, but in the pregnant condition of Elsie Brown, who had no husband with her, and probably had none. Lastly, Redd maintains that he considers Brown a "smart" woman, and a "smart" woman should know better than to kill her child.

Willy Williamson testified that "Elsie gave no reasons for the act says she was deranged + did not know what she was doing when she [packed?] it off--think she is a woman of good sense + ought to know better don't think she was deranged." Catherine Kilburn, who managed the hotel, related that Brown had "evaded" her questions when Kilburn asked if she were pregnant.15 The testimony offers a
probable sequence of events and some of the mother's thinking. Brown was not from the area. Probably without a husband, she came to the hotel to have her baby so those in her community would not know of her pregnancy. Her name may have been Elsie Brown, but was possibly an alias. Knowing she was close to her delivery time, she took a room in the hotel and waited. When the baby was born, it was either stillborn or Brown suffocated it, leaving no marks. The next day she hid it in the rockpile, intending to leave it and return to her community. When confronted with the baby, she claimed it had been stillborn and she had hid it while "deranged."

Elsie Brown succeeded in her plan. Though discovered, there was no proof she had killed her child and she was never tried. She may not have killed it, though the circumstances indicate that she was prepared to if it were born alive, as it probably was.

The case of Elsie Brown illustrates how difficult it could be to take legal action against suspected infanticidal mothers. It also demonstrates their often transient nature. Brown came from a distance away to have her baby in Ross County. Mary Mattocks had worked for the Prettymans for just under six months when she bore her child. No one noted from where she had come, but it is possible that she, upon discovering her pregnancy, left her home for Ross County.
There she gave birth, disposed of the child, and then moved on to a new place or returned to the area she had left, able to begin a new life without a child or a smear on her reputation.

The transiency of Elsie Brown, and of all hired help, is a factor to consider in the commission of infanticide. Improved transportation systems afforded women greater opportunity to leave their community and kill their child elsewhere anonymously. Elsie Brown came from outside the community, as many hired girls probably did in Ross County. Rates of infanticide in Ross County rose after completion of the canal, and again after the completion of the railroad. One conclusion from this could be that Ross County's violence did not come from its actual residents, but was foisted upon it by others traveling into the county for a brief period of time. The same, however, may be true of Ross County women. Just as Elsie Brown arrived, perhaps a Ross County woman made her way to another place, knowing her time to give birth was near.

Ross County's infanticide rates rose higher as better transportation became available. While one cannot conclude that Ross County residents were responsible for the majority of Ross County infanticides, the rates do correlate highly with rates of other types of homicide in the county, with times of general violence in the country, and times of fear and unsettledness in the county.
Some infanticidal people were never discovered, while others did not get away so easily. Early on in Ross County, the legal system attempted to bring to justice women accused of destroying their children. In 1806, Catherine "Caty" Hill was arrested "upon suspicion of murdering her child." She pled not guilty. The legal records do not clarify the age of her child, but it may have been an infant. There are no records to indicate whether she was tried, and if so, the verdict.

In 1813 Francis Hickson, after talking with others, led them to the female child she had borne. They "found the skull to be broke," and Hickson was indicted on a first degree murder charge. The next year "Hetty" Hill was arrested, charged with killing her infant child. The spotty legal records of those years do not contain a trial of any of these women. Elizabeth Dennis allegedly committed the next certain infanticide in 1828. Though no verdict was recorded, she was apparently brought to trial, accused of killing her newborn daughter by stuffing grass and clay into its mouth, putting it into a bag with a rock and throwing it down a well.

After 1828 only one infanticide came to trial. It involved Ellen Downs and her three-month child who was found drowned in the Ohio Canal in November 1865. Downs had lived
in Ross County with her husband, who died about 1859. She then remained in Ross County some years before moving north to Circleville, and in May 1865 left for Cincinnati. In November she came by train to Chillicothe with her baby of three months, which was found in the canal the day after her arrival. Downs was arrested before she could return to Cincinnati. She stood trial, and the jury found her not guilty.20

Few women were ever brought to trial for killing their children. No record of any conviction exists, and after 1828, only one woman was tried for the offense. Her child was not a newborn, but three months old. Though a difficult type of homicide to prosecute, there were instances when the people of Ross County seemed reluctant to take action against the killer, even when a baby was obviously killed by a known person.

Nancy Avis bore her child alone in October 1832, and promptly killed it by stuffing its mouth full of bran.21 She was never brought to trial. Three years later, Mrs. Nancy Leffingwell gave birth to a baby in January that she left outdoors and urged Jane Crouch to take. Crouch testified "[Nancy Leffingwell] then requested me to take charge of the child saying that she did not [want?] her friends to know of her having the child." Crouch did not take the baby, which died of exposure in the winter cold.22 Neither woman came to trial.
Manda Barnet's dead baby was found buried in a stable in Bainbridge in 1867. Its umbilical cord was wrapped once around its neck. A possible infanticide, the jury of inquest confusingly ruled it a stillbirth, but also said it had been born alive. Emila Everhart heard Manda Barnet say "Mrs. Clark ... will you swear that you was here and that it was dead born. And Mrs. Clark told her She could not that she would have to swear to the truth." Unfortunately, Mrs. Clark did not provide a statement to the jury. Manda's father Samuel claimed he helped deliver the baby, that it was stillborn and he buried it secretly "to keep the scandal down." He buried it in the stable, though "Kenny Wormley told him to sink it in the creek. Kenny Wormley said if they did find one that it would not be the first one that had been found."23

Kenny Wormley knew people in Ross County had disposed of their babies in creeks, and he advocated following their example. Manda Barnet's father Samuel explained why he wanted to hide the body, even if it was stillborn. Hiding the evidence of his daughter's pregnancy would "keep the scandal down." Nancy Leffingwell operated out of the same motivation when she asked Jane Crouch to take her baby so her friends would not know she had been pregnant. Though a "Mrs.", Leffingwell probably did not have a husband present to lend respectability to her pregnancy. In at least these
two instances, those involved were not motivated by poverty, but by concern for their social standing.

Many people committed infanticide in Ross County. Some were not from the county itself; in other cases the infanticidal mother did not belong to a strong family unit. Whether widowed, or a hired girl in an unsupportive household, they were not controlled or cared for by others, to the extent that their pregnancies could sometimes be entirely hidden. Some were suspected or discovered shortly before they delivered, while others succeeded in their deception. Numerous babies were discovered in Ross and Holmes counties with no clues to the identities of the parents. Women who secretly bore babies and then killed them faced little chance of being tried or even arrested. Even if discovered, the crime of infanticide was difficult to prove, and people did not show great enthusiasm for pursuing women believed to have destroyed their children.

Though rates of infanticide in both counties are approximate, Holmes County had a much lower rate. The Anabaptist doctrine of non-violence, coupled with a strong family and church structure which oversaw the actions and welfare of its members, reduced the chance of infanticide among those groups. Furthermore, Amish separatist beliefs would have made that group unlikely to hire domestic help from outside of their faith.
Even excepting the Amish and Mennonites, Holmes County still showed low rates of infanticide. The people who lived there were less likely to commit infanticide. A comparative lack of transportation networks and an abundance of language barriers made it improbable that women would come to Holmes County seeking work as domestics. In general, few people would travel through who were unattached to the bonds of the community. This, combined with a smaller population in which an outsider would be more conspicuous, made Holmes County an unlikely place for women to come to if they wanted to dispose of their child anonymously. It is worthy of note, however, that all three of the known possible infanticides in Holmes County took place within a few tenths of a mile of the railroad passing through the county, and all took place after its completion.

Despite the problems caused by incomplete or ambiguous evidence, as well as the probability that some infanticides were committed by people from outside of the county, some conclusions may be drawn. The people of Holmes County were less likely to commit infanticide than those of Ross County. In Ross County, single, transient women were likely people to commit infanticide, but there were always single, transient women in the county; sometimes they killed babies and sometimes not. People committed infanticide most often in Ross County during periods of war, or other violent times.
in the county. Ross County residents sometimes showed a reluctance to prosecute killers of babies, especially after the building of the canal which marked the beginning of over a decade of higher rates of infanticide than the decade previous. While disapproving of infanticide, some people showed an inclination to ignore it or distance themselves from it. Though homicide, the people of Ross County showed a different attitude toward the killing of a new-born child than to other types of homicide.
NOTES TO CHAPTER II


2. Coroner's inquest on the body of an infant, August 1817.

3. (Holmes County, Ohio) Farmer, July 7, 1859.


5. Farmer, March 9, 1871.

6. Coroner's inquest on the body of an infant, April 1853.

7. Coroner's inquest on the body of an infant, February 1859.


11. Sutherland, Americans, 70.

12. Coroner's inquest on the body of an infant, October 1850.

13. Coroner's inquest on the body of an infant, April 1864.


15. Hoffer, Murdering Mothers, 147.

16. Coroner's inquest on the body of an infant, October 1844.

17. Hoffer, Murdering Mothers, 10; 70.
18. Coroner's inquest on the body of an infant, August 1861.

19. Order Book (Clerk of Courts) of Ross County, Ohio. vol. 6 (1806-1807), 80-81.

20. Coroner's inquest on the body of an infant, September 1813.

21. Coroner's inquest on the body of an infant, March 1814.

22. Complete Record (Common Pleas Court) of Ross County, Ohio. vol. 2, 412-413.


24. Coroner's inquest on the body of an infant, October 1832.

25. Coroner's inquest on the body of an infant, January 1835.

CHAPTER III

"The champion belt:"
Property, honor and alcohol in Holmes and Ross counties

If the people of Ross County were not entirely concerned with the welfare of newborns in their county, they sometimes showed a great deal of interest in private property, which held great importance for the people of Ross County. As already discussed, homicide rates rose dramatically during the two early periods of 1803-1804 and 1813-1814 when the people of Ross County feared displacement from their property. Throughout the period under study, the people of Ross County showed a willingness to kill in order to protect their possessions.

A number of people were drinking together in November 1861 at the Butler residence in Union township. Two brothers, Amos and David Rickman, left Butler's for their nearby home. Later in the evening, William Campbell missed his watch. Assuming the Rickman brothers had stolen it, he took a rifle and walked to their home to recover his possession. A short time later, the Rickmans returned to Butler's and reported that they had killed Campbell. He was found at the Rickman's, bludgeoned to death with clubs. Both Rickman brothers and their sister Eliza stood trial for
second degree murder. The jury only convicted Amos of the killing, and he was sentenced to two years in the state penitentiary.¹

The following September, the Wheelers of Liberty township heard a noise outside their farmhouse one night. John and his son William both went outside with guns. Circling around the house in opposite directions they encountered nothing, and then started in the direction of a strawpile. John told his son "if he saw any one to hail him to stop."² They continued on, and then William did call out, firing his gun immediately afterward. Both men stood and listened, but did not hear any sound. They then returned to the house. The next day they turned themselves in to authorities when Samuel Jones was found dead near their farm with a gunshot wound in his chest. The Wheelers stood trial for the death of Jones, but the jury proclaimed them both not guilty.³

Five years later, John Harris killed Abraham Ingram. Harris raised turkeys, some of which had recently been stolen. When he heard a noise early on a Sunday morning in December, he went outside. Thinking that he saw two figures in the tree where his turkeys often roosted, he asked three times, "Who is there?" Receiving no reply, he fired randomly into the tree, slaying Ingram. Harris came to trial for the shooting, but the jury declined to convict him, finding him not guilty.⁴
The three cases demonstrate the importance of private property to the people of Ross County. When William Campbell could not find his watch and took his rifle to the Rickman's to repossess it, he showed a willingness to use force or even kill to get back his private property. At the same time, when he stepped onto the property of the Rickmans in such a menacing manner, the Rickmans felt that they were acting in self-defense of their property, which provided some justification for killing Campbell. The jury largely agreed. Though two large clubs were found lying on Campbell's body, the jury only convicted one person, and he went to prison for a relatively short time.

The circumstances surrounding the death of Abraham Ingram differ. Harris had already lost some turkeys, possibly to thieves. When he confronted a shadowy figure on his own property who obviously had no business being in his tree, he was willing to risk killing someone to protect his private property (turkeys) on his own land. The jury composed of citizens of Ross County agreed with the judgment of this man who had defended his own property against someone who did not belong there, probably intended to relieve Harris of some turkey, and would not answer when Harris gave him three chances to identify himself.

When William Wheeler shot Samuel Jones, the Ross County residents on the jury once again sided with the man who
stood on his own property at the time of the shooting. Wheeler did not know until the next day that he had shot a person, but he had been willing to, and he did. With someone sneaking around at night on his own property, he was ready to shoot. When he did, Ross County refused to punish him for his actions. Consistently, in all three cases, the people involved were willing to use force to protect their own property. The juries who considered their circumstances largely condoned their actions.

Not only were the people of Ross County willing to kill people on their land, but in at least one case they killed in order to acquire land itself. Philip Victory was an elderly man who had had a stroke. He agreed to will his farm and his possessions to a nephew, Peter Galligan, if Galligan would take care of him until he died. Galligan agreed, and he and his wife came to live at the farm. After a family dispute, however, Victory changed his mind and decided instead to will everything to a different nephew, Peter's brother Philip. Victory changed his will, but Peter would not leave the farm. Finally, Victory filed suit to have Peter ejected, but with the suit still pending, Victory suffered another stroke and died.

The will was probated, and two days later Philip Galligan went to take possession of the farm. His father and another brother, James, went with him. He brought a
schythe, and commenced cutting the yard by the farmhouse. Quickly, Peter and his wife came outside, and the Ross County Register reported that they then entered into "a wordy quarrel." At his father's urging, Philip swung the scythe at Peter several times, but missed. Still being encouraged by his father, he swung at Peter's wife Deborah twice, the second time cutting an artery in her leg which resulted in her death from loss of blood in a short time. Philip was arrested and charged with second degree murder, but never came to trial.5

People were willing to kill each other over private property in Ross County but not in Holmes, which yielded no similar cases. Ross County's court dockets also reveal numerous disputes over private property, unlike Holmes, which contains few. This is partially explained by the Amish and Mennonite aversion to being involved in lawsuits. Also, in Holmes County boundary lines were almost always in accordance with the grid system set up for the Northwest Territories. The idea was that "Rational, systematic settlement would help create enlightened communities."6 Except for the Green Ville Treaty line, which ran diagonally through the county, the vast majority of the boundaries in Holmes ran parallel or perpendicular to each other. It is unknown whether these boxes of land helped to create an enlightened community, but they did decrease property disputes.
The situation differed in the Virginia Military District. As Beverley W. Bond explained in *The Civilization of the Old Northwest*, instead of using the methods called for by the Land Ordinance, settlers used "the Southern system of indiscriminate location," which allowed the first arrivals to stake out long ribbons of choice bottomlands, leaving hilly and less fertile ground for those who came after. As a result, properties frequently took on odd forms and used natural boundary markers such as trees. This led to confusion over actual property lines in later years after trees and original owners died. The point should not be stressed too strongly, but straight property lines in Holmes County contributed to an orderly society. In Ross, the people embedded irregular boundaries into the fabric of the land upon which they lived.

Not only did the juries of Ross County residents deal lightly with those accused of homicide while protecting or standing upon their own property, they also tended to deal harshly with those who stole private property. One poor fellow caught stealing a horse worth eighty dollars in 1821 earned fourteen years at hard labor in the state penitentiary. In this county that felt so strongly about the sanctity of private property, it is consistent with the societal priorities that two of the three men hanged in the county were busy robbing the people they killed.
The first was the exception. At the time Edward Stalcup shot Asa Mounts in a "jealous rage" in 1803, the State of Ohio had not built a penitentiary in which to hold prisoners for long periods, and jails of the period were inadequate for this purpose. Thus, the punishment for murder was death by hanging. Stalcup's conviction left no alternative but hanging, which occurred the following August. The other two men juries of Ross County chose to hang both committed their homicides while in the process of a robbery.

In November 1844 Leroy J. Maxon and Henry Thomas broke into the store of Frederick Edwards in the little town of Bourneville. When Edwards, who slept in a back room, came to investigate, the two killed him by stabbing him at least seven times. Both were later caught and placed in the Ross County jail, but Maxon escaped and was never found. He was fortunate, because Thomas was convicted of first degree murder and hanged in 1846.

As Perry Bowsher robbed a tollhouse run by an elderly couple on the road to Columbus, he shot both Edmund and Ann McVey when they came out of their bedroom to investigate his noises. Bowsher might have killed the young hired girl if he had found her, but she hid under her bed while he looked for valuables in her room and she later slipped out of her window and ran to a neighbor's house for help. She could
not identify Bowsher, having only seen him from the knees down while he went through her dresser. But Bowsher bragged of his exploits to some of his "friends," who turned him in for $1,000 in reward money. Convicted of killing Ann McVey, he was hanged on a June morning in 1878.11

The record of homicide in Holmes County is much different. There were no known disputes over private property that escalated into homicide. The importance of private property to people in Holmes County may have been great, but they were not willing to kill in order to acquire or defend their possessions. Part of the explanation for this lies in the concept of Gelassenheit, which guided the Amish in their thought and behavior.

"Roughly translated, Gelassenheit means 'submission'--yielding to a higher authority."12 Central to the Amish way of life, their adherence to Gelassenheit dictated behavior in important ways. Far beyond a command not to kill, the Amish believed that one should never use force in human relations. This meant they would not only refuse to join armies or even police forces, but they would not sue people, and they would attempt to avoid competing with others. In their personal relationships, when faced with conflict or potential violence, they attempted to avoid the other person, or use silence to deescalate the conflict. Rather than attempt to exalt themselves, the Amish tried to
humble themselves. Raising oneself above others was contrary to the example of Christ, who washed the feet of his disciples.\textsuperscript{13} The Amish did not attempt to bring conflict to a head; when faced with potentially violent situations they attempted to defuse anger by yielding and submitting, rather than by overcoming. This meant that minor incidents were unlikely to become major confrontations among the Amish and those they influenced, because of the patterns of behavior into which 

\textit{Gelassenheit} led them.

Ross County's patterns of behavior were different. Throughout the period, minor incidents such as a fistfight or perceived insult grew into homicide, sometimes over a period of months, other times in the space of an instant.

In a Chillicothe tavern on an evening in May 1801, John Bowman and John Betz began fighting, then decided to take their dispute outside to finish it there. After fighting for a while, they "appeared to stop and began to walk back toward the tavern," when Betz dropped to the ground, dead from several stab wounds in his body. The killer was found guilty of manslaughter by his jury and received the letter 'M' branded on his left hand.\textsuperscript{14}

Incidents like this would happen again. Sixty years later in Bochard's grocery in the little town of Adelphi, a number of young men were sitting around one evening when William Binkley became abusive to a little boy. Told to
settle down, he declared "that he was not afraid of or could whip any of the Bochards." Charles Bochard, who had chastised Binkley for accosting the young boy, did not take up Binkley on his offer, but another Bochard brother soon came in and Binkley and he fought on the floor of the grocery. At some point in the fight, Binkley stabbed Bochard in the neck with a knife, and Bochard died of blood loss soon after. Binkley was tried and found not guilty of the killing. Like the fight in 1801, what began with only fists escalated in minutes to a deadly confrontation. In other cases, the escalation was just as severe, but it took a much longer time to materialize.

A "drunken row," between John Bramley and Albert White, who were bringing in the New Year of 1863, resulted in the shooting death of Bramley, but not until April 1863. Rather than wake up the morning after their fight and laugh at their inebriated foolishness, or allow the incident to fade from memory, its importance grew over time. Samuel Rockhold gave testimony in the resulting trial that while playing cards with White, "said White spoke of his former difficulty with the deceased and said he had heard that deceased [was] carrying a pistol and knife for him and that he White would blow the shit out of him (Bramley) some one said he ought to lick him - and some third person said he W[ite] had tried that but B[ramley] was too damn strong for him."
White's attempt to "lick" Bramley probably refers to the New Year's incident. Bramley apparently got the best of White in that encounter, but the affair was not finished in his mind, if he was actually carrying a pistol and knife to use on White. White may have been the poorer fighter of the two, but rather than turn and run, he proved equally willing to introduce guns to the dispute, equalizing physical differences and at the same time increasing heavily the chances of a fatal outcome to the dispute. White preferred to risk death rather than admit himself the weaker of the two or learn that lesson firsthand once again at the hands of Bramley. White was not alone in his sentiments.

Seven years later, on a farm in Ross County where a handful of men were hauling hay from a field in the heat of late July, a minor disagreement between two of them set in motion a course of events that would result in a stabbing death in September. That summer day, William Montgomery insisted on loading more hay on the wagon than Benjamin Woolford thought the horses could carry. Another horse was brought, but not until their owner arrived could the horses be made to pull the haywagon. Even then, the load was so large that it would not fit through the gate. Woolford, a young man of twenty or twenty-one, did nothing to taunt Montgomery about being wrong, but Montgomery was furious, and from that day on made threats against Woolford.
The same afternoon, Montgomery yelled at Woolford when part of the hay Woolford was loading on a separate wagon fell off, resulting in a statement by Woolford against Montgomery. Out of the hearing of Montgomery who was across the field, Woolford uttered "if he was here, I would let him have this pitch fork." John Hilton, their employer that day, testified to Woolford's words, and followed by noting that "Woolford seemed much agitated." Little wonder that Woolford seemed unsettled. A young man who had come to Ross County only two years before from Washington County in the southeastern part of Ohio, Woolford stood about five feet, six or eight inches tall. The man he had angered, Montgomery, was described as "rough," and "rawboned," and overbearing quarrelsome man." He stood six feet tall, weighed between 165 and 180 pounds, and no one claimed that a stronger man lived in the neighborhood. Thirty-eight years old, Montgomery claimed to have had thirty-nine fights, and from July to September he vowed that Woolford would be his fortieth.

Montgomery left in the afternoon, but came back that evening looking for Woolford who had already left. Neither came to work the next day, but Montgomery did show up looking for Woolford, reportedly with a double-edged knife in his pocket. Jerry Barclay testified that Montgomery told him that Woolford "was afraid to meet old 'Billy.'"
Montgomery said he had been prepared ever since they threatened to hang him in the war, and said if he ever got within 4 feet of Woolford, Woolford was his meat.\textsuperscript{18}

It is important to remember that Montgomery's anger erupted from a small disagreement that could have been explained by the heat of the day, or forgotten in the busyness of haying. Bearing a resemblance to the example of White and Barclay, in which a minor dispute culminated in death after a period of months had passed, Montgomery would not let Woolford get away with having been right about how much hay the horses could pull. Woolford may have been correct, but Montgomery was determined that Woolford would regret disagreeing with him. Hanson Gray heard Montgomery say that "I do not intend to have any words with him, but will jump on him at once. I will catch him at some of the apple cuttings."

Gathering from the testimony at the trial, apple cuttings were social get-togethers during the late summer and early fall. The harvest of ripe apples took place in the evening, and when daylight failed, everyone went inside the house to process the apples into products such as apple butter and applesauce that would keep well through the winter. One of these apple cuttings took place at the Moss residence on September 2, 1869. Montgomery was there, and late in the evening Benjamin Woolford arrived as well, with
two friends about his own age, George Barclay and John Merrow.

From the trial testimony, it appears that Woolford arrived at the Moss residence intending to confront Montgomery, but not necessarily with the purpose of fighting him. It is plausible, perhaps probable, that Woolford, hearing of Montgomery's repeated threats against him and afraid that Montgomery might waylay him in a lonely place, decided to bring matters to a head at a place and time of his own choosing, with several witnesses present and a few friends close at hand. Woolford, Barclay and Merrow did not go inside the Moss house, as Woolford was afraid Montgomery would jump on him if he did. The three stayed outside smoking cigars, talking about a dog fight, and about the girls at the apple cutting. When the evening broke up about eleven that night, the apple cutters walked to the road that would lead them home.

In the trial testimony, several people spoke of what they heard or saw, and from their words it is possible to construct an almost verbatim account of what then happened. Joseph Collins, in his initial testimony and under cross-examination, relates most of the actual words that passed between Woolford and Montgomery. He is supported by the testimony of other witnesses, providing an account of the interaction that reveals much about the people of Ross County.
When Montgomery came out to the road, Woolford stepped out and said

[From the testimony of Joseph Collins] "hold on you are the man I want to see" Montgomery said "what will you have" Woolford replied "I understand you said you wanted to whip me" Montgomery then said "I have said so" and then also said "You have said you loud[allowed] to whip me" Woolford said "I ner said it" Montgomery again said "You have said it you have waylaid me and are damned fence corner cowards" Woolford said "I do not want any fuss tonight" "it is dark I can see you some other time"... Montgomery told him that they were a set of damned fence corner cowards - they could see to waylay him and they could see now as well as any other time. Montgomery said if the damned fence corner cowards would not fight him he would go home if he could find his belt. Barclay said "You wear the belt do you" "yes" said Montgomery "The champion belt by god I can whip all four of you" Barclay said "You must think yourself a good man" Montgomery said "I am a hoss" Montgomery dared again, and then Woolford dared him Montgomery then said "If you will not come at me I will go at you"

Montgomery ran at Woolford, grabbing his neck or shirt collar with his left hand, beating on him with his right.

The two fought for a time, no one else interfering.

Suddenly, Montgomery threw Woolford away from him with great force, sending Woolford ten or twelve feet, through a rail fence. Montgomery turned around and ran toward the onlookers and yelled "I'm stabbed." He fell to the ground and died within minutes, the fatal stab piercing his heart.

Both men had fought with knives. Woolford bleeding from cuts on his left side, left shoulder, right thumb and wrist. Woolford left with his two friends before Montgomery died,
possibly not knowing his wounds were mortal, and Woolford spent the rest of the night receiving medical treatment for his own wounds.19

The events related here contain a wealth of cultural insights. Woolford had lived in Ross County only a few years, yet he obviously understood the cultural code which governed it. Montgomery, a resident of Ross County at least since childhood, articulated and embodied this cultural code. Recognized as the strongest, most fearsome man in the area, Montgomery could not let Woolford have the best of him in the hay meadow in July. Letting Woolford go unpunished might have invited people to challenge Montgomery’s status. To avoid that possibility, he needed to beat Woolford and prove his worth once again. Montgomery may not have had as many fights as he claimed, but most witnesses knew of one or two of his more notable scraps, and one witness named six men who had tangled with Montgomery.

Woolford apparently felt little need to fight Montgomery, yet when Montgomery gave him his only chance to back down from the fight, Woolford did not take it. The meaning of Montgomery’s words that he would go home if he could find his belt may elude today’s reader, yet the meaning was clear to those involved. When Montgomery said he would go home if he could only find his belt (the championship belt), he was telling Woolford that if he would
admit that Montgomery could whip him and that Montgomery was the champion, then no fight would be needed, and the challenge to Montgomery's position and status in the community would disappear.

Woolford did not accept Montgomery's offer. Perhaps he would have but Barclay spoke and robbed him of his opportunity. More likely, Woolford was not willing to concede the outcome of the fight to Montgomery, assuring himself a loss of honor in the process. Woolford did not want to fight Montgomery, but given the choice of fighting or losing face in the eyes of all, he chose to fight. No one knows who pulled out a knife first, but both men were carrying a fighting knife. They were prepared to risk death in their struggle. Fighting for the "champion belt" meant fighting for high stakes, and everyone involved knew it. A hierarchy had been challenged (even if the challenger had no intention of doing so), and the man at the top of that order had to defend his position or lose it by default. For Montgomery not to have risen to the challenge would have meant showing weakness, showing a lack of confidence in his own position. He found this unacceptable.

The contrast between the interactions not only of Montgomery and Woolford, but of all the people who worked with them or watched them fight, and the Amish, is dramatic. Not everyone in Holmes County was Amish, and not everyone in
Ross County acted like Montgomery and Woolford. But the Amish lived according to certain ideas about the world, just as Montgomery and Woolford did, and in some ways their images were opposites. Montgomery and Woolford could not share equal standing. Montgomery, when he believed Woolford had attempted to rise above him, was forced by his ideas about a social hierarchy to make Woolford submit to him. Woolford attempted to deescalate the situation by avoiding Montgomery, but he did so out of fear that he would be forced to submit, not out of a desire to submit. Woolford's avoidance was a means of escaping from submission, from admitting himself lower than Montgomery. Finally, when he faced Montgomery, who told him that Woolford could avoid violence by yielding to Montgomery, Woolford chose not to, risking death and being willing to kill another human in order to raise himself above that person and not have to be beneath him.

Woolford and Montgomery tried to raise themselves, to exalt themselves. The difference between them and the Amish who attempted to lower themselves and place themselves in an attitude of submission had an impact on the way they lived their lives, and the difference is reflected in the homicide rates. The opposite attitudes in the two counties concerning raising or lowering oneself constituted a crucial difference.
The trial from which the testimony comes is that of George Barclay. He received one year in the state penitentiary for his involvement, but was almost immediately pardoned by the state governor. Woolford and John Merrow never came to trial and the indication in Barclay's trial is that they jumped bail. They never did come to trial. Because he had waited outside for Montgomery and a jury might have believed the killing was premeditated, Woolford might have been convicted of first degree murder charges for which he would likely have been hanged or sent to prison for life, neither of which would have looked attractive to a young man. Though his family members had to pay fines for not securing his presence at his trial, Woolford left forever. Once again, the weaker of two fighters, Woolford's decision was to kill his opponent rather than lose to him. In the killings of Betz in 1801 and Bochard in 1861, it stands to reason that because each pair fought for a while before a knife was drawn, the one who drew the knife feared losing the fight. Otherwise, why would they risk the potential of punishment for killing the other when they were likely to wind up thrashing him?

Alcohol played a central role in the development of Ross County from its earliest days. Chillicothe contained more than one tavern before the end of its first year of settlement, and alcohol appeared in connection with many of
Ross County's homicides. The first two known homicides after the settling of the county in 1796 involved alcohol. In the killings of 1798 and 1801 mentioned above, a disagreement began inside or just outside of a tavern. The pattern would be repeated many times. Amos Williams and Joseph Mounts argued over a bottle of whiskey in 1821. With a chunk of wood, Mounts knocked Williams to the ground, where he died.20

Alcohol was always present in the county. When the canal was built, workers were partially paid with whiskey.21 Robert Emmet Chaddock explained in *Ohio Before 1850* that an abundance of alcohol in southern Ohio had much to do with the circumstances of the land. Chaddock noted that "Intoxication became responsible for much of the social disorder of the time," and went on to relate that due to grain surpluses, "The southern part of the state ... produced large quantities [of liquor] for export by boat to southern markets. By this means the bulk of the grain was reduced and the product became more valuable ... ." Not all of the alcohol produced, however, made its way out of the county. "The evils of intemperance, therefore, became more apparent" in southern Ohio, and Chillicothe "was compelled at one time to adopt heroic measures to limit the use of intoxicants."22
After 1831, taverns sprang up beside the canal, seven standing in one block in Chillicothe. The combination of a canal work force and establishments eager to accept money in exchange for alcohol proved deadly. The drug lowered inhibitions in a county already prone to violence. Long after the homicides involving alcohol in 1798 and 1801, alcohol continued to play an active role in Ross County violence.

In November 1841, Hamilton Smith was piloting his boat southward toward Ross County. A former boat hand of his named Vincent Medley wanted a ride in the same direction, and Smith let him on the boat. During the boat ride, however, the young man of 23 or 24 became drunk and abusive. When the boat stopped briefly at Yellow Bud and Medley disappeared into a tavern, Smith tried to leave without him. Medley, intoxicated, ran after the boat and jumped onto it from a bridge, landing "with great violence." He got up and declared "I have killed myself" and had broken his arm, but he then disappeared into a room on the boat and came back with a stove leg. Smith had Medley put off the boat, but Medley again ran after, throwing rocks at the boat and its passengers. Finally, Smith himself got off the boat, meeting Medley on the tow path. After trying to convince Medley not to accost the boat, with Medley refusing, Smith threw him over the bank of the tow path on the land side,
immediately ran to his boat and cast off. Medley was
discovered that evening, dying where Smith had thrown him.
Taken to a tavern in Yellow Bud, he expired the next morning
with "marks of violence on the head and chest." 23

Mahlon Baldwin also received a strong response to his
inebriated behavior. Thrown out of a house of prostitution
in Chillicothe along with a companion for their drunkenness,
they took offense and broke the door down trying to reenter.
The owners, Archibald and Rachel Walden, greeted them with a
stone and an axe; Baldwin later died from the axe wound he
received in the head. 24

Alcohol was connected with at least three homicides in
Holmes County. Jacob Baad of Winesburg shot his neighbor
Thomas Emmitt on a Saturday evening in 1864. Baad was not
accused of having been intoxicated at the time of the
shooting, but the newspaper described him as "very much
addicted to drinking." 25 Two young men at O'Dell's Lake
in 1879 fought on a Friday night. Frank Teeters came to the
hotel where Charles Cady worked, and chased him into the
bar. Cady began blowing out the lights, claiming he was
going to close for the night, while Teeters demanded a drink
from the bar. Cady turned his back to him, Teeters "drew a
revolver and snapped it at Cady, the cartridge failing to
explode . . . ." Cady then whirled and fired his own
revolver, giving Teeter a mortal head wound. 26
Both homicides occurred on weekend evenings. Baad had a reputation for alcohol consumption and Cady killed Teeters in a hotel bar. Yet none of the participants were certainly intoxicated. The one clear case of alcohol involvement took place in 1870, when Jacob Kint shot his son-in-law Lewis Ritter. Drunk, Ritter came to his father-in-law's home and told him he wanted to be friends; Kint said that would be fine. Ritter then began "cursing at his wife," and Kint told him to leave. Ritter replied that he would not, but turned his back and walked toward the door. Kint picked up a revolver, shot at and missed Ritter, who then wheeled and fought his father-in-law. Kint fired two more shots, one hitting Ritter in the heart.27

Holmes County's experience with alcohol and homicide only faintly resembled that of Ross. Of the three killings known to be connected with alcohol in any way, only one involved a participant known to be intoxicated at the time of the homicide. Though Holmes County's denizens do not appear to have drunk as much alcohol as those of Ross, they did imbibe. Catherine Joss lived in Holmes County in the 1830s. In her autobiography she mentioned "a school-teacher in Weinsburg, an American, that neither sang, danced, smoked, nor drank of any kind of intoxicating drink, so he had but few to associate with."28 Seven men in Holmes County paid for tavern licenses in 1846.29 People drank
alcohol, but drinking it did not lead them into homicidal situations as often happened in Ross County.

At the Centennial Saloon in Chillicothe, a man named Meinfelder picked a fight with William Winters, who had just entered with a few friends. Winters initially declined the offer to fight, but being further provoked, struck Meinfelder in the face. Meinfelder drew a knife and slashed at Winters but missed him. The proprietor tried to end the fight by pushing Meinfelder onto a table and pinning him down, but Meinfelder managed to aim a pistol at Winters and shoot him. Winters gave no reaction and walked out the door, holding his hand to his side. Meinfelder followed. One man testified "I saw Meinfelter have the pistol outside, flourish it. He said ' Didn't I give it to him in his little breast.' 'Didn't I make the s-n of a b-h put his hand to his little old guts.'" Winters walked part of the way to the doctor's, but his friends carried him the remainder. He died hours later.30

The people of Holmes and Ross counties had different inclinations even when sober. Alcohol may not have reduced the chances of homicide in Holmes County, but it raised the odds in Ross County, accentuating the differences between the two groups.
NOTES TO CHAPTER III

1. Coroner's inquest on the body of William Campbell, November 1861; Complete Record (Common Pleas Court) of Ross County, Ohio, vol. 29, 547; (Chillicothe, Ohio) Scioto Gazette, November 12 1861, December 3 1861, and December 17 1861.

2. Coroner's inquest on the body of Samuel Jones, September 1862.

3. Coroner's inquest on the body of Samuel Jones; Complete Record (Common Pleas Court) of Ross County, Ohio, vol. 30, 197-8; Scioto Gazette, March 24 1863.

4. Coroner's inquest on the body of Abraham Ingram, December 1867; Complete Record (Common Pleas Court) of Ross County, Ohio, vol. 32, 210-211; Scioto Gazette, December 24 1867.

5. Coroner's inquest on the body of Deborah Jane Galligan, July 1876; (Ross County, Ohio) Register, July 29 1876.


10. Patricia Fife Medert, Chillicothe's Publick Ground (Jackson, Ohio: Jackson Publishing Company, 1990), 108; Evans, Ross, 153-154; Complete Record (Common Pleas Court) of Ross County, Ohio, vol. 16, 160-170.

11. Medert, Chillicothe, 108-109; Evans, Ross, 154-156; Coroner's inquest on the bodies of E.S. McVay and wife, October 1877. Lyle Evans writes in his history of the county that after Bowsher killed the McVeys and searched the house for valuables, he "was deliberate enough to go into
the kitchen with a lighted candle, and eat a hearty lunch of such food as he could find there."(155) This act may be mythical, for neither Alice Dean, the hired girl, nor anyone else who gave depositions to the jury of inquest, mentioned anything of the sort. Bowsher, however, did set fire to the tollhouse before he left, and when Alice Dean returned with the first of a number of neighbors they put out the flames.


15. Coroner's inquest on the body of Charles Bochard, April 1861; Complete Record (Common Pleas Court) of Ross County, Ohio. vol. 28, 57-63.


17. Actually, White did not kill Bramley. The trial is that of Thomas Higgins, Bramley's friend. In the April encounter, Bramley was on his horse, pushing forward against Higgins who was in front of White. Bramley took out his pistol, told Higgins and White to get out of his way, and shot his pistol into the air. Higgins wheeled around, pulled a pistol out of White's pocket and shot Bramley dead. The state tried to prove a conspiracy to kill Bramley between White and Higgins. Higgins was found guilty of manslaughter and sentenced to three years of hard labor in the state penitentiary.

18. Complete Record (Common Pleas Court) of Ross County, Ohio. vol. 33, 448; The frustratingly ambiguous reference to a threatened hanging remains unexplained. Barclay said under cross-examination that he did not know any more about it and did not know what Montgomery meant.

19. All information and citations are from the Complete Record (Common Pleas Court) of Ross County, Ohio. vol. 33, 430-460.

20. Coroner's inquest on the body of Amos Williams, January 1821.


23. Coroner's inquest on the body of an unknown man, November 1841; Scioto Gazette, December 2 1841.

24. Daily Scioto Gazette, May 8 1856; Scioto Gazette, July 3, 1856; Complete Record (Common Pleas Court) of Ross County, Ohio. vol. 23, 312-317.

25. (Holmes County, Ohio) Farmer, March 17 1864.

26. Farmer, January 1 1880; Farmer April 22 1880; Common Pleas Court Record of Holmes County, Ohio. vol. 23, 49-50.

27. Farmer, January 13 1870.


29. Farmer, July 18, 1846.

CONCLUSION

"The damned rascal deserved it"

When Elias Langham ran to John Tabb just after he had shot Robert Shaw in the streets of Chillicothe in 1813, and asked him why he had done the deed, Tabb had no trouble answering him. "The damned rascal deserved it," he replied. At first glance the answer may not appear to provide the insight a historian might look for. After having read about Holmes and Ross counties, though, one would expect to hear Tabb's statement in Ross County, but not Holmes County. This does not mean there were no intentional murders in Holmes County. It does mean that the prevailing attitudes in each of the counties were different. Tabb felt that Shaw deserved to be killed, and he killed him. The rest of Chillicothe may have agreed with Tabb. Though court records for the period are sketchy, there is no indication that Tabb came to trial for his transgression.

The record of homicide in each county attests to the character of people who lived there; their values, their thoughts, their ways of dealing with conflict, and their methods of earning respect. The history of the two counties indicates that the people in Ross and Holmes counties were different from each other. The record of homicide bears
this out, and helps to illustrate what those differences were.

The non-violent tradition in the Anabaptist faith and the importance of Gelassenheit to Amish personality and conduct had an important influence in the county. The people of Holmes County who were Anabaptist, influenced by Anabaptist behavior or who failed to feel threatened by the Anabaptists who lowered themselves, kept homicide rates low. The people of Ross County, with a violent history and conceptions of honor that tended toward violence, had high homicide rates.

Circumstances of settlement and development also played an important role. Homicide rates varied greatly within each county, for reasons that can be determined. This does not mean that no questions have been left unanswered. Questions remain. Were killers after the Civil War likely to be veterans? Why were women only a tiny minority of homicide victims in the early 1880s, but a substantial percentage after 1859 or 1865?

The questions that have been dealt with, however, have probed a neglected avenue of approach to the development of the state of Ohio in the nineteenth century. The study of homicide has been and can be used as a fruitful method for an investigation of the past.
BIBLIOGRAPHY

Secondary Sources


Barnhart, John D. "Sources of Southern Migration into the Old Northwest." Mississippi Valley Historical Review. 22 (June, 1935), 49-62.


Ramey, Homer A. "Fort Fizzle" *Northwest Ohio Historical Quarterly*. 13 (January 1941), 1-7.


**Primary Source Materials**

**Newspapers:**

(Chillicothe, Ohio) *Advertiser*. Ohio Historical Society. Columbus, Ohio.

*Chillicothe Times*. Ohio Historical Society. Columbus, Ohio.

(Chillicothe, Ohio) *Daily Scioto Gazette*. Ohio Historical Society. Columbus, Ohio.

(Chillicothe) *Ohio Herald*. Ohio Historical Society. Columbus, Ohio.

(Chillicothe, Ohio) *Scioto Gazette*. Ohio Historical Society. Columbus, Ohio.

(Ross County, Ohio) *Register*. Ross County Historical Society. Chillicothe, Ohio.

(Holmes County) *Farmer*. Holmes County Public Library, Millersburg, Ohio; Ohio Historical Society, Columbus, Ohio.

(Holmes County) *Republican*. Holmes County Public Library, Millersburg, Ohio; Ohio Historical Society, Columbus, Ohio.

(Holmes County) *Whig*. Holmes County Public Library, Millersburg, Ohio; Ohio Historical Society, Columbus, Ohio.
County Records:


Complete Record (Common Pleas Court) of Ross County, Ohio. Ross County Courthouse, Chillicothe, Ohio.

Complete Record (Supreme Court) of Ross County, Ohio. Ross County Courthouse, Chillicothe, Ohio.

Coroner's Inquests of Ross County, Ohio 1813-1880. Ross County Courthouse, Chillicothe, Ohio.

Supreme Court Order Book, Ross County, Ohio. Ross County Courthouse, Chillicothe, Ohio.

Common Pleas Order Book, Holmes County, Ohio. Holmes County Courthouse, Millersburg, Ohio.

Complete Record (Common Pleas Court) of Holmes County, Ohio. Holmes County Courthouse, Millersburg, Ohio.
Figure 2. Ross County, Ohio.
Figure 4. Homicide Related to Alcohol, Holmes County 1825-1880
Figure 6. Homicide (minus Infanticide), Holmes County, 1825-1880

3 year time series

[Graph showing time series data for Homicide (minus Infanticide) in Holmes County, 1825-1880]
Figure 8. Homicide (including Infanticide), Holmes County 1825-1880
Figure 10. Certain & Possible Infanticide, Holmes County 1825-1880
Figure 13. Possible Insulticide, Ross County 1796-1880
Figure 15. Possible Homicide (minus Infanticide), Ross County 1796-1880