THE COLOR LINE IN OHIO PUBLIC SCHOOLS,
1829-1890

DISSERTATION

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INTRODUCTION

The concern of this study, as the title indicates, will be the education of the Ohio Negro, but before we turn to the study itself, a word of introduction might prove useful to acquaint the reader with the broad outlines of the connecting thread through our narrative, the agitation, primarily political agitation, by the Negro and friends of the Negro to achieve equality of educational opportunity. In describing such agitation it will be necessary to examine other aspects of his civil status as well, for the Negro in early Ohio, we shall see, was not limited merely in educational opportunity; rather, such a restriction was but one of a more inclusive set of limitations which together spelled out a position of second-class citizenship. Depending upon the time, agitation for a better civil position for the Negro might emphasize one limitation more than another, but as it turned out when a gain was made in one respect, accompanying gains were made in education, or a new position of power was achieved from which further gains could be more easily achieved.

As a background for our narrative the first chapter will describe the restricted civil status of the Negro in the early days of Ohio history. Coming as he often did from the South, frequently as a recently-released slave,
the colored man was linked with servility and generally was held in contempt by his fellow whites as being an inferior creature capable of filling only the lower strata of society. This disposition to reject the Negro and to consider him unfit for political as well as social association with whites was manifested early in Ohio history, at the time of the formation of the first constitution for the state in 1802, when the Negro was barred from the franchise. This was merely the first step. The voting restriction was soon extended by a series of "Black Laws" by which Negro migration to Ohio was severely limited, and by which his testimony was forbidden in cases where a white person was a party. Subsequently, when a tax-supported school system was begun, the Negro, in a similar fashion, was excluded from the public schools. These were the principal limitations on the civil status of the Negro in early Nineteenth Century Ohio, limitations which relegated him, as we have said, to a position of second-class citizenship.

Before these restrictions were finally swept away almost a half-century of history had passed, a history of uneven agitation which saw periods of inactivity, persuasion, intense political activity, and even civil war. The opening phase of our story about agitation to remove these restrictions begins with the coming of the militant abolitionist reformers. Chapter II will treat the
establishment of this movement in Ohio. Its primary concern, of course, was the slave in the South, or the fugitive slave who had escaped to the North, but the abolitionist was interested in the well-being and elevation of the free Negro in his midst as well, for if the colored man at his side could be improved, such elevation would serve to refute the contention of apologists for slavery that the Negro was naturally an inferior being and subject to depravity and servility when he lived in an environment of whites. The Black Laws and the educational restriction, of course, interfered with the program of the abolitionists because the exclusion law, if enforced, would prevent benevolent slave owners from manumitting their slaves in Ohio, since the Negroes could not defend themselves in court against whites, and since with no schools they would be kept in a condition of ignorance. Education, we shall see, was a consideration of these reformers, but was a consideration which was linked by their agitation to other civil rights matters. At the time abolitionists were working for and achieved repeal of the Black Laws, they also gave some effort to securing educational benefits for the Negroes as well. (The right to vote, while part of the abolitionist program, necessitated a constitutional amendment, and thus was not achieved until some years later with the Fifteenth Amendment.)
For the first few years after the organization of the state Ohio Anti-Slavery Society in 1835, abolitionists in Ohio relied chiefly on such moral persuasion as could be effected through petitions and resolutions. Then, as converts to their position were gained, it became possible for them to exert more and more pressure upon the General Assembly for the desired reforms. The politics involved in securing the repeal of the Black Laws and the school exclusion law are interesting because activities on the national level seem to have played an important role in determining attitudes towards the abolitionist's program of reform. Consistently throughout practically all of the period of agitation over the Black Laws (1835-1849) the most uncompromising foe of Negro rights had been the Democratic party, and a large part of its antagonism seems to have been prompted by a desire for political rapport with fellow party members in the slave-holding South. Slave holders, of course, could logically view repeal of the Black Laws as an abolitionist victory, and of course such repeal would serve to make Ohio more appealing to potential runaway slaves. On the other hand, for some time the prospects for relief through rival Whig votes were not much better since many a Whig merchant was more concerned with his trade with the South than with Negro rights, and, in addition, Whigs, conservative by nature as they often were,
deplored radicalism, whether abolitionist or Locofoco. It was not until the later Forties, when many Northwest Democrats became disenchanted with the Polk regime which seemed to sacrifice Northwestern for Southern interests, that anti-slavery sentiments became strong enough to make repeal of the Black Laws likely. But, though victory was almost achieved more than once in the period from 1845 to 1849, always a few Whigs joined the Democrats to prevent the repeal.

With the benefit of hindsight we know that the Democratic opposition was not so unyielding that a bargain could not be made. Even before repeal of the Black Laws, a simple measure to allow Negroes to attend public schools if there were less than twenty such children in town and if no white patron protested, was passed (1848), apparently with no fuss, perhaps because the bill was not complicated by being coupled with repeal of the Black Laws. Then in 1849 came a straight-forward political deal by which, to secure some antislavery Free-Soil votes to capture some contested House seats, the traditionally anti-Negro Democratic party agreed to repeal the Black Laws. By this action the immigration restrictions were lifted, and the Negro became competent to testify in cases where whites were a party.
It has been pointed out that the abolitionists included in their agitation a demand for some public education for the Negroes in the state. This reform was also achieved, and the same agitation that secured the repeal of the Black Laws secured for Negroes access to the public schools, or to school tax funds. After this success, however, demands for further educational advances were largely absent from the agitation over other civil rights that followed. And, similarly, when there was a renewal of agitation for re-enactment of the immigration restriction (one of the old Black Laws) there was no carry-over to education, i.e., the agitators did not press for a return to the former policy of restriction of Negroes from the public schools.

From the years 1848 to 1887 a system of partial segregation was in force in Ohio. This policy meant, in practice, that the several school boards of the state could decide whether to mix the schools or to maintain separate colored schools. Until 1878 the boards were not required to maintain colored schools, even though the Negro might at the same time be excluded from the regular white schools of the district, unless there were a certain minimum number of Negro children in the district. Then after 1878 the boards were required to provide some school for the colored population, either separate or along side of the whites in
the same building. Even though there seem to have been several instances before 1870 were Negroes were denied any school facilities, there was no agitation for an end of the segregated schools and about the only voice of importance which raised a protest against the inadequacies of provisions for Negroes was the Commissioner of Schools. After that date, however, the Negro who now had the ballot and who had a (federal) constitutional guarantee that the state government could not abridge his rights of citizenship, did press for more educational opportunities. But before he obtained these educational opportunities, an intense struggle had to be waged to secure his other civil rights.

From 1849 to 1870, as we have said, agitation over the Negro's civil status largely concerned matters other than improved educational facilities. Matters of race relations, for the most part, were absent from state politics from the repeal of the Black Laws in 1849 until the sectional controversy was reopened after passage of the Kansas-Nebraska bill in 1854. When the renewed controversy did in fact develop into war, and to many persons Ohio appeared to be in danger of an inundation of Negroes from the South, there arose widespread demand that the old Black Law which had restricted Negro immigration into the state be re-enacted. Before the anti-Negro agitation reached
a climax in 1863, a law prohibiting inter-racial marriages was passed; but efforts to restrict immigration failed. The agitation was stilled by the course of Northern victories and by the decisive defeat of Vallandigham in the 1863 gubernatorial race, and when the matter of Negro rights again became a concern a few years later, it had changed to be one of extension, not abridgment of his rights. This extension, as we know, was a part of the Radical Republicans' policy of reconstruction after the Civil War, and resulted in two amendments to the federal Constitution of importance to Negroes in the North: the Fourteenth which forbade states to abridge their rights of citizenship, and the Fifteenth which provided, in effect, the right to vote.

With this newly-acquired power to vote the Negro was able to raise his voice in political circles, yet except for an early attempt in 1871—apparently an overflow of the agitation for the suffrage—the Negro did not attempt to use this power to achieve an end of the segregated schools. Instead, on the national level he was most concerned with Reconstruction policy, especially that it should include a civil rights bill; on the state level, he was disturbed about his small share of patronage.

As it turned out it was the Fourteenth, not the Fifteenth, Amendment that the Ohio Negro tried to use as a
weapon against inequality of educational opportunity in the Seventies. The necessity to travel longer distances than whites to reach schools which were largely ungraded, it was alleged, constituted discrimination. In the struggle to end such discrimination, of course, the antagonist was the local school board, and the arena was the state and federal courts. But as long as there was a school law permitting segregated schools, the courts upheld the power of the local boards to compel attendance of Negroes at these schools, even though such schools were more inconvenient and less adequately staffed than the other district schools. The source of relief, as it developed, was the General Assembly, not the courts, but it was some time before Negro leaders turned to the legislature.

During the Seventies, then, there was a general absence of agitation for integration of the schools. Still it was not a time of no progress at all towards integrated schools, for during this decade public opinion seems to have experienced a change in the direction of less hostility towards the colored man, perhaps as a result of seeing Negroes as voters, as office holders in some communities, and finally even as Assemblymen in the state Capitol. Thus when the stage was set for Negro demands for a final end to the legal color line, the whites in the Assembly and over the state acquiesced in the move.
The final step in ending the color line, as was true with educational advances in 1849, was tied up with the consideration of other civil rights. One of the last steps of Reconstruction by the Radical Republicans had been the enactment of a Civil Rights Bill in 1875 which guaranteed equal access of Negroes to such public facilities as conveyances, hotels, and theaters. Several court cases arose under the measure, and in 1883 the Supreme Court declared the law invalid since there was no Constitutional authority for it. It was held that Congress had no authority to enact positive legislation in this instance; rather that the Fourteenth Amendment only prohibited states from abridging Negro citizenship. It was made clear to all interested parties, however, that the states could enact protective legislation. And it was the demand to enact such protective legislation that provided the basis for renewed interest by Negro leaders in their whole civil status in late 1883.

In the course of this new concern over their civil status Negro political leaders over the state made a two-fold demand on the General Assembly that convened in 1884: first, that a civil rights law be enacted; and, second, that the remaining color line laws—segregated schools, and the ban on inter-racial marriages—be repealed, mainly because they made distinctions among the citizenry on the
basis of color. There was no serious opposition to enacting the civil rights law. A Democratic party which had opposed enfranchisement of the Negro after the Civil War by the Eighties was no longer opposed on principle to any legislation benefitting Negroes. But while the civil rights law was passed without serious opposition, repeal of the segregation law failed at the same time (1884) mainly because of the opposition of (Democratic) Negro school teachers concerned about the loss of a livelihood. However, with the election of a Republican Assembly in 1885, a party claiming the loyalty of most Negroes, if not Negro teachers, repeal of the remaining color line laws was effected by the Arnett Law in 1887. Thus after 1887 schools were no longer segregated under sanction of state law.

In chapters III and V there will be some description of the Negro schools that did in fact exist, first privately and then publicly, but such description is provided primarily to round out our narrative and is essentially incidental to the main theme of our story. The strand it is hoped will emerge from this study is that education was but one facet of the Negro's civil position, that it was related to others, and that in turn it was affected by the general agitation to secure these rights. The tracing of this strand through the politics of Nineteenth Century Ohio, then, is to be the theme of this "footnote" to Ohio history,
and as a terminal point the year 1890 has been selected when attempts in the General Assembly to re-enact the authority for school boards to maintain colored schools failed for the third consecutive session.

The final chapter will serve as an epilogue. In it the pattern of Negro education immediately after the end of segregation and Ohio's reaction to "integration" will be described. As it turned out there was serious trouble in only a half-dozen communities, and there was no attempt to flout the courts by rejecting the legal correctness of their position that the Arnett Law ended the right of boards to maintain compulsory colored schools. What segregation that did remain, it will be seen, resulted from Negro cooperation in maintaining colored schools on a voluntary basis-- admitting his approval perhaps was reluctant at times-- or from the fact that the Negro lived in a predominantly Negro residential district.
CHAPTER I

EARLY SETTLEMENT OF THE NEGRO IN OHIO

To the land-conscious colonial, whether settler or speculator, one of the choicest pieces of unsettled real estate was that land north and west of the Ohio River. Even before the French and Indian War, speculators in Virginia had formed an Ohio Company. Once the Revolutionary War was over, settlers of the new nation, from New England, Pennsylvania, and Virginia, especially, moved into the area. New Englanders settled in northeastern Ohio, in the Western Reserve, and in the Ohio Company's area along the Ohio River; Virginians settled in southern Ohio, especially west of the Scioto River in the Virginia Military District. As it turned out, however, Pennsylvanians comprised the largest number of the early settlers from any one state; by 1850 half the settlers in Ohio had come from that state. The foreign born for their part, comprised about 11 per cent of the population at that date. Of these about half were Germans, and nearly another quarter were Irish.¹

¹The account of the settlement of whites in Ohio is based on the accounts of Christopher E. Sherman, Final Report...Ohio Co-operative Topographic Survey (Mansfield, Ohio, Press of Ohio State Reformatory, 1916-1933, 4 vols.), vol. III; Robert E. Chaddock, Ohio before 1850; a Study of 13
The settlement and growth of settlement within these areas depended upon the water routes for the most part and upon the few strategically located roads, such as Zane's Trace and the National Road. In the Western Reserve, Sandusky and Cleveland grew with the increased activity of Lake Erie shipping. Cincinnati, Portsmouth, and Marietta were Ohio River towns. Columbus, Lancaster, and Zanesville were favored by road and canal connections. In the second quarter of the 1800's the population tended to move westward from the Seven Ranges, northward along the Miami and Scioto Valleys, and westward along Lake Erie. In 1820 the state had a population around 600,000; by 1850, the population was nearly two million.

It has been suggested that the heritage of early Ohio was a blend of the culture of New England, of Pennsylvania, and of the South. One of the accounts, that by Chaddock, does not say much about the "typical" outlook of Pennsylvanians toward their colored brothers, but it does make the point that the New Englanders tended to be

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tolerant toward Negro migration to Ohio, while the Southerners for the most part were quite hostile.\(^2\) The opposition of the Southerner is attributed to the fact that many of the immigrating Virginians and Kentuckians were small farmers who had crossed the Ohio River to escape the competition of slave labor. Opposition also came from Irish and Germans, artisans and menials, who feared the competition of Negro labor.\(^3\) This contrast of New Englander and Southerner sympathy for the Negro is quite general proposition, however. It can be pointed out that colonization societies existed in the Western Reserve, and that Southerners, on the other hand, provided some of the foremost abolition leaders in such men as James Birney and William T. Allen. And, of course, not all Southerners abused the Negro. John Mercer, for example, could not praise too highly the tenderness of the care he received while growing up like a son in the Gooch family (Virginians) near Chillicothe.\(^4\) Many Quakers, prominent for their

\(^2\)It is the thesis of Frank Quillen's *Color Line in Ohio* (Ann Arbor, G. Wahr, 1913) that this tolerance disappeared, however, as the density of Negro population increased.

\(^3\)Carter G. Woodson, *A Century of Negro Migration* (Washington, the Association for the Study of Negro Life and History, 1918), Chap. III.

\(^4\)John Mercer Langston, *From Virginia Plantation to the National Capitol or the First and Only Negro Representative in Congress from the Old Dominion* (Hartford, Connecticut, American Publishing Co., 1894), Chap. III.
opposition to slavery and toleration of the presence of the Negro, emigrated to Ohio from such Southern states as Virginia and the Carolinas. The 1850 census shows 94 Quaker meeting houses in Ohio, with 54 of them in the five counties of Belmont, Clinton, Columbiana, Jefferson, and Warren, counties with relatively substantial Negro populations.

Just where the Negroes did settle in Ohio seems to be explained by a combination of factors. Many labored on river and canal boats, in barber shops and railroad terminals, and as household servants and washerwomen. John Malvin, of Cleveland, for example, although a carpenter in Virginia, found work in Ohio severally as a steam-mill operator, a lake-schooner cook, and as a canal-boat operator. The attraction for the Negro of these occupations tended to concentrate the colored population along the Ohio River and the canals, and in a few places along Lake Erie. By 1850 about half of Ohio's Negroes were settled in the fifteen counties which had over 500 such

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5Francis P. Weisenburger, Passing of the Frontier 1825-1850 (Columbus, Ohio Archaeological and Historical Society, 1941), 41, 45; John Malvin, Autobiography (Cleveland Leader Printing Co., 1879), 18-26. Some tradesmen, of course, operated in the state, probably for the most part among their own people. Abolitionist reports, for example, tell of carpenters, a shoemaker and ironworkers in Portsmouth; of tanners and bricklayers near Piketon. Philanthropist (Cincinnati), July 14, 1840, 1:6; July 21, 1840, 1:2.
persons, and in each of four counties (Gallia, Ross, Pike and Mercer) Negroes were over 5 per cent of the population. The census of that year lists 22 towns and townships with over 200 Negroes; of these Cincinnati (3,237), Columbus (1,277), and Chillicothe (803) were the top three.6

Many of the rural colored persons settled in large groups on their own initiative, but often such settlement came as a result of the action of benevolent masters who arranged for colonies of their former slaves on free soil. One of the earliest was established in Brown County in 1796 by William Dunlop of Kentucky.7

Two decades later a much better known group settled in that county in two areas called the "Upper" and "Lower" Camps. They were the former slaves of an Englishman, Samuel Gist, who had freed them from their duties in

6The fifteen counties were: Belmont, Brown, Clinton, Franklin, Gallia, Greene, Hamilton, Highland, Jefferson, Logan, Miami, Muskingum, Pike, Ross, and Warren. The Negroes in Cincinnati in 1850 comprised 2.8 per cent of the city's population; in Columbus, 7.2 per cent; and in Chillicothe, 11.3 per cent. Other Ohio towns with relatively high percentages of Negroes were: Springfield, 8.2, Urbana, 11.1, and Xenia, 10.8 per cent. Not all Ohio River counties of those in south-western Ohio had large Negro populations, however; Monroe, Meigs, Adams and Preble all were less than 1 per cent Negro at a time when the figure for the entire state was 1.3 per cent.

Virginia in 1815 by the provisions of his will.\(^8\) Other colonies followed. One was established in Lawrence County in 1827.\(^9\) Two years later another was begun near Smithfield in Jefferson County, both by Virginia planters.\(^10\) Early Quaker settlers brought their former slaves to the area of Alliance in Stark County.\(^11\) Elsewhere in eastern Ohio Negroes followed their former masters who settled in Guernsey County.\(^12\)

Depending on time and place and the outlook of the observer, then as now, a host of descriptions can be obtained of the lot of the Negro in Ohio. Emotions were high during the days of abolition agitation, and

\(^8\)"Transplanting Free Negroes to Ohio from 1815 to 1858," *Journal of Negro History*, 1(1916):302-304. The number involved is uncertain. The Beer's Company edition of the *History of Brown County*, reprinted in the above article, said that 900 came to Ohio. A Maysville, Kentucky, newspaper reported about 270 landed at Ripley. See U.S., W.P.A. in Ohio, *Annals of Cleveland*, 1(1819): item 1575. (Hereafter cited *Annals of Cleveland.*) Furthermore, the U.S. Census taken in 1820 listed but 338 free colored persons in all of Brown County.


\(^11\)Edward T. Heald, *The Stark County Story* (Canton, Ohio, the Stark County Historical Society, 1949, 4 vols.), 1:31-32.

\(^12\)William G. Wolfe, *Stories of Guernsey County, Ohio...* (Cambridge, Ohio, the author, 1943), 668.
descriptions were written for a purpose. For example, reports of the abolitionists stress the colored man's good points when discussing the wickedness of plans for colonization in Africa, or when presenting the "after" in a before-after discussion of their own uplift activities. Down on the farm and away from the contamination of the city, we are told, the Negroes could do quite well, and the abolitionists referred to several examples around the state to illustrate their point. Indeed, in a couple of settlements, colored farmers surpassed their white neighbors. Apparently the key was to keep them away from the corrupting influence of city life with its grog shops, brothels, and gaming houses.

In the literature of the anti-abolitionists and in places where abolitionists were stressing the need for more work in elevating the Negro (and more funds) we get a contrasting picture of the Negro in Ohio. Colonizationists were apt to emphasize Negro depravity in the midst of a

13Philanthropist, December 24, 1839, 2:6; July 14, 1840, 1:6; July 21, 1840, 1:1-2; June 9, 1841, 3:2; June 22, 1842, 3:5.

14Ibid., December 24, 1839, 2:6.

15Ibid., July 14, 1840, 1:1; June 22, 1842, 3:3; Ohio Anti-Slavery Society, Condition of the People of Color in the State of Ohio, with Interesting Anecdotes (Boston, T. Knapp, 1839), 3-5, 20-21. The second reference is a reprint of a report presented in 1835 at the Putnam organizational meeting of the Society.
white society and the impossibility of a mixed society. The Negro's exaggerated taste for finery in clothes was a subject for comment. His unsophisticated religious services were loud and emotional. It might be added that not all industry and virtue was concentrated in rural Negroes. We learn that Negroes in Cleveland and Massillon were moral and enjoyed a fair material prosperity; while extremely backward farmers were described in Jefferson County, and in the Camps in Brown County.

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16 *Philanthropist*, July 21, 1840, 1:5. Apparently they also tried to gain status by drawing the color-line among their own people. In 1840 an abolitionist group reported one woman as saying, "I will not go to one of my own color to get my children admitted to school, for there is some white blood in my children." *Ibid.*, July 14, 1840, 1:1.

17 Heald, *Stark County Story*, 1:32, 155; Hunter, *Ohio Archaeological and Historical Publications*, 6(1898): 277-280. In his account (p. 279) Hunter tells of "practical" jokes being played on these unsophisticated people: "During the revivals in the winter season many have been the jokes played on the Congregation. ...On...[one] occasion several of the white boys stole a goose and carrying it to the top of the church waited for the religious fervor to reach its height. An old woman of the congregation began praying in front of the old wood-fire place, calling for 'de Spirit ob de Lawd to 'cend right now.' Down came the goose and out of the church went the congregation through the door, windows and every other opening they could find, confident that they had been witnesses to a manifestation of the Spirit descending like a dove. This would have been considered a miracle, attracting the devout and believing of the colored race today, had not a neighbor in passing the church the next morning seen the windows open and the goose quietly waddling about under the benches, and the illusions under which the poor people were struggling were dispelled."

It would appear, then, that plenty of footnotes exist, as with any group of people, to describe a "good" Negro, or a "bad" Negro, depending on what is desired. But it should be noted that Negroes in the cities were described as poor, more often than well-off, and that the term "well-off" was used more often in describing rural than urban settlements. It seems safe to generalize that the Negroes in Ohio around 1840 for the most part were poor, and that very many were quite ignorant. In assessing their retarded condition, the Negro historian Woodson pointed out that the incoming Negro in most cases was a penniless fugitive who lacked even the small funds which the white pioneer had to start a home in the wilderness. The Negroes were in a fair condition in the North, Woodson continued, until after 1800 when anti-Negro legislation in the South forced large numbers of them northward where they clashed for jobs with incoming German and Irish immigrants. By 1840, however, prejudice in Cincinnati, at least, had subsided to

Philanthropist, August 4, 1837, 2:4; June 29, 1842, 1:2. As abolitionists used the word "moral" church-going and temperance loomed large. Amount of crime and general industriousness were also moral indexes.

19Of course there were well-off Negroes among the city poor, e.g., Chillicothe and Gallipolis. Philanthropist, July 14, 1840, 1:6; June 29, 1842, 1:2. Among the "industrious people" of the small settlement near Piketon the "real estate is valued at $11,500, of which one man owns $10,000, which he has acquired by his own industry. Some of the people are quite poor." Ibid., June 22, 1842, 3:3.
the extent that Negroes were allowed to move into the several trades. 20

The influx of the Negro into Ohio was not taken without protest. This is dramatically shown in the case of the slaves of the Virginia statesman, John Randolph, who came to Ohio in pursuit of the provision of his will that they must be settled in a free state. The executor, Judge Leigh, probably selected Ohio because of the precedence of earlier Negro settlements, and Mercer County he selected as a good spot within the state because of the manual-labor school facilities begun there by Augustus Wattles. Nearly four hundred in number, the slaves arrived in Cincinnati in 1846 and made their way up the canal to Mercer County, only to be denied settlement (as a group). Consequently they were distributed along the Miami Valley in such towns

20Woodson, A Century of Negro Migration, 81-83, 95. Besides Woodson's account, we learn the same story elsewhere. In 1840 abolitionist agent, Amzi Barber, told about a change in attitude toward Negroes since "uplift" activities had been undertaken by abolitionists. "Colored mechanics," Barber said, "now get as much labor as they can perform.... It is not an uncommon thing, for white mechanics to solicit work of colored men." Philanthropist, July 21, 1840, 1:5. Yet the same abolitionist group to which reported, two years later wrote that the progress of Cincinnati Negroes "would probably be much more rapid, if their children were allowed to learn mechanical trades. Most if not all of the mechanics among them learned their trades in slave states of white men, but of the four thousand free people of Cincinnati, not one is thus privileged. They are therefore necessitated to follow irregular unimproving employments." Ibid., June 29, 1842, 1:3.

It should be noted that the Negro was unwanted and misused by elements in addition to foreigners and
as Troy, Piqua, and Sidney, and a few managed to stay in
Mercer County. At least one disgusted Negro returned
to Virginia willing to risk being sold as a slave, "pre-
ferring this to enjoying freedom in a free state."22

In their criticism of the proposed colony some con-
temporaries asserted that the project could have been
managed better. In the first place, it was maintained
that the executor had erred in attempting to settle all
of the Randolph people in one place. A Shelby County ob-
server criticized Leigh for lacking resolution, and wrote
that "he indirectly invited opposition by repeatedly
stating that he would not leave the blacks where the people
were opposed to them."23 There were other critics as well.

artisans. In the account of the John Randolph slaves,
property owners did not care for the depreciation in real-
estate value a Negro neighbor might bring. Anti-Slavery
Bugle (Salem), August 21, 1846, 1:2. Judge Burnet charged
that Southerners wouldn't visit the city because the people
of color in Cincinnati were so bold in enticing away slaves;
and this was bad for business. Ohio Anti-Slavery Society,
Narrative of the Late Riotous Proceedings...in Cincinnati...
(Cincinnati, ?he Society, 1836), 34. And it probably was
not an artisan or a German or Irish immigrant who bought the
wretched lands for the Gist slaves in Brown County. Philan-
thropist, June 22, 1842, 3:3; "Transplanting Free Negroes to

21Henry Noble Sherwood, "The Settlement of the John
Randolph Slaves in Ohio," Proceedings of the Mississippi

22"Freedom in a Free State," African Repository, 22
(1846):321.

23Herald and Philanthropist (Cincinnati), August 5,
1846, 2:4; (Salem, Ohio) Anti-Slavery Bugle, August 21,
1846, 1:3.
The editor of the Cleveland Herald wrote that the slave states should take care of their own free people of color. At a Mercer County meeting resolutions were passed calling for the removal of all blacks of the county, and for the participants to "resist the settlement of blacks and mulattoes in the County to the full extent of our means, the bayonet not excepted." Others, a bit more discreet, opposed the settlement of the Randolph slaves in the area, claiming it "would tend to corrupt the morals, and depreciate the property" of the county. And there were considerations apart from prejudice and the purse. The above-mentioned Shelby County writer pointed out that: Politics too had considerable to do in the decision [to keep the immigrants out], and hence the blame falls upon the Democrats. ... the settlement of the blacks there would probably keep out quite a number of that class of Germans that the Democrats are partial to, especially in a county like Shelby, in which the parties are so nearly balanced, that neither claims over majority. Justice to the Whigs requires the acknowledgment that almost all who rallied in support of the blacks, belong to that party, but the enemies were not all Democrats. This case proves conclusively, what we have sometimes known, that those brawling politicians who prate so much about the rights of the

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24 Annals of Cleveland, 29(1846):item 1139.
26 Anti-Slavery Bugle, August 21, 1846, 1:2.
dear people, and particularly the poor and oppressed, care nothing about anything but their votes....

Besides sporadic outbursts against Negro settlers there were legal disabilities as well. Their status as second-class citizens was accomplished through provisions of the Ohio constitution and by various pieces of legislation. Although by the terms of the Ohio constitution of 1802, suffrage was restricted to white males, the courts were to be open to all people with an injury to be redressed, and the schools maintained in part or in whole by funds from federal land grants were to be open to students of every grade without distinction. Whatever the implied judicial and educational rights of Negroes in the constitution of 1802, subsequent implementing legislation imposed rather severe limitations.

Sometimes various abolitionists denominated any law which made "distinctions account of color" as a "Black Law," but in the common usage of the day, the term was

\[27\] Ibid., August 21, 1846, 1:3. The Bugle printed a letter to a Cincinnati newspaper that the slaves couldn't even settle near Milton, in Miami County, even though Milton was settled chiefly by Quakers. Where they were allowed to settle "sharpers" were quick to take advantage of these immigrants' lack of appreciation of the value of money. For example, one paid $45 for a horse worth but $15. Ibid., September 17, 1847, 3:4.

\[28\] Article 4, section 1; article 8, section 7, and article 8, section 25, respectively.
applied to the laws of 1804, 1807, and 1834 which restricted the migration of "blacks and mulattoes" to Ohio. The law of 1804 required a certificate of freedom for "blacks and mulattoes" entering the state after June 1 of that year, and registration of those then in residence. Anyone hiring a "black or mulatto" without such a certificate was liable to a fine of $10 to $50, plus 50 cents per day compensation to the owner if the employee happened to be a slave. This act was generally considered as one restricting "black and mulatto" migration, but in provision at least, it was more a measure to restrict the entry of fugitive slaves. That the entry of fugitive slaves probably was a concern to some legislators is shown by the fact that during the same Assembly a resolution was introduced asking the federal government to take measures to stop fugitive slaves from hiding on Indian lands in Ohio,


Often the denial of public school funds to Negroes was included in the term "black laws." Militia duty and jury duty were also restricted to white males. Laws of Ohio, 29(1830-1831):94; Chase, Statutes of Ohio, Chap. XLIV.

a practice apt to impair good relations with Southern neighbors.\textsuperscript{31}

The act of 1807, amending that of 1804, was a much stronger measure. The black or mulatto was not to stay in the state more than 20 days unless he posted a $500 bond for his support and good behavior, and anyone hiring an unbonded black or mulatto was liable to a fine of up to $100. Most iniquitous of all to the abolitionists was section four of the act, the "testimony clause," which forbade blacks or mulattoes to testify in cases where a white was a party.\textsuperscript{32}

These laws were repealed, however, before mid-century, and in practice they did not operate to full possible severity. A group of Mercer County Negroes wrote in 1843 that "thanks to an over-ruling Providence, the people are better than their laws; and we are permitted to live in some degree of quiet and safety."\textsuperscript{33} According to

\textsuperscript{31}Ohio House Journal, 2(1803-1804):37-38. It is quite possible that the emigrating black or mulatto of that day was not very apt to have a certificate of freedom. In that case the measure would be a restrictive law in practical operation.

\textsuperscript{32}Persons of color a shade whiter than a mulatto were considered white, although the Supreme Court (of Ohio) decision admitted the "difficulty of defining and ascertaining the degree of duskiness which renders a person liable to such disabilities." \textit{Gray v. Ohio}, 4 Ohio R. 353. The Act of 1834 strengthened the enforcement machinery by providing for an obligee for the bond.

\textsuperscript{33}\textit{Philanthropist} (Cincinnati), May 31, 1843, 2:1.
Governor Ford the laws, except for the "testimony clause," were never enforced to "any considerable extent." Yet, enough persecution of Negroes did take place for the abolitionists to report at their organizational meeting at Putnam in 1835 that "A general desire among the white population that they [the colored people] should remove to Liberia, or elsewhere, rendered the operation of these laws too effective." Particularly did this seem to be the case with the testimony clause, which abolitionists claimed permitted robbery and murder of blacks as long as no white witnesses were present. They further charged that degraded whites deliberately settled near Negro settlements where they could steal with comparative impunity. Besides these small scale depredations, the Ohio Negro was victim of riots or other mass actions from time to time. On New Year's Day, 1830, eighty Negroes were driven from Portsmouth. After a Negro was emasculated and killed for


35 Ohio Anti-Slavery Society, *Condition of People of Color*, 7. In 1842 abolitionists still contested the impression that the Black Laws were a dead letter. *Philanthropist*, June 22, 1842, 3:3.

36 *Philanthropist*, July 14, 1840, 1:2-3.

37 Woodson, *Century of Negro Migration*, 57.
rape of a German woman in Huron County, all other Negroes were warned to leave town. In Fairfield and Steubenville eviction was threatened by enforcement of the Black Law requiring bond; and in Cincinnati in 1829, when the bond was not forthcoming and after extensive rioting, over a thousand Negroes left the city and migrated to Canada where they founded the colony of Wilberforce. The Negro was considered outside the bounds of respectable society and clearly was not wanted. Work for his uplift was useless, and deplorable indeed was the work of any fanatic or misguided philanthropist who encouraged the Negro to migrate to Ohio or to stay once he had arrived. The following letter to the editor of a St. Clairsville weekly probably echoed the sentiment of many an Ohioan respecting the impossibility of a mixed society:

As well may it be hoped that taming, training and associating, would make wolves and sheep dwell together peaceable, as that morality and philosophy, virtue and religion, shall be so effectually inculcated, as to cause the blacks and whites to regard each other as brethren, and treat each other as such. There is, and ever will be,

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38Ohio Free Press (Xenia), March 16, 1839, 3:3.
39Philanthropist, July 14, 1840, 1:2; American Union (Steubenville), September 18, 1841, 3:5; Ohio Anti-Slavery Society, Condition of People of Color, 6-8.
hatred, enmity and strife between the two castes, and this will increase as the number of blacks increases. ^0

While riots did not occur every day of the week, they did reveal a wide-spread hostility to the colored man. And in light of such feeling it is not surprising that the Negro was, with few exceptions, excluded from the public schools during the years 1829 to 1848.

Public schools in Ohio, of course, had existed before 1829. At first the common school was no better than a step child, supported by income from land grants set aside by the federal government and by subscriptions of patrons of the schools. ^1 Not until after two decades of statehood did local tax sources begin to be used. The first school-tax law, in 1821, authorized a levy of up to one-half of the state and county taxes for the year on approval of two-thirds of the "householders" in the district. The resulting fund was to be used to defray the expenses of constructing a schoolhouse and to pay the tuition of indigent pupils. ^2 Four years later a compulsory county tax of one-half mill was levied to be

^0 National Historian (St. Clairsville), February 1832, 2:5.


applied toward tuition costs.\textsuperscript{43} This is usually con-
sidered the first measure for effective support of the common schools. Our concern, however, is less with tax support than with who were eligible to share in its benefits. The former act provided that the schools were to be open to all of "suitable age," and that the school directors were to be elected by a meeting of "householders" of the district. The act of 1825 repeated the term "householder," and the language concerning eligibility was expanded to provide that the funds were to be used for the instruction of "youth of every class and grade without distinction."\textsuperscript{44}

Negroes, called "blacks and mulattoes" in early laws, were not specifically mentioned until the school law of 1829, very probably because, as one writer has put it, the early assemblymen "never dreamed that...anyone would think of admitting colored children into the white schools."\textsuperscript{44} This seems fairly certain since the act of 1829 again used the term "householder" and again repeated the expression "youth of every class and grade without distinction." In section one of the act a clear proviso

\textsuperscript{43}Ibid., 23(1824-1825):36-41.

\textsuperscript{44}Charles T. Hickok, The Negro in Ohio, 1802-
1870... (Cleveland, Williams Publishing Co., 1896), 80.
was incorporated that:

nothing in this act contained shall be so construed as to permit black or mulatto persons to attend the schools hereby established, or compel them to pay any tax for the support of such schools; but all taxes assessed on their property, for school purposes, in the several counties in this state, shall be appropriated as the Trustees of the several townships may direct, for the education of said black and mulatto persons therein, and for no other purpose, whatever.⁴⁵

Subsequent laws in the 1830's excluded blacks and mulattoes in practice, although the language was somewhat less positive. The fund provided by the act of 1831 was to be used "for the instruction of the white youth of every class and grade, without distinction," and no taxes whatever were to be levied on the property of blacks and mulattoes for school purposes. The census taken to determine apportionment of school funds was to include only white youth.⁴⁶ Thus the law did not specifically say that blacks


⁴⁶Ibid., 29(1830-1831):414-423. It was unfortunate that the precedent of collecting school taxes from blacks and mulattoes was provided in the 1829 law. It was continued thereafter, contrary to law, and subjected the Negro taxpayer to the injustice of being taxed and yet receiving no benefit from such taxes. Philanthropist, August 4, 1837; 2:3; June 9, 1841, 3:1; August 28, 1844, 3:3; Local Laws of Ohio, 36(1837-1838):412-413. On the other hand, the editorial in the October 13, 1837, 3:3-4, Philanthropist proving that Negroes were taxed by citing Hamilton County returns is misleading. A special law allowed the city of Cincinnati to tax blacks and mulattoes for school purposes during the years 1834-1840. This is discussed in more detail at the end of Chapter III.
and mulattoes could not attend the white schools; rather it provided that public funds could not defray the expense of their education. In practice this was such effective exclusion that it was common for literature of the day to speak of colored people being forbidden by law to attend the public schools of the state. Such "distinctions account of color" were made again in later acts of 1834 and 1838 and continued until the school laws of 1848 and 1849. 47

We have now noted the civil disabilities imposed upon the Negro in early Nineteenth Century Ohio. These disabilities, as we have seen included restrictions upon his exercising the franchise, upon his immigrating into the state, and upon his giving testimony in courts of law. And, especially important for this study, there was a restriction which forbade tax money to be spent upon his education. As we shall see, a reform movement swept into Ohio in the Thirties, firm in its determination, among other things, to abolish slavery, and as part of this effort, reformers in the movement began a program to elevate the free Negro of the state. Chapter III will describe this program of elevation, and then in Chapter IV efforts of abolitionists and others to secure repeal of

the Black Laws and the educational restriction will be considered. First, however, it might be well to describe briefly the growth of abolitionism in Ohio, since it proved to be such an important force in improving the educational status of the Negro in the state. Chapter II will treat this growth of abolitionism in the state.
CHAPTER II

COMING OF ABOLITIONISM TO OHIO

Slavery was introduced into the New World primarily as an answer to the problem of getting a labor supply for the agricultural economy of the time. It is true that Indians were used successfully for this purpose by the Spaniards in some areas of Latin America, but in the British colonies the Anglo-Saxons had little use for these peoples. And when the Spaniard was in the process of installing a system of Negro labor in the West Indies, the English turned primarily to indentured servants for their labor supply. Still from almost the very beginning Negro labor was employed in English areas. Even before the Pilgrims landed at Plymouth, a Dutch trader had sold some Negro "servants" to Virginia colonists. The black servants were never very numerous in the 1600's, but the following century, with the addition of the Carolinas and Georgia, brought a substantial influx of this labor supply.

As slavery spread through the colonies, more and more protests against the system were recorded, especially by Quakers. One of these pioneer antislavery agitators was John Woolman, who spent his life travelling about the countryside arguing the moral wrong of slavery because it
was contrary to Christianity, and because liberty was a natural right of man. The natural rights of man doctrine became accentuated by the liberal movements within the several colonies after the Treaty of Paris in 1763, and reached its most affirmative expression in the Declaration of Independence. In the first draft of the Declaration slave trade was termed a "cruel war against human nature itself, violating the most sacred rights of life and liberty." During the Revolutionary War itself a slave could gain his emancipation, and the master a bounty, by war service— for example, by enlisting in the state forces of Rhode Island or New York. Liberalism after the war continued to be sufficient to lead to emancipation in the states north of Mason and Dixon's line, with New Jersey completing the process with its gradual emancipation act in 1804.

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1This general account of early antislavery activities is based on Albert Bushnell Hart, Slavery and Abolition (New York, Harper, 1906); Avery Craven, The Coming of the Civil War (New York, Charles Scribners, 1942), Chap. VI, VII; and Dwight L. Dumond, Antislavery Origins of the Civil War in the United States (Ann Arbor, University of Michigan Press, 1939), Chap. I.

2Hart, Slavery and Abolition, 153.

In the early days of our national existence, slavery was not of great importance in federal governmental affairs. As a concession to Southerners, it is true, the Constitution protected slave trade for the first 20 years at least, and the return of fugitive slaves was provided by the fourth article. On the other hand, Congress re-enacted the Confederation's Northwest Ordinance by which slavery was excluded north of the Ohio river, and which lent a sectional aspect to slavery. There was a momentary flareup over expansion of slavery at the time of admission of Missouri, a flareup which Jefferson called a fireball ringing in the night, but as yet it was not a divisive issue. Slavery was an evil, like poverty, to be sure, but not yet a sin or a crime.⁴

All this time church bodies and other philanthropic groups were active in promoting the antislavery cause. The persistent Quakers, especially in Pennsylvania, Virginia, and the Carolinas had a continuous record of propaganda work in this field. In 1775 a Pennsylvania society was formed, and by 1823 societies had covered the area from New York through North Carolina, including the backwoods states of Ohio, Kentucky, and Tennessee. In 1794 a national organization was formed, called the "American

Convention for Promoting the Abolition of Slavery and Improving the Condition of the Colored Race" which carried on petition work and printed tracts of an antislavery nature. Most of the societies were in the upper South. "In 1827, one hundred and six of the one hundred and thirty abolition societies in the nation were located there. They had 5,125 of the 6,625 members in all antislavery organizations."\(^5\)

Some of the activities of these early abolitionists took place in Ohio. For example, one of the most prominent leaders in this work in the early nineteenth century was the Quaker, Benjamin Lundy, who edited the journal *Genius of Universal Emancipation* and travelled about the country agitating for the antislavery cause. Lundy operated for a time in Ohio where he organized the Union Humane Society of St. Clairsville, apparently the first antislavery society in the state. The first periodical established as antislavery publication, the *Philanthropist*, was established at Mt. Pleasant in 1817 by Charles Osborne, a North Carolina Quaker, who had come to Ohio by way of Tennessee. Reverend Dyer Burgess organized another antislavery society at West Union (Adams County) in 1818 and others followed, so that the ground had been worked somewhat before the more militant and

\(^5\)Craven, *Coming of Civil War*, 119-120.
evangelical Lane Seminary group took up the torch in the Thirties.\textsuperscript{6}

An alternative to abolitionism as a solution to the slavery problem was colonization, a plan to settle American Negroes in colonies abroad. Advocates of the program formed the American Colonization Society in 1816 to found such a haven in Africa. Other locations suggested included the West Indies, or perhaps even areas in the unsettled western United States. The argument of the colonizationists might be summarized somewhat as follows: Negroes are inferior to whites and as long as the two races are in juxtaposition, the latter, because of selfishness and prejudice, will keep the Negro in an inferior position where he will be degraded and never rise to a level of respectability. Such prejudice and selfishness may well be deplorable, but it is a fact that society must face. Generations of time would be necessary to rectify this disposition on the part of the whites, if indeed such a disposition can ever be eradicated. Still degradation as a permanent and absolute condition of the Negro is not a necessary or inevitable condition. By themselves, away from association with whites, Negroes could have a new, stimulating, and competitive milieu where the relatively

\textsuperscript{6}Galbreath, \textit{History of Ohio}, 2:207.
capable could prosper. Obviously it would follow that the sensible thing to do is to get them out of white America to a new location, logically to central Africa, a land of blacks. Once established in Africa these enterprising transplanted Negroes would be a spearhead for Christianizing their neighbors. And indeed this possibility attracted humanitarians such as Birney and Gerrit Smith, and enlisted the backing of some of the most prominent men in Ohio, such as, Jacob Burnet, John Bailhache, and Robert Lucas.7

The colonization scheme also would provide an answer for those slaveholders who hesitated to emancipate their slaves lest they be a charge on the community. And to other slaveholders the plan seemed to provide a means to rid the South of free Negroes who were a constant source of disturbance to slaves and slaveholders. Thus one North Carolina lecturer pointed out

...that to remove these persons from among us will increase the usefulness, and improve the moral character of those who remain in servitude, and with whose labours the country is unable to dispense. That instances are to be found of coloured free persons, upright and industrious is not to be denied. But the greater portion,

it is well known, are a source of malignant depravity to the slaves on one hand, and of corrupt habits to many of our white population on the other.\(^8\)

By another speaker, Lynchburg listeners were assured "The removal of every single free black in America would be productive of nothing but safety to the slaveholder."\(^9\)

Out of all this activity the Republic of Liberia was begun, and resolutions of both approval and money were forthcoming from Congress and a few of the states, but in terms of its purpose the scheme was a failure.\(^10\) There was the problem of distance, of malaria, and of unfriendly neighbors. During the ten year period from 1820 to 1830 only 1,162 persons were transported to colonies.\(^11\) This figure is not too impressive when one considers that there were 300,000 free Negroes in this country in 1830, and their number was increasing at the rate of 50,000 every decade.\(^12\)

One critic questioned the practicality of an operation of such magnitude, and noted the inconsistency of ridding the country of depraved blacks, with the expectation that when they reached Africa they would be fit missionaries of

\(^{8}\)African Repository, 3(1827):67.

\(^{9}\)Ibid., 3(1827):202.


\(^{11}\)Hart, Slavery and Abolition, 162-163.

\(^{12}\)Dumond, Antislavery Origins, 11.
Christianity. And finally, while some Negroes did see Liberia, or perhaps the West Indies, as a place where they could live in dignity and realize their economic and political abilities, the general lack of their support precluded the success of the plan, even had the Colonization Society been able to raise sufficient funds. After all, the scheme did call for voluntary emigration, and most Negroes just weren't interested; indeed, most often they were positively hostile to the idea of leaving this country.

Initially many humanitarians backed the idea of colonization, but increasingly after 1830 approbation turned to hostility when the impracticality of the scheme became more obvious, and when it became increasingly clear that it was being advocated to clear free Negroes out of the South. Abolitionists thus impugned the motives of colonizationists in general by claiming that the South merely wanted to move out a disturbing element to rivet

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13 *Philanthropist* (Mt. Pleasant), 7 (February 2, 1822): 199-201.


15 Defenders of the colonization movement countered that the idea was not a slaveholder's scheme. Indeed, the idea was backed by very few planters. Fox, *American Colonization Society*, 85.
more effectively the chains of those left in bondage.\textsuperscript{16}
And even if the colonizationist were not so designing, he was at best still no more than a sunshine Christian. In 1835 abolitionist Weld found colonization on the decline, and those who still adhere and are most active constitute the aristocracy and fashionable worldliness of the church-- those who are never found in advance of public sentiment-- those who oppose entire abstinence from all alcoholic drinks and stickle greatly for wine and beer, in short, those Christians who join actively in a moral enterprise only when it begins to become popular.\textsuperscript{17}

Colonization might have been as Weld implied, the comfortable answer to slavery for those who felt a need for reform, but who didn't care to go to the trouble of directly attacking the evil. But this all changed shortly after the first quarter of the Nineteenth Century. The age of Jackson brought a reform movement in politics, education, and religion. Besides a general religious revival there were involved such complementary matters as temperance, prison reform, and care for the feeble-minded and insane, to mention a few. It was evangelical in outlook, preaching

\textsuperscript{16}Levi Coffin, Reminiscences... (Cincinnati, Western Tract Society, 1876), 75.

\textsuperscript{17}Gilbert H. Barnes and Dwight L. Dumond, Letters of Theodore Weld... (New York, D. Appleton-Century Co., 1934, 2 vols.), 1:225.
the brotherhood of man and good works as the key to salvation. In the East it received its impetus from the revival meetings conducted by Charles G. Finney which took him across the state of New York and finally to New York City where he cooperated in this work with the benevolent merchant princes there, the Tappans. Finney preached a general moral revival, where one could serve God by a variety of means. Thus the New York group promoted the distribution of religious tracts, temperance, Sunday schools, the saving of the souls of sailors, and other activities. Two of their undertakings of interest to Negro education in Ohio were abolitionism and the promotion of manual labor in academies and colleges.

One of Finney's many converts was Theodore Weld, an acknowledged leader of men who used his talents in what proved to be a continuous flow of promotional campaigns. At first his talks and activities emphasized temperance, and subsequently as a result of the influence of a friend, Charles Stuart, he became an ardent abolitionist. About this same time the New York philanthropists persuaded him to combine an agency for promoting manual

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18 The account of the growth of abolitionism is based upon Gilbert H. Barnes, The Antislavery Impulse 1830-1844 (New York, D. Appleton-Century Co., 1933), Chap. I-VIII. A summary of this work introduces Barnes and Dumond, Letters of Theodore Weld. See also Barnes' article on Weld in the Dictionary of American Biography.
labor instruction with the job of locating a site in the West of that day for a theological school where manual labor training could be combined with the study of the Gospel. This dual mission (1831-1832) took him through Ohio where he "abolitionized" the Western Reserve College, and through parts of the South, where he gained such converts as James Birney, William Allen, and Marius Robinson. And it was on this trip that Weld found a spot for the proposed theological school.

A short time earlier two Cincinnati merchants (named Lane) had donated some money and a sixty acre site for the building of a theological institute, a desirable project many would agree, but even so the Presbyterians of that city were unsuccessful in raising the balance of the funds needed to put the idea into effect. They had a promotional agent, Reverend F. Y. Vail, in the field to push the project, especially with eastern philanthropists and their fat purses. Of course the visit of Weld, with his direct pipeline to these New York sources was heaven-sent for Vail. Weld approved the site, and with the aid of Tappan funds the Lane Seminary was begun in 1833 at Walnut Hills, then outside Cincinnati. Lyman Beecher was

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19 For information on the founding of the Lane Seminary in addition to the account of Barnes, see Walter R. Keagy, "The Lane Seminar Rebellion," Bulletin of the Historical and Philosophical Society of Ohio, 9 (1951): 141-160.
appointed president, and many of Weld's followers at the Oneida Institute (Whiteboro, New York) and recruits from the South formed the nucleus for the student body. Slowly at first, and among a small body of students, Weld began his abolition campaign. Then in February, 1834, the major effort began in the form of debates on the merits of "immediate" abolitionism, debates that lasted for 18 nights, and in the end converted the bulk of the student body to abolitionism. The trustees, alarmed at such proceedings, banned the newly-formed antislavery society, and gave a committee of the board power to dismiss the students. In practical effect this would have meant the expulsion of Weld and William Allen, and the end of the benevolent activities by the student body among the free Negroes of the city. "Almost to a man" the student body, a mature group of men, left the Seminary and established an impromptu seminary at the suburb of Cummins ville.

Meanwhile on the other side of the state another college was having its trouble, too. In 1833 Reverend John Shippherd had established a manual training institute at Oberlin which was in danger of going under when he heard of the difficulty down at Cincinnati. He approached Weld about the possibility of having the Lane students move to Oberlin. Weld was agreeable to the proposition on condition that Asa Mahan would be president, John
Morgan professor of mathematics, and that Negro students would be admitted. Since Shipherd desperately needed a larger student body and financial support, he did not feel in position to quarrel with these terms. The Oberlin trustees, however, balked at the last condition, the one about the admission of Negroes. Shipherd warned them of the danger of their course and wrote that he advocated their admission "because thus doing right we gain the confidence of benevolent and able men, who will furnish us with thousands," and if the Board insisted on the ban he "should have no heart to labor for the upbuilding of our Seminary...."²⁰ By one vote the trustees agreed to Weld's terms and in 1835 the Lane rebels enrolled there, making Oberlin the center of abolitionism in Ohio, and the chief place where Negroes could receive higher education in the State.

The Lane debates represent a milestone in the antislavery struggle, for, as one historian of Ohio noted, "they marked a turning point in the transition from mild antislavery proposals to an aggressive abolitionism."²¹ The "aggressive abolitionism" was a product of the

²⁰James H. Fairchild, Oberlin: The Colony and the College, 1833-1883 (Oberlin, Ohio, E. J. Goodrich, 1883), 55.

²¹Weisenburger, Passing of the Frontier, 368.
benevolent spirit of the reform movement, and among the Lane students manifested itself in educational and other philanthropic efforts among the Negroes of Cincinnati. The close association of the Lane group with the Negro population of that city shocked the sensibilities and prejudices of the day. And opposition to their activities was increased by their speaking tours around the state agitating for abolitionism. An abolitionist source listed mob action in thirteen different communities against abolitionist speakers up to 1836. Mobs sacked the office of the abolitionist journal, the *Philanthropist*, in Cincinnati twice (1836, 1841), and resolutions of condemnation were passed by local Democrats. Opposition was general throughout the state from Cincinnati to Circleville, Putnam, and north into the Western Reserve. Speakers were egged, stoned, hooted down, and, in general, intimidated. At Aurora one speaker was burned in effigy and during the night a pile of stones was erected on the village

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22Ohio Anti-Slavery Society, Report of the First Anniversary...1836 (Cincinnati, the Society, 1836), 19.

23Ohio State Journal, September 25, 1835, 2:3-4; October 9, 1835, 2:5-6; October 30, 1835, 4:1; Robert Price, "Further Notes on Granville's Anti-Avolation Disturbance of 1836," Ohio State Archaeological and Historical Quarterly, 45(1936):365-368; Galbreath, History of Ohio, 2:184.
green with a slab in the center on which was inscribed in roughly painted letters something like this:

Sacred to the Memory
Of the Apostle of Abolitionism
the Friend
of the Prostitute
and the Benefactor of the Wench
Cruelly Burned
at this Stake as a Just Punishment
for Foreign Utterances
Against Established
Law and Order.24

In general the activities of the abolitionists were condemned because they inflamed the public mind and promoted discord in the community. While the critics admitted slavery to be an evil, to them it was a legal domestic institution and the business of the slave states. They believed that it was no more fair to expect the slaveholder to give up his property than a Western frontiersman his farm. And to continue the agitation would only serve to alienate benevolent groups in the South, promote sectionalism—possibly civil strife—and worse of all, would encourage insubordination and revolt among the slaves. Business men, especially Cincinnati merchants, did not welcome the possibility of losing Southern business, while on the other hand, political followers of Jackson

termed abolitionism a conservative plot to divert attention from vital questions of banking and currency. Some wondered whether the abolitionist was against all sin, or merely that of the other fellow. Even Emerson wrote, "Go love thy infant; love thy woodchopper; be good natured and modest... and never varnish your hard, uncharitable ambition with this incredible tenderness for black folk a thousand miles off." And others questioned the sincerity even of the abolitionist's concern for the Negro's welfare. Abolitionist Levi Coffin took pains to deny the accusation that abolitionists helped fugitives escape in order to get their labor, and then raising the alarm that the masters were in pursuit, hustled them off to Canada without paying wages due. One story printed in the Journal of the American Colonization Society suggests more selfish hypocrisy:

On my way to this place [Plattsville, Wisconsin], I met with a citizen of Indiana, formerly of Virginia, who gave me some singular facts on this subject. There is living in Ohio, said he, a worthy citizen, a Mr. G., a native of Virginia, who, after a residence there of some eight or ten years, returned to Virginia, on a visit to see a brother who still remained in the "Old Dominion."

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26 Quoted in Hart, Slavery and Abolition, 202-203.

27 Coffin, Reminiscences, 153.
Mr. G. gave his brother an interesting account of prospects and policy in Ohio, with which he was much pleased. The Virginia brother remarked to Mr. G. that he found his slaves a great burden to him and requested him to take them all to Ohio and set them free! "I cannot do it," said Mr. G. "Why?" asked his brother. "The citizens of Ohio will not allow me to bring 100 negroes among them to settle," said Mr. G. "But," said he, "I can put you upon a plan by which you can get rid of them and get them into Ohio very easy. Do you take them to Wheeling and there place them on a steamboat for Cincinnati, and speak of taking them to New Orleans; and while you are looking out for another boat, give the chance, and the Abolitionists will steal the whole of them and run them off, and then celebrate a perfect triumph over them. But if you take them to the same men and ask them to receive and take care of them, they will tell you to take care of them yourself." 28

Yet, paradoxically, this abuse was just what the doctor ordered to nourish the abolitionists' martyr-complex personalities, and to create necessary publicity so that people began to listen to their arguments. The state abolitionist society in Ohio could glory in abuse heaped upon dedicated servants of the Lord, and at the same time express optimism over initial growth of the movement. In 1835, but four papers advocated the cause; in 1836, there were two journals devoted exclusively to antislavery affairs, and eight others were favorable to their basic tenets. 29 After two years operation there


29 Ohio Anti-Slavery Society, Report...1836, 20.
were 200 abolition societies in the state.\textsuperscript{30} By 1837 abolitionists were comparatively accepted, at least in the Western Reserve, and it was in this area that their political activity commenced with the questioning of the position of candidates for state and federal legislative offices on matters of concern to abolitionists. By 1840 an abolitionist party, the Liberty party, was formed.

In the struggle to find an alternative to slavery the early, quiet, phase of abolitionism from 1808 to 1820 seemed destined to leave the whole show to colonization by 1830. Then, as we have seen the general humanitarian surge of the Jacksonian period, operating on a broad front in religion, education, politics, temperance, and abolition, set in motion demands for reform. The reformer's power was primarily moral in the difficult years of incubation. Later when sufficient members were recruited to the cause, they had sufficient power to affect the course of politics, and in Ohio where our concern lies, to affect it in such a manner as to bring about public schools for Negro children. While the right of colored people to public education was intertwined with other aspects of the fight for full citizenship for Negroes, it was still constantly in the consciousness of abolitionists.

\textsuperscript{30}Ohio Anti-Slavery Society, Report of the Second Anniversary...1837 (Cincinnati, the Society, 1837), 22.
insofar as their propaganda endeavors reveal. It is true that the chief Ohio abolitionist journal, the Philanthropist, became most vociferous when the concerns of the fugitive slave were at stake, still the agitation for the betterment of the free Negro figured prominently enough in its columns that it can scarcely be termed a step-child, though perhaps no more than a "younger brother." Next let us consider private educational activities by abolitionists for the free Negroes of Ohio, and then turn to the growth of political power of abolitionists and the effect that power had on opening public schools to the Negroes of the state.
CHAPTER III

OHIO'S NEGRO SCHOOLS TO 1849

Initial Abolitionist Activity

Before the organization of Negro schools prompted by the abolitionists' activities in the 1830's it is probable that any education Negroes received was intermittent and rudimentary. It is likely that early Quakers, known as they are for benevolence, taught their darker-skinned neighbors the rudiments of the three R's from time to time. In the towns with sizable Negro populations, a school might have been economically feasible. A school for Negroes is reported to have existed in Cincinnati as early as 1815, and others followed irregularly until the Lane Seminary students organized classes there in 1834.¹ We are told that Negroes in Columbus operated a school in the south end of town before 1836, but no mention is made of how long before 1836.² And in more tolerant communities Negro children probably attended the common schools.


Abolitionists reported two instances, in Ross and Warren Counties, where colored men contributed to the support of the township common school and their children were admitted before 1831. But these were merely scattered local actions; a more systematic schooling of the colored child awaited the reform movement that brought Weld and his followers to Ohio, and initially to the Lane Seminary in Cincinnati.

First of the Lane Seminary students to attack the problem of education of the Negro in Ohio was Augustus Wattles who "providentially became acquainted with the colored population of Cincinnati" in the winter of 1833-1834, and requested permission of President Beecher to leave school and begin educating these unfortunate people. "Beecher wept with him, blessed him, and let him go." Wattles procured a small tenement from a colored man and opened school the first of March, 1834, when a crowd of children and adults filled it to overflowing. For a time he was forced to reject them at a rate of ten to twenty every day. The school was conducted in shifts, one for small children and another for the "larger and grown persons." To attack the problem of elevating Negro adults

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3 Philanthropist (Cincinnati), July 14, 1840. 1:4.
4 Howe, Historical Collections, 356.
5 Barnes, Antislavery Impulse, 68.
who worked during the day other Lane students undertook a program consisting of a lyceum, evening lectures three or four times a week, an evening school, a circulation library, and three large sabbath schools.\(^6\)

Still the program was incomplete, lacking as Weld noted, a "select female school." Writing to Lewis Tappan in March, 1834, he said that he had a prospect for the teacher for the school but financial aid would be necessary. In view of the Tappan generosity not only was the money forthcoming, but an ad was run in the New York Evangelist which resulted in the arrival in Cincinnati of four women teachers, popularly called the "Cincinnati Sisters." They supplied the woman power for a girls' and an infant school.\(^7\) In addition to the above religious-intellectual work the Lane students eventually organized "social clubs, temperance societies, an employment service, outdoor relief, and a 'freedom bureau' to assist free blacks to purchase the freedom of relatives still in bondage."\(^8\) They also had planned a four-month school for river boatmen, a group especially felt to need "uplift".

\(^6\)Barnes and Dumond, Weld Letters, 1:133; Ohio Anti-Slavery Society, Condition of People of Color, 10-11.

\(^7\)Barnes and Dumond, Weld Letters, 1:133-135; Barnes, Antislavery Impulse, 68-69, 227. They were Lucy Wright, Phebe Mathews, Susan Lowe, and Emeline Bishop.

\(^8\)Barnes, Antislavery Impulse, 69.
It was hoped the moral improvement of this group would be reflected over a large geographical area as these men plied their occupation down the Mississippi River system.\(^9\)

While all this activity was taking place in Cincinnati Weld undertook a speaking agency for the American Anti-Slavery Society and amid showers of stones and aged eggs visited about 40 towns and villages in Ohio, providing a solid basis for abolitionism to grow in his wake.\(^10\) The circuit was followed in 1835 by a convention at Putnam where several abolitionists of Ohio met to form a state antislavery society. The work for the elevation of the colored man was ready to spread outward from Cincinnati.

The next year when Weld was travelling as an agent for the American Anti-Slavery Society through Pennsylvania and New York he wrote a letter to Lewis Tappan (February 1836) which set forth at length the case for education of free Negroes and why the national antislavery society should help promote the cause.\(^11\) Several benefits could be expected to accrue from such a program. First, it would demonstrate to the slaveholder that abolitionists had real

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\(^10\)Barnes, *Antislavery Impulse*, 82-83.

benevolence in mind, and the contrast between free and enslaved colored men would "preach abolition potently to the thousands of slaveholders visiting the north." The effects in the North would be beneficial too. It would dispel the idea that blacks are an inferior race and thus refute colonization propaganda. Next, it would provide teachers for emancipated slaves which Weld expected would be one and one half million during the next ten years. In the meantime such action would stimulate the colored people to help themselves. And lastly, it would provide work for abolitionists at the local level, who could establish schools, debating societies and the like. At the same time Weld cautioned against establishing a separate agency which might be forgotten in other antislavery work. Rather he recommended that an agent be appointed to collect statistics, to point out where schools were needed, and to spell out necessary aid. Such an agent, it was urged, should be on the lookout for talented youth to be sent to institutions of higher learning such as Oberlin or Oneida, and he should endeavor to enlist the aid of abolitionists to secure apprenticeships for Negroes in the trades.

At the next meeting of the American Anti-Slavery Society (May 1836) action was taken on Weld's proposals. Wattles was secured as an agent to operate in the Ohio area, although Birney had urged that he stay in Cincinnati
where his great influence with the Negroes could be used to establish that city as a model for the rest of the state.\textsuperscript{12} Wattles then left the Cincinnati school which he had begun to start working with Negroes around the state. In the course of his lectures he emphasized that a man was as good as his principles and that a good man is always in demand.\textsuperscript{13} And to Wattles the least corrupting environment in which these principles might develop was away from the iniquity of the city. He was foremost among abolitionists in advocating farm ownership and operation by Negroes. Not one just to preach, Wattles is reported to have led a group of Shelby County Negroes into the woods where they selected a schoolhouse site, cut the logs, and split the boards for the building all in one day.\textsuperscript{14}

This action by the national agency was followed by the state auxiliary in Ohio when at their 1836 meeting the Ohio Anti-Slavery Society began to underwrite the education of the free Negro. It was voted that the executive committee should be granted such aid for this work as


\textsuperscript{13}Philanthropist, June 2, 1837, 2:2.

\textsuperscript{14}Ibid., November 25, 1836, 3:3.
was necessary. In the course of the following year over $500 was spent of which about four-fifths was appropriated to agent Wattles. Nearly the same amount was spent during the 1837-1838 season, and after that the women abolitionists assumed almost the entire responsibility for managing and financing the program for education of Negro children of the state.

Subsequent promotional efforts to stimulate and develop Negro education in Ohio were undertaken by two state-wide agencies which operated from the late Thirties to the mid Forties. Insofar as the reports of these societies tell the story, all of their activity resulted in the growth from a few schools here and there to at least 25 in the year 1842. Unfortunately when the agencies curtailed or ceased their operations we cannot be sure how many of these schools continued to function. It seems probable that once Ohio's Negroes were introduced to the idea and began building up a supply of teachers many of their schools did in fact continue. In any event

15 Ohio Anti-Slavery Society, Report...1836, 8.
16 Philanthropist, June 9, 1837, 3:3-5; August 4, 1837, 3:4-5.
17 Ibid., June 19, 1838, 2:3; Ohio Anti-Slavery Society, Report of the Third Anniversary...1838 (Cincinnati, the Society, 1838), 12. The Society's executive committee provided $160, and the then-functioning Women's Central Committee, $322.
the impulse that helped point the way for them to maintain their own schools turned in the Forties to a demand for tax money for them, until by the law of 1848 it became possible for colored citizens to send their children to some public school, or to erect Negro schools with tax money (of Negro citizens).

The School Fund Society

While most of the privately established schools for Negroes in the 1830's came as a result of the efforts of white abolitionists, some were sponsored entirely by Negro initiative, and administered by Negroes. In the early 1830's scattered schools operated by Negroes were reported around the state. John Malvin and fellow Negroes opened a school in a room of a mill in Cleveland, and employed a half-brean to teach.\(^{18}\) In 1836 a teacher in Logan County announced the opening of a school.\(^{19}\) In that same year a school society was organized in Columbus with David Jenkins, B. Roberts, and C. Lewis as

\(^{18}\) Malvin, Autobiography, 27. Possibly this school was inspired apart from the Lane Seminary Activity, for the date of its founding is uncertain. Malvin, writing forty years after the event, and without notes, estimated that it was "about 1832." His recollection of the appointment of Clark as petition agent, however, was two years too soon.

\(^{19}\) Philanthropist, February 19, 1836, 3:5.
trustees. The following year a society was likewise started for Greene County at Xenia.

The efforts of the colored people of Cincinnati in their own behalf is best known because of the early publicity given by their teacher, Amzi Barber, when he reported on their activity to the 1837 meeting of the Ohio Anti-Slavery Society at Mount Pleasant in Jefferson County. In keeping with the multi-channel reform impulse of the decade, these "uplift" activities among the colored people, Barber tells us, operated on a broad front. Under the tutelage of the abolitionists, Negroes took the temperance pledge, and enrolled in sabbath schools. One, a teacher and minister in the city, even organized a Moral Reform Society to promote virtuous living, which according to article two of its constitution meant "the suppression of intemperance, licentiousness, gambling, sabbath-breaking, blasphemy, and all other vices." It is reported that of the 152 who joined the society only seven were expelled for back-sliding on this article. Efforts for improvement carried the Negro of that city into areas of philanthropy and economics as well. They organized the Cincinnati Union Society in the

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21*Xenia Free Press*, March 31, 1838, 3:3.

early part of the decade which aided victims of misfortune, and again in 1847 we hear of a similar group operating. In 1838 an "Iron Chest Company" was organized in that same city which undertook investment of the dues of its members in various pieces of real estate.

Of more direct interest to this study, however, are the efforts of the Cincinnati Negroes in the field of education. Birney, and probably other abolitionists, early had urged on Negroes of Cincinnati the importance of supporting the schools of that city. They responded with a committee to study the matter, and on January 1, 1836, organized an Education Society, as its constitution said, to provide for "the support of schools and the education of destitute children." Funds were raised by dues of the members and by charging tuition at the rate of $2 per quarter, a charge about par for the less exclusive primary schools of that day. The plan of charging in advance, according to one of the Cincinnati Sisters, succeeded "quite well, tho it has diminished our number of scholars considerably." In the year and a quarter up to the time of Barber's report the Society had collected almost $800,

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23 Ohio Anti-Slavery Society, Condition of People of Color, 29; Cincinnati Enquirer, July 29, 1847, 3:7; August 3, 1847, 3:7; August 14, 1847, 3:7.

24 Philanthropist, July 21, 1840, 1:4.
and managed the whole operation themselves, all in a commendable manner.\(^{25}\)

All this activity in Cincinnati and elsewhere indicates that there was no lack of Negro leaders who felt that their race should assert themselves in their own behalf, and who were ready to work in that direction. Before long such work spread beyond the limits of this home base. On the second day of 1837 a convention of Negroes was held in Cleveland to consider activity to secure the repeal of the Black Laws. The convention appointed John Malvin chairman of the meeting, and the Negro school teacher of the town, Molliston M. Clark, served as secretary. In the course of the meeting it was decided to send Clark into the field as an agent to secure petitions for presentation to the session of the state General Assembly then convened at Columbus.\(^{26}\) In addition to circulating such petitions Clark spoke on the conditions of the Negroes of the state at the Ohio Anti-Slavery Society convention of that year, and delivered lectures at different points on the need of a state convention of his people.\(^{27}\) Such a convention did in fact

\(^{25}\text{Ibid.},\ December 9, 1836, 3:3-4; Ohio Anti-Slavery Society, Report...1837, 62; Barnes and Dumond, Weld Letters, 1:252.\)

\(^{26}\text{Philanthropist},\ January 20, 1837, 3:4-5.\)

\(^{27}\text{Ohio Anti-Slavery Society, Report...1837, 13; Malvin, Autobiography, 27-28.}\)
assemble on August 21 at Columbus. Measures to improve their lot were discussed, and there followed the organization of the "School Fund Institution of the Colored People of the State of Ohio" (hereafter called the School Fund Society). Its constitution provided for officers, membership dues, and indicated a host of possible sources of funds, one of which was "annual appropriations from this State government, if such can be obtained." The purpose of the Society was, as they termed it, to promote "the moral and religious elevation of the colored people of Ohio," and apparently in practice the Society served as a sort of financial equalization medium among member locals, although the reports do not say what were the criteria for distribution of funds by its executive committee. Clark was appointed agent to start the program on its way by generating enthusiasm and raising funds. In addition, a memorial asking for an appropriation, and a petition for repeal of the Black Laws to be sent to the General Assembly were drawn up.28

The Society was under way but a year when internal dissension wrecked its effectiveness and precluded its existence beyond a few short years. Notice was given the following summer (1838) of an anniversary meeting to be

28Philanthropist, September 8, 1837, 3:4; October 17, 1837, 4:2-4.
held in September in Cincinnati, and it was here where
the "great harmony" manifested at the organizational
meeting hit a discordant note as the largest star in the
galaxy, Cincinnati, disowned the Society.

On February 14, 1839, a "large meeting of the
colored citizens of Cincinnati" unanimously adopted a
report which A. M. Sumner, the vice president of the School
Fund Society from that city, and George Cary, local secre-
tary of the Society in 1838, had a part in writing. The
way the School Fund Society was being managed, the committee
felt, "promises little, if any, benefit to our community." It accused the officers of usurping power and of blocking
the admission of auxiliaries apt to be unfriendly to the
plans of the ruling group. The committee further charged
an attempt was made by "the northern party" to stall re-
ports until the end of the convention so that no discussion
would be possible. "And, when they found that all their
machinations might be defeated and exposed by the vigi-
lance of those whom they had thus made their opponents,
they...adjourned without one moment's notice to any indi-
vidual, (except those composing their caucus,) to meet in
another distant city [Columbus]...." Agent M. M. Clark
was singled out for wasting funds, and for "servility"

29Ibid., February 26, 1839, 3:3-4.
because of the notice in a Columbus newspaper denying any connection by the Society with abolitionism. This last complaint suggests that Clark had touched a tender point with the Cincinnati group; abolitionists had been particularly active there, and some of them apparently were greatly admired by many Negroes.

In their turn the officers of the Society ignored the charges of usurpation of power and shrewdly pointed to its successes. Money had been collected, lots donated, and publicity generated as a result of the debates on the

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30Ohio State Journal, (Columbus), January 15, 1839, 3:5. The text of the notice read: "Explanation in regard to those petitions which have been or may be presented to the Assembly from colored persons.

"The school association of colored men, organized for the promotion of education, at its anniversary in this city October last, appointed a committee, to draft a form of petition after the meeting adjourned, and to send copies of it to the representatives for their respective counties. The committee, first named, drew up the form of the petitions in Chillicothe, Ross county, had them printed there and circulated. This accounts for the uniformity of the petitions.

"We state unhesitatingly and positively that our school association is not actuated, in the remotest degree, in any of its practices, by abolition dictation. Our association is wholly and entirely disconnected from abolitionism."

31Wattles was highly esteemed. At the time Amzi D. Barber left Cincinnati in 1838 thanks were extended to him for "his meritorious and successful labors, in that benevolent and godlike cause to which he had devoted the energies of his intellect." Philanthropist, February 20, 1838, 1:5.
petitions to the General Assembly. The answer also included a clarifying statement by Clark, one of several such in history, which denied any intention to condemn abolitionists; indeed, he was one himself. Rather the statement was made to clear abolitionists of charges in the Assembly of being connected with the Society. Of course this explanation just didn't ring true. It is patent that when Clark used an expression like abolition "dictation", which one, the abolitionists or the School Fund Society, he felt to be the poor relation. And apparently the Cincinnati leaders were not impressed. Their names do not appear in the list of delegates to either of the last two meetings, nor do the reports of these meetings indicate any activity of the School Fund Society in Cincinnati.

Absence of minutes of the explosive 1838 sessions leaves an uncertainty about just what did transpire at Cincinnati and Columbus, but the proceedings of 1839 reveal a good deal of attention to the charges of the Cincinnati group. Invited to audit the books was Amzi Barber, white abolitionist and trusted friend of many Cincinnati Negroes. By-laws were adopted which provided for quarterly reports of agents, and for these reports to be printed in the Philanthropist and the Ohio State Journal.

\[32\textit{Ibid.},\ April 9, 1839, 1:4-5.\]
The by-laws further provided that money collected by the agent in a county having a local society was to stay with that local society; and no money was to be paid by the State headquarters except to member societies.\(^{33}\) This rather detailed attention to the administration of funds suggests one aspect of Cincinnati dissatisfaction. This possibility is strengthened by some remarks of Barber in a letter to *Philanthropist* editor, Gamaliel Bailey. He pointed up the provision for publicity of accounts and added that jealousy of locals to see that they got their share should provide sufficient watchfulness to insure an equal distribution of funds. He also spoke of an improvement in the conduct of agent Clark.\(^{34}\) It seems rather probable that the Cincinnati group revolted over the collection and use of the funds, then, as well as over the obvious concern about who were to be the chief shepherds of the flock.

\(^{33}\text{*Ohio State Journal, (Columbus), September 10, 1839, 3:1-2. Reports of the explosive sessions of 1838 did not appear in either the *Philanthropist* or in the *Ohio State Journal*, although the Society's officers referred to a pamphlet being printed.}\)

\(^{34}\text{*Philanthropist, October 22, 1839, 3:4. Apparently Barber, too, hadn't approved of the initial management of the Society. His concluding sentence to Bailey said, "For myself, I can cheerfully contribute to it so long as the business is conducted as I have reason to believe it will be under the new regulations."}\)
One more meeting (1840) of the School Fund Society was held after which the organization disappeared from the scene. Negroes continued to hold meetings from time to time throughout the rest of the decade, and several more were scheduled and never held. While education was endorsed, the Negroes followed the course of white abolitionists, and tended to submerge this activity in political agitation aimed at full rights and rejection of measures which set colored people apart as a class.35

In the three years the School Fund Society did operate it produced some tangible results. It sponsored schools in as many as 23 localities.36 Lots were purchased in Chillicothe, Xenia, and Zanesville, another had been donated by a benevolent white in Dayton, while another white in Portsmouth sold one for a "trifle." School buildings were erected in Columbus, Zanesville, and Dayton, and two persons in Steubenville agreed each to sponsor the cost of a pupil every year for the length of

35There is no indication in the Philanthropist or in the Ohio State Journal that a meeting was held in 1841. For minutes of the colored conventions in 1843 and 1849, see Herald and Philanthropist (Cincinnati), October 18, 1843, 2:3; and Columbus Convention...1849, Minutes and Addresses.

36Minutes of the 1839 and 1840 conventions are printed in the Ohio State Journal, September 10, 1839, 3:1-2, and September 15, 1840, 3:6. There are a few additional details in Philanthropist, April 9, 1839, 1:4-5.
their lives. A breakdown of the collections of the agent for the year 1838-1839 reveals that Clark collected about $550 in 20 counties, of which just over one half was donated by people of the seven counties of the Western Reserve. Typical of common schools of the time the schools operated for one or two quarters, although the one in Dayton reported being open the year around in 1839-1840, as did the Chillicothe school the year previous. The total attendance was small considering the size of the communities, although probably no smaller than in schools promoted by white abolitionists. For example, Columbus enrolled 63 students in 1839-1840 at a time when the town had a colored community of 573. The figures for Chillicothe were 35 out of 410, and for Lancaster, 64 out of 239. The Society operated principally in the towns and cities, not in rural settlements, and drew its leadership from the northern part of the state and from the Scioto Valley area. Perhaps when the Society ceased its operation, former officers continued work in organizing schools for their communities, as was the case in Cleveland.\(^37\) And not to be overlooked is the fact that the activities of the Society gave this politically ostracized people an opportunity to participate in a state-wide enterprise and gave

\(^37\)Annals of Cleveland, 25(1842):item 1450.
an environment in which a feeling of community membership could grow.

**Activity by Women Abolitionists**

But, as we have indicated above, the major private educational effort for education of the free Negro in this period was made by women abolitionists of the state. Their organization did not begin with the Putnam meeting in 1835, but rather took the next few years to develop. General organization of antislavery-minded women was urged at the Putnam meeting, and the bid was intensified the next year at Granville when at the annual meeting James Thome delivered his "Address to the Ladies of Ohio," which was widely circulated in pamphlet form, and which he said "took hold of the women mightily."

Women, he urged, could help in the general propaganda campaign by writing and circulating antislavery material and by petitioning Congress for the abolition of slavery at the national capital. In the realm of education he called on the women to furnish financial help to those of their sex then working in schools for Negroes at a sacrifice of their personal

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38 Ohio Anti-Slavery Convention, Proceedings... (?Putnam, Beaumont and Wallace, 1835), 7.
The Granville meeting where Thome gave his address was held under the threat of possible mob action, and, as a result, most of the women were frightened away. The few who did remain, however, formed a Central Committee for the women abolitionists of the state by naming the members of the executive committee of Muskingum County Female Anti-slavery Society to act in that capacity for the year 1836-1837.40

A central committee of women abolitionists was thus functioning and ready to take action when appeals were made the next year for some direction to the efforts to promote education of the Negroes of the state. In January 1837, at the suggestion of a "dear sister, who had long been engaged in the personal efforts for the diffusion of knowledge among the colored people of Ohio," the Philanthropist printed an address which made an appeal for financial aid to women abolitionists of the state. The address referred to the condition of penniless colored Cincinnati immigrants in western Ohio and called for aid to provide travelling expenses of teachers willing to work in these communities. Small societies, it was granted,

39Barnes and Dumond, Weld Letters, 1:299; Ohio Anti-Slavery Society, Report...1836, 38-40.
40Philanthropist, May 12, 1837, 2:5, 3:1-2; Barnes and Dumond, Weld Letters, 1:300.
could not do a great deal alone, but by cooperative action they might accomplish "considerable good." Whether the co-operative action should be effected through the national antislavery society, or through the local auxiliaries of the state was left open for comment through the columns of the Philanthropist. Later that year at the anniversary meeting a letter from Owen Brown urging a separate education society was reported to the Ohio Anti-Slavery Society and incorporated into the printed report. How much direct effect these communications had is uncertain, but they do demonstrate that the idea was passing around at the time. It was this same year that the antislavery women of the state formed another central committee, and part of their work was to undertake the promotion of this type of education. And at this same second anniversary, the Ohio Anti-Slavery Society designated Lucy Wright (then living at Tallmadge) to receive monies collected for Negro children's education. With this action the abolitionists' efforts for Negro education were given over to the ladies.

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41 Philanthropist, January 20, 1837, 3:3-4.
42 Ohio Anti-Slavery Society, Report...1837, 16-17.
43 Ibid., 13; Philanthropist, November 14, 1837, 3:3.
This central committee (to manage interim affairs between conventions) in 1837-1838 was made up of different individuals from around the state, and then, in the subsequent two years, the executive committee of Cincinnati and Portage female antislavery societies, successively, administered the program. Tightness of money by 1840 brought about a change in this system to procure more efficient action and to underline the purpose of the organization.

That year the women abolitionists organized a society, separate from their regular antislavery societies, called the "Ohio Ladies Society for the Education of Free People of Color" (hereafter called the "Ladies Society").

The Ladies Society, and the antecedent Central Committees, were promotional agencies and did not themselves attempt to own property and administer schools, as did the School Fund Society. The Ladies Society's officers were Cincinnati women with few changes in the period from 1840 to 1846. The central agency corresponded with various persons throughout the state to ascertain areas most in need of aid, and then, depending on the case, might send in an agent, help recruit teachers, or supply

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\textsuperscript{44} \textit{Philanthropist}, June 19, 1838, 2:3; June 11, 1839, 3:6. 

\textsuperscript{45} \textit{Ibid.}, June 23, 1840, 2:2-3. 

\textsuperscript{46} President was Mrs. S. B. Garrard; Treasurer, Mrs. S. B. Eustis; and Secretary, Mrs. Mary Blanchard and Mrs. M. L. Bailey, successively.
money to destitute teachers. A most frequent form of aid was the payment of transportation costs of the instructors to their new jobs. The local auxiliaries in the cities and counties might also locate teachers, but their principal activity seems to have been to promote morally and financially a local school or adopt one for their patronage. Annual conventions were held (at the same time and place as the regular meeting of the state antislavery society) "for mutual encouragement, advice, assistance, and each year [at these sessions] collections, to the amount of several hundred dollars, in aid of schools, in the colored settlements, and...to support our agent were taken up."47

Some of the members of the Ladies Society were teachers, of course, but probably most of them were pursuing the activity as an avocation; the key man in the organization was the agent. One unidentified contemporary said:

There must be an agent in the field all the time. It is interesting to see what animation the colored people feel when a friend comes among them. They rouse up and make a struggle to overturn the mountains that lie in their way; but they need like the rest of us continued sympathy, cheering and encouragement. Be sure you employ the right one; he should be of great energy, great in love, great in benevolence, great in humility, full of love to God and love to man....48

47. Philanthropist, July 9, 1841, 3:2.
48. Ibid., August 9, 1843, 1:2.
The two most prominent of their agents were Augustus Wattles and Amzi Barber. Both had taught colored classes in Cincinnati and after this service the former established a school in Mercer County, to be described subsequently, while the latter entered the theological seminary at Oberlin. Besides stressing the necessity of education, the lectures of these agents touched on a variety of matters such as economy, industry, temperance; and then after the lectures a collection was often taken.\(^{49}\)

While we have summary financial reports for some of the years, which indicate that most of the funds of the central agency were raised by the agent and by passing the hat at the annual conventions, we cannot be sure of the total financial magnitude of the operation for we have no way of knowing how much the several locals spent in the cause. But we do know from the years when the reports were comparatively lengthy that the scope of the program was small. In 1837 Wattles reported 20 Negro schools to be operating in 17 communities, plus three other communities which had schools for a short time during the year. In two places Negro children could attend the schools for the whites.\(^{50}\) In 1840 Barber reported that there were 29

\(^{49}\)Ibid., June 2, 1837, 2:2; July 21, 1840, 1:3.

\(^{50}\)Ibid., September 15, 1837, 3:4.
teachers working in Negro schools; and agent Cobb reported 34 in 1842. In 1843 23 schools were supplied teachers through the efforts of the agent.51

This, of course, fell quite short of the goal of a teacher for every Negro community; and the problem went beyond one of supply of teachers. The financial difficulties of the Ladies Society seem to have been chronic. Perhaps Weld was more correct than he realized when he recommended work with the colored people be kept within the general agency. Barber reported that when the women formed their Central Committee in 1837 "not one-fourth has been received as was received previous to these arrangements."52 After 1840 money was scarce in Ohio and the agent had more trouble than usual in raising funds. Naturally those communities operating successful schools wanted to keep their funds at home, and on the farm, Barber said, there just was no money.53 By November 1841 agent Cobb reported that in Cincinnati, where the schools usually depended in part upon the Ladies Society, two teachers would have to find jobs elsewhere.54

51Ibid., July 14, 1840, 1:1; June 22, 1842, 3:2; August 9, 1843, 1:2.

52Ibid., November 14, 1837, 3:3.

53This was the case with Oberlin in 1839 and with Red Oak in 1841. Ibid., June 11, 1839, 3:6; April 28, 1841, 3:1.

54Ibid., April 28, 1841, 3:1; November 10, 1841, 3:5.
collections at the annual convention showed a spectacular drop from that of the previous year—$227.81 to $64.25—caused in part, to be sure, by the short time given over to getting pledges, but also to the reluctance of the members to commit themselves to any substantial pledges.\(^5^5\)

To tap the reluctant, and minor (especially juvenile) sources, the Society adopted the "cent-a-week" plan which, as the name indicates, pledged subscribers to give up the small sum of one cent every week.\(^5^6\)

After the year 1842 the Society experienced a decline in activity which was undoubtedly in part caused by the difficulty of raising funds, but apparently not because of this alone. The Society was unfortunate in organizing about the time that the evangelic spirit had waned in favor of political activity.\(^5^7\) So while a Ladies Society memorial to the General Assembly in 1841, asking for a tax on the property of Negroes to be used for school purposes, was an effort to solve financial problems, it also indicates an interest in a political solution.\(^5^8\)

\(^5^5\)Ibid., June 30, 1840, 1:6; October 6, 1840, 3:3; June 9, 1841, 3:1.

\(^5^6\)Ibid., October 6, 1840, 3:4; June 9, 1841, 3:2.

\(^5^7\)Barnes, Antislavery Impulse, Chap. XVI.

\(^5^8\)Philanthropist, June 9, 1841. And this might be a silent admission that Negroes weren't supporting their own "elevation" as strongly as they might.
the Liberty Party in full swing what had been the Society's publicity outlet, the Philanthropist, had less and less room for reporting its educational activity as the editor felt the urgency of promoting campaign activity. For example, in 1844 the Ladies Society's report was not even printed since it would make the article one of "unwarrantable" length. Whether the Ladies were too absorbed in politics or were just tired of "uplifting" is not clear, but by 1844 there was complaint of languor in the Society. At the annual meeting that year the locals were admonished to be active in the cause without waiting for a visit by the agent. Hopes of renewed vigor were not brightened by the split of abolitionists into the Garrisonians and the anti-Garrisonians, especially since the former faction as a separate society took a position detrimental to the purpose of the Ladies Society. Its position is exemplified by a statement in the Garrisonian Anti-Slavery Bugle about funds raised during a fair at Ravenna. "Some suggested the propriety of establishing an anti-slavery circulating library in their neighborhood, others wished to aid in sustaining a school for colored children;

59 Herald and Philanthropist, August 28, 1844, 3:3.
60 Ibid., February 7, 1844, 3:2.
61 Ibid., August 28, 1844, 3:4.
and several proposals of a like character were made, all
good in themselves, but not involving labor which belongs
to the [Western Anti-Slavery] Society. As far as the author can discover there was no formal burial of the Society, but rather it seems, like MacArthur's Old Soldier, to have just faded away. After 1844 there was no agent engaged in state-wide activity, and the efforts of the one agent were confined to Cincinnati alone. Apparently this marked a transition of the Ladies Society to a Cincinnati society, for the 1845 report concerned only the schools of that city; also the report did not list any proceedings or officers. It would seem that not even a state convention was held. Reports of the Society dropped out of its previously reporting medium after 1846, although the Society was still operating in Cincinnati as late as 1847.

Any listing of colored schools in Ohio during the period when Negro children were excluded from the public schools is at best an approximation. While the schools

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62 Anti-Slavery Bugle (Salem), August 27, 1847, 2:6.
63 Herald and Philanthropist, July 30, 1845, 3:3.
64 John Wattles, Annual Report of the Educational Condition of the Colored People of Cincinnati...Presented at the Exhibition of the Cincinnati High School, April 1847 (Cincinnati, John White, printer, 1847.)
mentioned in the reports of the School Fund Society and Ladies Society tell us where schools did exist, they are incomplete and can be no better than the separate reports from the several local auxiliaries. Also such lists cover but six years of the decade and a half during which Negroes were excluded from public schools. But even with these limitations it is of interest to note where colored schools did in fact exist. Table 1 is a list of places mentioned in this connection in the reports specified.65

A few observations might be in order. The School Fund Society emphasized organization of Negroes in the cities, while the Ladies Society gave a great deal of attention to the rural colonies of colored people as well. This attention probably reflects the abolitionists' emphasis on farming and the trades as virtuous enterprise. Agents of the Ladies Society concentrated their visits on western and south-central Ohio settlements, although Clinton, Clermont, Adams, and Fayette Counties seem to have been by-passed. The eastern counties were infrequently mentioned. Belmont County, for example, was second only to

65(Wattles) Philanthropist, September 15, 1837, 3:4; (Ladies Society, 1839) November 26, 1839, 2:2-5; (Ladies Society, 1840) July 14, 1840, 1,2:1, and July 21, 1840, 1; (Ladies Society, 1841) June 9, 1841, 2:6, 3:1-4; (Ladies Society, 1842) June 22, 1842, 3:1-5, and June 29, 1842, 1:1-3; (School Fund Society, 1839) Ohio State Journal (Columbus), September 10, 1839, 3:1-2; (School Fund Society, 1840) September 15, 1840, 3:6.
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*The coding for the above lists is as follows:
  a- Wattles' 1837 list (22 schools)
  b- School Fund Society 1839 list (9 schools)
  c- Ladies Society 1839 list (10 schools)
  d- School Fund Society 1840 list (9 schools)
  e- Ladies Society 1840 list (18 schools)
  f- Ladies Society 1841 list (13 schools)
  g- Ladies Society 1842 list (23 schools)
  h- Ladies Society 1843 list (5 schools)
Gallia in the number of townships with 40 or more Negroes in 1840, and was totally unmentioned. The Ladies Society did not issue instructions regarding the selection of communities to be visited, nor do reports and letters of the agents give any hint in this respect. It is quite possible that the western counties were constantly visited since the abolitionists had a part in urging Negroes to settle there; the eastern counties probably received less attention since they were the farthest from Cincinnati, center of the Society's activities. Some of the central locations, such as Chillicothe and Columbus, had such substantial colored populations that they could hardly be bypassed.

The resources of the abolitionists did not permit them to support the schools totally as charity institutions, so the existence of educational facilities in large measure depended upon tuition and other support from

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66 Of course clustering of population would be necessary for a school. Adams County had no township with over 40 Negroes; Clermont, just one. Clinton County, however, had three townships with over 40, two having over 100 Negroes.

In a check of the Belmont Chronicle (St. Clairsville), for the year 1832, and 1837-1842 there appeared no ads or other mention of Negro schools. The paper did carry items regarding common schools, and concerning arguments between abolitionists and colonizationists, so apparently the absence of mention of Negro schools was not due to a lack of interest in educational or racial problems.
Negro patrons. The amount of the backing from Negroes varied, as might be expected, with time and place. Negroes did not agree on the value of formal education above the primary level. Some saw no need of going beyond the three R's, but such a restricted curriculum, of course, made difficult the creation of a Negro teaching force to supply the three R's to future generations. Right within the Langston family in Chillicothe half-brother William and brother Charles differed over sending John to Oberlin or having him take up a trade. In Dayton and elsewhere teachers at one time complained that some Negro patrons did not want to buy necessary books for their children. At times in Chillicothe the teacher did not make enough to pay the board; yet, on the other hand, the colored patrons at Red Oak promptly paid their bills.

These were primary schools of the most elementary nature where the three R's, spelling and perhaps a little history and geography were taught. For the girls some sewing instruction also might be offered. As might be expected the student body was composed of fast learners, and some not so fast; of some who behaved well, and others

67 Philanthropist, July 14, 1840, 1:6.
68 Langston, From Virginia Plantation, 88-90.
69 Philanthropist, November 26, 1839, 2:4.
70 Ibid., July 14, 1840, 1:6; July 21, 1840, 1:2.
who were impossible. In early Cincinnati schools at least, and undoubtedly in others, poor attendance was a problem, with often as many as a third absent, a condition which precluded any classification of the students. Much of this absenteeism, the abolitionists reported, was attributable to the need of the children to work to help fill the meager family larder. At the onset the school body in that city often included adults as well as children, but more often the former enrolled in Sunday school classes, or attended evening lectures, held at a time when the working day would not be interrupted. But whether the message of brotherly love was delivered in the regular day school, or in a Sunday school, there were many attentive listeners. One old Negro lady exclaimed, "I want to learn to read, so that I can read those sweet promises in God's word." Yet, others in time questioned the worth of the effort. With the charging of tuition the enrollment in Cincinnati dropped off, and as time passed the necessity of sacrifice

71 Ohio Anti-Slavery Society, Condition of People of Color, 10-13; Ohio Anti-Slavery Society, Report...1837, 59-61; Philanthropist, November 26, 1839, 2:3-4; July 14, 1840, 1:5-6, 2:1.

72 Barnes and Dumond, Weld Letters, 1:211-212; Ohio Anti-Slavery Society, Report...1837, 59.

73 Ohio Anti-Slavery Society, Report...1837, 65.
caused many of the less ardent adults to leave the straight and narrow.\footnote{74}

The picture of Negro education in Ohio during this period, however, is not entirely negative. Although one writer on the subject painted a most discouraging scene of rundown school rooms and poorly qualified teachers, this is not the whole story.\footnote{75} It is true that most of the rooms in the cities were rented, and some no doubt leaked and in others the doors creaked in the wind.\footnote{76} Yet poor housing is not a regular complaint, and in places like Zanesville, Dayton, and Columbus a full school house was obtained.\footnote{77} Furthermore, what poor housing there was may not have been entirely a matter of discrimination. Poor school rooms for common schools for whites were not

\footnote{\ref{74}Barnes and Dumond, \textit{Weld Letters}, 1:252. In his 1837 report Barber took pains to remind abolitionists in Ohio that their work among free Negroes of Ohio was not over. There initially was the "novelty of elevation," but this wore thin when it was found "that they must \underline{climb} the ascent." \"...some of the colored people love their sins too well to be elevated. It would require a moral earthquake to induce some of them to arouse from their lethargy, and put away their iniquities." \textit{Ohio Anti-Slavery Society, Report...1837}, 58.}

\footnote{\ref{75}Hickok, \textit{Negro in Ohio}, 77-78.}

\footnote{\ref{76}\textit{Philanthropist}, November 26, 1839, 2:4; John Wattles, \textit{Annual Report}, 4-5.}

\footnote{\ref{77}\textit{Ohio State Journal}, September 15, 1840, 3:6; September 10, 1839, 3:1-2; Lee, \textit{History of Columbus}, 1:516.}
exceptional in pioneer Ohio. Superintendent Lord, for example, reported unsuitable rented school rooms in Columbus for white students during this period. And Hickok's emphasis on the poor quality of the teaching force is also open to comment. Many of the teachers in the colored schools were abolitionists, among whom a relatively high level of education was not an uncommon accomplishment. Barber reported in 1840 that most of the teachers, with a few exceptions, were well qualified, and John Langston had nothing but the highest praise for his teachers in Cincinnati and for others in Chillicothe.

Secondary and Higher Educational Opportunities for Negroes

One of the big problems in maintaining Negro schools was the shortage of qualified teachers, as is shown by the call of the Ladies Society for teacher candidates in 1844. The problem of supplying training for

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78 Ohio Secretary of State's report on the common schools in Ohio Executive Documents, 14(1849-1850): part 2, 522-523.

79 Philanthropist, July 14, 1840, 1:1; Langston, From Virginia Plantation, 59-60, 74-75. August Wattles listed but five Negro teachers out of the 22 he reported in the state in colored schools in 1837. Philanthropist, September 15, 1837, 3:4.

80 Philanthropist, August 28, 1844, 3:3.
colored teachers, of course, turned on the scarcity of schools they could attend beyond the primary level. The four schools of a higher level most prominently mentioned in the literature where Negroes were admitted were Oberlin, Cincinnati High School, Wattles' school in Mercer County, and the Red Oak Seminary. Ripley College, Harveyburg High School (for a time), and Massey Creek High School (Greene County) were also mentioned as places where students were accepted "irrespective of color," and it is reported that Negroes had been admitted to Western Reserve college. Perhaps in Ohio, too, persons of slight color were slipped into various colleges in the manner J. W. Fowler suggested to John Langston he might enter the Ballston Spa Law School in New York. One could pass as a Frenchman or a Spaniard from some Latin American country, or "edge" into

81 Howe, Historical Collections, 72; Anti-Slavery Bugle, January 30, 1846, 3:1. Shipherd told the Oberlin school trustees that Negroes had been admitted into Western Reserve College, and some in the East. Robert S. Fletcher, A History of Oberlin College from Its Foundation through the Civil War (Oberlin, the college, 1943, 2 vols.), 1:176-177.

One historian of Western Reserve University reported that a Negro was admitted to that institution as early as 1832. Frederick C. Waite, Western Reserve University The Hudson Era (Cleveland, Western Reserve University Press, 1943), 167. Woodson stated that Negro students attended Franklin College at New Athens by 1852. Carter G. Woodson, The Education of the Negro Prior to 1861... (Washington, Associated Publishers, 1919, Second Ed.), 277.
the school. By edging into the classroom Fowler meant:

Come into the recitation-room; take your seat off and apart from the class; ask no questions; behave yourself quietly; and if after a time no one says anything against, but all seem well inclined toward you, you may move up nearer the class; and so continue to do till you are taken and considered in due time as in full and regular membership.

Of the four more prominent secondary (and higher) schools, Red Oak and the Cincinnati High Schools were only academic; while Oberlin, for a while at least, and Wattles' school included manual labor instruction. The Red Oak school seems to have had its origins in the settlement of antislavery Presbyterians from North Carolina at the village of Red Oak on the creek of that same name in Brown County. In 1836 they met and resolved to establish a seminary wherein primary and secondary level subjects would be taught and where students of any color would be permitted (on being able to pay the tuition of $4 per session). The teachers reported good progress by the

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82 Langston, From Virginia Plantation, 107-108.
83 Ibid., 108.
84 Siebert, Ohio Archaeological and Historical Quarterly, 56(1947):78-79.
85 Philanthropist, July 10, 1838, 2:2. The fees were above the ordinary rate for colored schools, and apparently attracted a more substantial Negro clientele. The 1840 Ladies Society Report said, "There are about 150
Negro students, and the experiment of a mixed student body caused no trouble in the school. "Perfect harmony," said one teacher, "existed between them. Had my eyes been closed I think I should not have known but that all were of one complexion."\textsuperscript{86} Negro students apparently found the place attractive for they came from as far away as Mississippi, as well as from Ohio and neighboring Kentucky. In 1838 the \textit{Philanthropist} reported 12 to 14 colored students out of an enrollment of about 50; and by 1840 the Ladies Society reported an enrollment of 34 colored and 30 white students.\textsuperscript{88} It is not altogether surprising that such a radical policy as having a mixed student body aroused hostility, and the place gained the reputation of being a "red hot abolition concern."\textsuperscript{89} The first school house, a two-story wooden structure built probably in early 1837, was burned in July of the next year, only to be replaced by a brick building, and by 1840 was apparently a thriving institution.\textsuperscript{90} Then in their 1842 report the Ladies Society gave the cryptic colored people in the vicinity of Red Oak. Most of them came there for the purpose of educating their children. They are what would be called good livers. The colored people paid their school-bills as promptly as the whites." \textit{Ibid.}, July 21, 1840, 1:2.

\textsuperscript{86}\textit{Ibid.}, July 21, 1840, 1:2.
\textsuperscript{87}\textit{Ibid.}, September 25, 1838, 1:2.
\textsuperscript{88}\textit{Ibid.}, October 23, 1838, 3:2; July 21, 1840, 1:2.
\textsuperscript{89}\textit{Ibid.}, March 3, 1840, 3:4.
\textsuperscript{90}\textit{Ibid.}, July 10, 1838, 2:2; September 25, 1838, 1:1-2; July 21, 1840, 1:2.
announcement that it had "from some cause not well ascertained, been suspended for the present."91

We have already noted the modest beginnings of a school in Cincinnati as early as 1820, and the impulse given by the Lane Rebels in 1834 for a more comprehensive and continuous program. The number of schools in the city thereafter varied from three to six, but it was not until 1844 that a school of academy level was opened there especially for Negroes. Earlier in 1842 the Ladies Society had proposed a colored high school for Cincinnati, even voting $200 to start it on the way, and in another two years had interested a donor, Hiram S. Gilmore, in the project.92 The school began modestly in May of that year with an enrollment of 20, in a room that once was a carpenter shop. By June the enrollment had reached 80, and a year later was double that figure.93 With $500 from Gilmore also volunteered at least two years of his time to be principal without compensation.94

91Ibid., June 22, 1842, 3:3.
92Ibid., June 29, 1842, 3:4.
93John Wattles, Annual Report, 8; Herald and Philanthropist, June 26, 1844, 4:1; July 30, 1845, 3:3.
was quite complete, ranging from the primary department to the classics, and eventually chemistry, natural philosophy and astronomy. Tuition was in keeping with the charges of the academies of the time, ranging from $3 for the primary department to $7 for a full classical course. This tuition, however, covered only two-thirds of the expenses (apparently some students were admitted free), and the Ladies Society and other friends aided with the balance. According to one report the school did quite well and a good proportion of the students went on to Oberlin. Among its graduates were such illustrious Negro leaders as P. B. S. Pinchback, Peter H. Clark, and Monroe Trotter.

The Ladies Society hailed the school as marking a new era, and as promising a revolution in public sentiment. The school was indeed quite modern in some respects, being

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95 Herald and Philanthropist, June 26, 1844, 3:6, 4:1; April 23, 1845, 4:5; August 20, 1845, 4:7.

96 Ibid., June 26, 1844, 3:6; April 23, 1845, 4:5.

97 John B. Shotwell, A History of the Schools of Cincinnati (Cincinnati, the School Life Publishing Co., 1902), 453, 455. Pinchback was a Louisana governor; Clark, grandson of William Clark of Lewis and Clark fame, a Cincinnati Negro schools principal; and Trotter was Recorder of Deeds under President Cleveland. Shotwell included John M. Langston as a graduate, but this seems to be an error. The Cincinnati High School began in May 1844, and in March of that year Langston had started his preparatory work at Oberlin. Langston, From Virginia Plantation, 77-93.
equipped with gymnastic equipment, and even featuring a school newspaper. It was through their choral and declamatory activities, however, that the school attracted the most attention. Publicity conscious and somewhat on trial, principal Gilmore promoted singing and speech, and went beyond the usual public examination day by organizing tours during the years 1846 and 1847 which visited several places in the state, mostly abolition centers. The group even performed in Toronto. The project seems to have been a success. The 1847 tour netted $200, which was applied to the "beneficiary department" for needy students, and resulted in such intangible benefits as helping to reduce prejudice and to broaden the views of the students.


The 1846 trip included stops at: Cleveland, Columbus, Wooster, Buffalo, Toronto, Jefferson, Painesville, Elyria, Oberlin, Ashland, Mansfield, Mount Vernon, Patterson's Meeting House, Bloomingsburg, Wilmington, and Springboro. Anti-Slavery Bugle (Salem), August 14, 1846, 4:6; August 21, 1846, 2:3; September 11, 1846, 3:6.

The 1847 itinerary included: Palmyra, Harveysburg, Xenia, London, Columbus, Patterson's Meeting House, Mount Vernon, Oberlin, Elyria, Cleveland, Painesville, Ashtabula, Jefferson, Austintburgh, Chardon, Chagrin Falls, Ravenna, Akron, Massillon, Wooster, Lancaster, Circleville, Newark, Bloomingsburg, Wilmington, and Yankeetown. Anti-Slavery Bugle, June 25, 1847, 3:5.
by bringing them to a greater realization of the benefits of education beyond the primary level.  

It is not clear whether the school was opened in the autumn of 1847, but one report stated that by 1848 the school was being operated by a successor, the former speech teacher, Dr. A. L. Childs.

Negroes could also attend two other schools which were, in the beginning at least, manual labor schools, Wattles's school and Oberlin. The idea behind the manual labor movement as developed at Oberlin was that the student should devote part of his time in the afternoon and summers, to running a farm or tending a grove of mulberry trees with the hope of raising farm produce or silk for sale. Logically all sorts of beneficial results were anticipated. The student would learn skills, stay out of mischief, get healthful exercise, and develop such desirable traits of character as self-reliance, industry, and originality. Besides the moral value, earnings from

100 Anti-Slavery Bugle, September 10, 1847, 3:5.

101 U. S. Department of Education, 371. A check of the Herald and Philanthropist, the Anti-Slavery Bugle, the Cincinnati Enquirer and the Cincinnati Gazette for the autumn of 1847 yielded no mention of the school. The last-mentioned paper (August 16 and 26) carried articles on higher-level schools in Cincinnati wherein no mention was made of Gilmore's school. Possibly Dr. Childs re-opened the school in 1848, the year which the Department of Education publication indicated it was in operation.
the work could be expected to help foot the cost of classroom instruction.102

In the thinking of Augustus Wattles, as we have seen, the moral aspect of the program loomed large. During and after his period as agent for the abolitionists among the Negroes of Ohio, he urged them to leave the degrading influences of the city for farming and other respectable occupations of the countryside.103 As one "colored man" wrote, "the way to kill prejudice, is to change our condition."104 For many people Wattles' message made sense. They saved their money and with the guidance of Wattles purchased land in Mercer County and elsewhere. By 1842 the colony of Carthagena had grown to a population of 300, and was hailed in the abolitionist press as a crime-free community of elevated people whose mechanics did work for the whites and whose literate residents aided brother whites in writing road receipts and calculating various returns.105 Wattles' settle-on farms message was an early expression of the proposition


103 Howe, Historical Collections, 356.

104 Philanthropist, December 28, 1842, 1:4.

105 Ibid., June 22, 1842, 3:4; Anti-Slavery Bugle, November 6, 1846, 3:4.
that the most effectual means for Negroes to obtain equal rights with whites was by making themselves valuable citizens in the general community. Some of Wattles' disciples at Carthagena urged fellow Negroes to turn to the farm and trades to secure elevation, so that with such elevation the General Assembly would consider repeal of the Black Laws. Become valuable citizens to the state, they urged; a few boot-blacks would never be missed, but a tax-paying farmer commands attention.106

But it was not enough simply to move the people from the cities; instruction was necessary to change a barber into a farmer, and teachers were necessary to teach his children the fundamentals. This was the purpose of the manual labor school Wattles began promoting in his 1836-1837 agency, and the next year he elaborated his intentions in the abolitionist press. There would be the "usual" subjects, plus courses in agriculture and horticulture; and mathematics, Latin, and Greek for those who needed them. A shop was planned where farm tools could be made, and a grove of mulberry trees was begun to provide activity for children and girls.107 The promotion of a $2,000 building was attempted by one friend of the cause,

107Ibid., October 13, 1837, 1:5.
but with only $300 and some materials donated over a four-year period, a four-room building of hewn logs, with only two of the rooms finished, was the best Wattles could manage. 108 Wattles, himself, donated 190 acres, and undoubtedly cash and board for some of the patrons. Then in 1842 he received the backing of the trustees of the estate of a Quaker, Samuel Emlen, who had willed $20,000 for the "support and education in school learning and mechanical arts and agriculture, such colored boys of African and Indian descent, whose parents would give them up to the institute." With that the name of the establishment became the Emlen Institute, and adequate means for operation were assured. 109

In operation these manual labor schools worked about as well as the management provided by a man such as Wattles might give. At Oberlin the manual labor feature was abandoned as part of the compulsory curriculum in 1838, and in 1851 the college leased the farm lands, and the students sought employment from private sources. 110 But while manual labor was part of the program

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108 Ibid., August 14, 1838, 1:5-6; June 22, 1842, 3:4.

109 Howe, Historical Collections, 356.

110 Fairchild, Oberlin, 190-193. Writing in 1883 Fairchild related, "The school still bears the impress of the original manual-labor plan. In the higher departments all recitations and lectures are in the forenoon; so
the school scheduled farm work for the summer, and vacation came during the winter, when the students might seek outside teaching jobs. In the year 1836-1837 twenty Oberlin students were engaged in teaching Negro schools in Ohio and in Canada.\textsuperscript{111}

Thus while there did exist institutions which trained teachers who could work in Negro schools, it seems unlikely that such a position appealed to many whites, except perhaps a relatively few dedicated abolitionists. The job of teaching Negroes was low in prestige, and for white teachers could prove dangerous because of the resentment it might arouse. To many Ohioans of the time, as we shall see, it was simply too close to amalgamation for a white to teach Negroes; and of course amalgamation in that day was quite a sin. Let us look at this fear of amalgamation in a bit more detail.

\textsuperscript{111}Ibid., 46; Philanthropist, December 24, 1839, 2:6.
Fear of Amalgamation in the Schools

In that day Oberlin gained a good deal of notoriety for its pioneering role as a co-educational, co-racial school. Yet even there, it will be remembered, the trustees approved of admission of Negroes by but a single vote, and besides this there was opposition from the original Oberlin colony as well. One account said:

A General panic & despair seized the Officers, Students & Colonists--P. P. Stewart the Organ of Opposition at once proclaimed Bro. Shiphert Mad!! crazy &c &c & that the School was changed into a Negro School. Its founders would be disappointed and hundreds of negroes would be flooding the school. ...many students said they would leave & Br. Stewart sd. he would not stay.112

Students who came later felt obliged to live down the "amalgamation" reputation. One coed wrote home that she didn't have to kiss "Niggars," or even speak to them.113 Neither did the Negroes overrun the school, nor did discipline problems result from the mixed classes.114 The foremost historian of Oberlin's past estimated that less than one twentieth of the student body were colored.

112Quoted in Fletcher, History of Oberlin College, 1:170. Apparently it was a mixed school that distressed Brother Stewart. In 1837-1838 he taught a colored school in New York. Ibid., 1:196.

113Ibid., 2:524.

114Fairchild, Oberlin, 113.
in the ante-bellum days; one of its presidents similarly put the figure at 4 or 5 per cent.\textsuperscript{115} Early in the 1840's a separate school, called the Liberty School, was begun in Oberlin for adults who had missed education in earlier life, which John Langston said was made up "solely" of fugitive slaves.\textsuperscript{116} Perhaps this is what he referred to in his statement in 1849 that "if you go to Oberlin, there you will find a colored school, brought into existence on account of prejudice even there."\textsuperscript{117} While the officials were not anxious for a large proportion of Negroes, one historian of the school could find no evidence of their being excluded, and reported that their children attended the regular schools along with those of the whites.\textsuperscript{118} A contemporary Negro wrote, "I believe that our privileges here are fully equal to those of the white students...."\textsuperscript{119} And apparently Langston mellowed a bit with age. In his autobiography, apparently written late in life, is the following passage, which lends

\begin{itemize}
\item \textsuperscript{115} Ibid., \textit{Ibid.} 111; Fletcher, \textit{History of Oberlin College}, 2:536.
\item \textsuperscript{116} Fletcher, \textit{History of Oberlin College}, 1:248-249; Langston, \textit{From Virginia Plantation}, 101.
\item \textsuperscript{117} Columbus Convention...1849, \textit{Minutes and Addresses}, 13.
\item \textsuperscript{118} Fletcher, \textit{History of Oberlin College}, 1:248, 2:527.
\item \textsuperscript{119} \textit{Philanthropist}, October 13, 1841, 1:6, 2:1.
\end{itemize}
itself to a different inference about equality at Oberlin:

The treatment accorded colored people in Oberlin socially at this time was most remarkable; in keeping, however, with the professions religiously, politically and educationally made by the founders of the community. Every Sunday colored persons could be seen seated in conspicuous eligible places in the only church in town, worshipped after the manner of those in whose midst they lived, and no one molested or disturbed them. Such persons were made welcome as equals in the best families, as they were in every part of the institution, and thus were given the best social, as they were the highest educational advantages. 120

The fear of amalgamation was not confined to Oberlin. In Chapter I we looked at the antagonism toward the Negro which flared into violence from time to time. It was bad enough for the abolitionists to preach freeing the slaves and thus disturb tranquil relations with the South and encourage an influx of Negroes, but worse yet, some alarmed Ohioans believed, many of the abolitionists were literally too close to the blacks and were encouraging amalgamation. Before the days of Weld most people who had any qualms about possible injustice to Negroes considered the prospect of a racially mixed society as hopeless, and that colonization to Africa was the best, and probably only, solution to the presence of free colored people in the United States. This settled state of mind was rudely jolted by militant, evangelical

120Langston, From Virginia Plantation, 102.
abolitionism which not only challenged long-established opinions of the inevitable depravity of the blacks, at least as long as they remained in a white society, but which also labelled such opinions and concomitant actions as sinful. And as the sinners raged martyrs by the dozens were created. Verbally, at least, the abolitionists glorified in the abuse they received; for they had only an affirmative answer to the question, are not they blessed who are persecuted in doing God's holy work? The author does not wish to overdraw the picture, for of course there were demonstrations against colored settlements totally unconnected with abolitionists, but most of the attacks on Negro schools seem to have been inspired by activities of abolitionists in elevating the Negro out of his "place" or encouraging him to migrate to the state or to a particular area within the state. In any event many thought the very foundations of decent society were being threatened, and violence was inevitable.

121 For a most readable account of the martyr nature of the abolition movement, see Hazel C. Wolf, On Freedom's Altar: The Martyr Complex in the Abolition Movement (Madison, University of Wisconsin Press, 1952).

Their devotion must have produced some extreme anxiety when forcibly challenged by the human desire to avoid physical injury. With her personal safety threatened, young Mary Cheney, teacher at Big Bottom, Pike County, wrote to agent John Wattles that she expected to do the will of the Lord and added, "But while I would on the one hand avoid unbelieving fear, on the other I should not be too presumptuous. I ask what shall be done?" Philanthropist, May 10, 1843, 2:1.
The feeling against the abolitionists was strongest at the onset of their crusade when the shock was the greatest. Weld felt it necessary to advise Negroes of Putnam and Zanesville against attending the organizational meeting in 1835 lest the wrath of neighborhood whites be visited upon them. In the area of education the abolitionists reported at least five cases where Negro school houses were burned in the four year period before July 1840. Their report tipped off the target of the resentment by prefacing the account of the burnings with the explanation that "In some instances, it was not because they had white teachers." In 1842 the Ladies Society wrote of Circleville, "Formerly great opposition was manifested against their having a school; especially, against a white teacher. And worse yet these renegade whites not only taught the despised blacks, but in some instances associated with them outside of the classroom, on the street and in their homes. In a letter to Lewis Tappan, absolving himself of an accusation of prejudice, Weld wrote:

...while I was at Lane Seminary my intercourse was with the Colored people of Cincinnati I think I may say exclusively. If I ate in the City it was at their tables. If I slept in the City it was at their homes. If I attended

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123 Philanthropist, July 14, 1840, 1:4.
124 Ibid., June 29, 1842, 1:1.
parties, it was theirs-- weddings-- theirs--
Funerals-- theirs-- Religious meetings-- theirs--
Sabbath schools-- Bible classes-- theirs.\textsuperscript{126}

There were varying degrees of disapproval, and
some even came from other abolitionists. Teacher Phebe
Mathews told of fellow abolitionist women who "feel so
bad if perchance we lay our hands on a curly head, or kiss
a coloured face. It distresses me to be in the society
of the coloured people with them. I am afraid I shall
offend their nice taste."\textsuperscript{127} In other cases the welcome
mat was pulled in for black-sheep members of the family.
Barber wrote:

\ldots teaching colored schools had been regarded as
most contemptible business. The parents of one
teacher refused even to write to him because he
had degraded himself so low as to teach a colored
school. The father of a second forbade the
return to the parental home for the same crime.
A sister of another received her as one from the
dead when she returned from school.-- Said she--
"I never expected to see you again, unless in
company with a black husband!" \ldots In Circleville
after the teacher closed her colored school, she
was solicited to teach one of the public schools
of that village. The Trustees called on a certain
woman to see if she would send. She took it as
an insult to be asked to send to a person who
had so much degraded herself as to teach blacks.

\textsuperscript{126}\textit{Ibid.}, 1:273. Weld added that he wouldn't walk
with a colored woman down the streets of Cincinnati, not
because of prejudice, but because it would be an osten-
tatious display of superiority to prejudice, and would
bring vengeance on the colored population.

\textsuperscript{127}\textit{Ibid.}, 1:217.
She replied, "I wish all abolitionists were hung up—If I am poor, I am not mean!"\textsuperscript{128}

On the job itself life could be miserable. Some teachers were refused boarding accommodations, were threatened with physical violence varying from ducking in the Miami River to being tarred and feathered. School houses in some places were wrecked or burned. It is not surprising that with such racial violence Negro children became frightened and the colored community of Chillicothe questioned the wisdom of an alliance with their abolitionist champions.\textsuperscript{129}

Reports concerning the school at Big Bottom (Pike County) demonstrate the pressure under which a teacher of a Negro school could be called upon to work in their self-denying service of the Lord. Trouble first came with the school season of 1839-1840 when agent Barber persuaded a Negro teacher who had signed up subscribers for a class to give way in favor of a teacher from Oberlin, a Miss Lucy Hall. This was acceptable to the Negro subscribers, and, indeed, the young colored teacher enrolled with Miss Hall to qualify himself better for

\textsuperscript{128}Philanthropist, July 14, 1840, 1:4-5.

\textsuperscript{129}Ibid., November 26, 1839, 2:3; June 29, 1842, 1:1; Thomas E. Thomas, Correspondence of Thomas E. Thomas Mainly Relating to the Anti-Slavery Conflict in Ohio Especially in the Presbyterian Church (n.p., Alfred A. Thomas, 1909), 69.
the profession. Apparently everybody was satisfied except some of the surrounding whites who were quite distressed with the whole transaction. The teacher wrote that the colored population was threatened for hiring a "straggling white female" and a "female stroll" as their teacher. The result, they were warned, would be a "total stop of intercourse as friends and neighbors." Lucy Hall taught an abbreviated class that winter, returned to Oberlin and the excitement died down. By 1842 the Ladies Society reported that the colored population felt "anxious to get a teacher," and so another Oberlin girl, Mary Cheney, was sent to the community. This time the threats were directed at the teacher and not the patrons. In the words of Mary Cheney:

It is now four weeks since my school house was torn down; at that time I was addressed in a most profane and uncivil manner, and told to leave the place. ...[I] told them I should go when the Lord sent me. This they thought would be soon. Another house was prepared, and I commenced teaching again. Since that time there has been a vast amount of oaths, curses, and threatenings heaped upon me. Repeatedly had word been sent to me, that if I was not sent away, they would come and take me out of the house, give me a dress of tar and feathers, and treat me in a manner too inhuman to mention. I have not been alarmed, nor have I paid any regard to their threats until recently, when I am told that the number is increased to 20,

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131 Ibid., July 14, 1840, 1:6; June 22, 1842, 3:4.
who have engaged to mob me, (signed a pledge,) being backed up in it by rich men. They are all whiskey drinkers, armed with guns, pistols, dirks, and each a bottle of whiskey.132

These instances of abuse, whatever of the drama they may have added to the annual reports, probably were not typical and in most instances the Negro schools were not molested even if their existence was not approved. On the contrary, we shall see in the next chapter, by 1848 the antislavery feeling in the state was sufficiently strong to be a political football, and in the scramble for power the Negro population was provided with tax-supported schools. But even before 1848 a Negro seeking education had at least a little toe in the door.

Colored Children in Public Schools

There were three ways by which some Negroes actually attended public schools before the general state-wide acts of 1848 and 1849. First, they might attend in violation of the law; second, others might take advantage of a favorable court interpretation of a vague law; and third, a special law might be passed for a given community allowing colored schools. Let us look at each of these in turn.

132Ibid., May 10, 1843, 2:1.
One instance of opposition in a Scioto County township to the education of Negroes, which was so strong as to forbid even a school, was probably not typical; other communities, on the other hand, did admit Negro pupils into the same classroom with their paler brethren. We have already noted this to be the case at Oberlin, which of course was legal since it was a private school. Before 1831 the township trustees were allowed to make some provision for Negro students, and we have seen that in Ross and Warren Counties colored people helped pay for the district schoolhouse and were allowed to send their children to the school (until 1831). In Brown County the Scott

\[\text{Ibid., July 21, 1840, 1:1. It should be noted, however, that some people who were philanthropic and abolitionist in their outlook drew the color line for their own society. See note 112 of this chapter. The Orthodox Quakers were often singled out by abolitionists for drawing the color line. In an eastern city a Negro woman took a seat in a Quaker meeting house and was left the entire bench to herself. Ibid., September 8, 1837, 4:3. In Philadelphia a Negro girl was denied admission to a Friends' school which had been established "for the children of poor not members of the society..." Barnes and Dumond, \textit{Weld Letters}, 2:855. At the academy in Harveysburg, Warren County, a "slightly-colored" girl, Margaret Campbell, was denied admission by a Quaker principal, who was backed up in his action by a Quaker trustee. An when the Campbell girl tried to enroll at nearby Waynesburg, a Quaker was instrumental in blocking her acceptance there. \textit{Anti-Slavery Bugle}, March 10, 1848, 2:2-4; June 2, 1848, 2:3-4; \textit{Cincinnati Herald}, February 16, 1848, 1:2.}\]

\[\text{Ibid.}\] See page 55.
Township trustees, under the 1829 law, laid out a district for Negroes. These cases of legal admission to ordinarily white schools were paralleled by those that were not. Augustus Wattles reported in 1837 that Negro children were admitted into the district school at Massillon, although by 1842 we learn that a colored school had been established there. Until about 1839 Negro children attended the schools at Troy when a "cruel prejudice" excluded them. For a time the school house at Big Bottom was open to all children; then on complaint of two men, "one of whom was a reputed drunkard," it was "insisted that the colored children should occupy one side of the school house." One authority found that Negro children "for a time" attended regular schools in Toledo and

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135 Beers, W. H. (Co.), ed., The History of Brown County, Ohio... (Chicago, W. H. Beers Co., 1883), 636. The section on Scott Township was written by M. D. McCall.

136 Philanthropist, August 4, 1837, 2:4; June 29, 1842, 1:1.

137 Ibid., June 9, 1841, 3:3. The Ladies Society report is interesting on this point. "Some of the colored children attended white schools until within two years; since then a cruel prejudice has excluded them. A year ago last winter, a Quaker left his own family; came six or seven miles and taught their school about four months..." It would be interesting if we could know whether the Quaker was an abolitionist, and whether it was because of his arrival that the Negro children were excluded.

138 Ibid., July 14, 1840, 1:6. By 1840 Negroes had their own school house. Ibid., July 14, 1840, 1:5.
Cleveland, and indeed a historian of the schools of the latter city claimed, "Cleveland has never had a colored public school, and colored children have always been admitted to the schools." In Fayette County colored children were sent to the district school, and in a suit over the incident, damages claimed by a white citizen were denied. Furthermore, it is quite possible that in many other communities colored children quietly took seats in the back of the room and nothing was said about it, as Fowler suggested that John Langston should do.

A second way some Negroes could gain admission to a public school was through a favorable position taken by the state Supreme Court on the problem of defining color.

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139 Weisenburger, Passing of the Frontier, 173; William J. Akers, Cleveland Schools in the Nineteenth Century (Cleveland, W. M. Bayne Printing House, 1901), 29. Akers statement is a bit sweeping, and perhaps he meant the period after 1848 when Negroes could legally attend the public schools. In the period before 1848, however, Negroes of that city did not behave as if they had a public school to attend. They were leaders in promoting the School Fund Society, they operated their own school in 1842, and in 1843 asked the city for an appropriation for their own school. Annals of Cleveland, 25(1842): item 1450; 26(1843): 1922; William G. Rose, Cleveland the Making of a City (Cleveland, World Publishing Co., 1950), 189. Further suggesting that Negroes were excluded from Cleveland's public schools is the speech of Reverend S. C. Aiken in 1845 urging Negro parents to take their children to school to test the constitutionality of the state school law. Cleveland Herald, November 29, 1845, 3:3.

It will be remembered that the Black Laws applied to "blacks and mulattoes," and that the public schools were to be open to "white" youth. While these were terms of popular usage, which presumably everyone comprehended, there arose instances when legal substance was necessary. The matter was broached in the case of *Gray v. Ohio*. Polly Gray had been convicted in Hamilton County Common Pleas court with the help of the testimony of a Negro. Appeal was made on the ground that the defendant, being a quadroon, was white (certainly not either a black or mulatto) and therefore the Negro (admittedly no less black than a mulatto) was an incompetent witness by virtue of the "testimony clause" of the law of 1807. The appeal was granted in what proved to be a pioneer decision and the basis for others to follow. Here are the words of the court:

Three descriptions of persons are designated, by name, in the statute—white, black and mulatto; and these three are well known, by the same terms, in common life; but we doubt whether we can refine upon these obvious distinctions, or whether good policy, or good sense requires us to raise the necessity for further discriminations.... We believe a man, of a race nearer white than a mulatto, is admissible as a witness, and should partake in the privileges of whites.\(^\text{141}\)

The test of racial proscriptions, then, lay in the blood composition, and by court definition a person

\[^{141}\text{Ohio R. 353.}\]
under 50 per cent Negro blood was legally a white. Subsequent decisions extended the definition to other situations. In the cases of Williams v. Directors and Lane v. Baker the Supreme Court of Ohio decided the definition applied to the public schools, as well as to the witness box, and by other cases it was extended to the elective franchise.\textsuperscript{142}

In the franchise decisions the minority's position was that "white" was a precise term, meaning absence of any black blood. It will be seen that if the standard is one of color, the question will arise of just how dark a person could be and still be white; and if the standard is one of blood, some arbitrary percentage would have to be adopted. And in practice the two are apt to be intertwined. For example, it seemed absurd to call a visibly-colored quadroon "white" when in fact he might be quite dark; but it was equally absurd to deny "whiteness" to a fair-skinned octeroon because of a small percentage of black blood.\textsuperscript{143}

In any event, one practical effect of these decisions was

\textsuperscript{142}Williams v. Directors, Wright's R. 576; Lane v. Baker, 12 Ohio R. 237. The court cases involving franchise were Jeffries v. Ankeny, 11 Ohio R. 373, and Thacker v. Hawk, 11 Ohio R. 377.

\textsuperscript{143}Abolitionists delighted in ridiculing the attempt to set a standard for what constituted color. Yet the example of this ridicule in the instance of Margaret Campbell and the trustees of the Harveysburg school undoubtedly expressed the feelings of many quite correctly: "If we admit the person that has one drop, we shall have to admit the one with two; if we admit the person with two drops, we shall have to admit the down right negro!" Anti-Slavery Bugle, February 25, 1848, 2:6.
that "slightly" colored children were legally entitled to attend the public schools, if only their parents dared to ask for such instruction. In Cincinnati the Board of Trustees prepared to open a school for the children of "a certain portion of the partially colored population of our city who are entitled to the privileges of citizenship..."  "Owing to the expressed wish of those most interested in its benefits," however, the school was not established, possibly because these persons would then be subject to school taxes. In Columbus, however, such a school for the lightly-colored children was established sometime after 1839.

It will be recalled that by the law of 1829 it was possible for a school to be established for Negroes from their tax money if the township officials provided for one. Two years later there was no longer any such possibility since no taxes at all were to be collected from Negroes for school purposes. Later one exception was made. A special local law for Cincinnati (1834) permitted collection of such taxes, and it remained on

\[144\] Cincinnati Board of Education, Annual Report, 1844, 6. (The formal title of the Board at this date was "Board of Trustees and Visitors.")

\[145\] Ibid., 1845, 5.

\[146\] Lee, History of Columbus, 1:550.
the books for six years until repeal in 1840. In that six year period taxes were collected although no school was established. The Trustees reported in 1836 that failure to specify the color of the taxpayer in the tax list prevented an accurate statement of available funds. This situation was remedied and in 1839 the Trustees asked for the funds so the school could be started. It was commenced May 1, 1840, and continued until March 1, 1841. The average daily attendance was fifty, and the total expenditure was $262.50, although a slightly smaller amount was in the school fund. Then as a result of the law of 1840 no more tax money was forthcoming from assessments on Negroes' property, and the school was discontinued.

This is the only case the author has uncovered where a Negro school (for all shades of color) was operated under public auspices and from money of Negro taxpayers, although this may have been the case in Brown

149 Ibid., 1839, 9-10.
150 Ibid., 1841, 24.
County from 1829 to 1831. Schools, to be financed with tax money and to operate under public auspices, became possible throughout the state under the school laws of 1848 and 1849. We will next look at the political activity, and the change in public opinion that made these laws possible.

\[151\] See page 110. If there were other schools they would have been in the period before 1831. After that date only Cincinnati received special permission to tax the property of "blacks and mulattoes" for school purposes.
CHAPTER IV

POLITICS AND CIVIL RIGHTS (1829-1849)

Black Laws and School Exclusion - Arguments Pro and Con

Although Ohio abolitionists did not organize into a political party until 1840 there was some attention to political matters from the very time of organization of their state society in 1835. Part of their agitation involved the gathering of petitions to be sent to Congress and to the state General Assembly. There was ample precedent for the use of the petition as a method to call attention to an abused and discontented minority, although many were inspired by nothing more than agitators and signed by comparatively disinterested persons. Petitions to change the Black Laws were sent to the General Assembly even before 1835, but the bulk of such petitions awaited the organization of the state abolition society which provided a system for the activity. Such petitions were pressed at meetings, were circulated by agents of county societies, and were urged in the abolitionist press.\footnote{Annals of Cleveland, 28(1845):item 1129; Philanthropist (Cincinnati), July 28, 1837, 2:4; October 30, 1838, 3:5; October 8, 1839, 1:4-6.} It
was not merely a matter of giving the outraged an opportunity to pen disapproval, for the lukewarm and unassertive had to be sought out as well. Editor Bailey urged:

Follow the farmer to the field, the woodchopper to the forest, hail the shopkeeper behind his counter, call the clerk from his desk, stop the waggoner with his team, forget not the matron, ask for her daughters, let no frowns deter, no repulses baffle. Explain, discuss, argue, persuade, as if you were seeking redress for your own wrongs, prayers for your own deliverance. ... Trust not to chance work. Let there be some system adopted. Be not satisfied with mere resolutions, making it everybody's duty to see to this business. Appoint agents in every town, in every neighborhood, whose special business it shall be to seek signers.

Printed after this particular appeal were petition forms which could be conveniently clipped out and pasted on sheets of foolscap where signatures could be written. Along with these forms providing for petitions to Congress and to the Ohio Assembly, were instructions, often those submitted by the national antislavery office, explaining the details of making up petitions in an acceptable form.

The "prayers" of the petitioners varied with time and the source. Some might argue for general action, i.e.,

2Philanthropist, October 30, 1838, 3:5. Bailey printed a report by a petition-circulator on reasons why people wouldn't sign. Summed up, these reactions seem to be typical: (1) They cause too much excitement just now; maybe later; (2) Don't want Ohio flooded with Negroes; (3) Waste of time; signed one last year with no result; (4) Don't wish to rob anyone of their property; (5) You let women sign! They'll sign anything. Only voters should sign; (6) I don't meddle in the business of others; (7) That's abolitionism! Ibid., December 24, 1839, 1:6.
repeal all laws making "distinctions account of color;" others might call for some specific action, such as repeal of the testimony clause, or admission of Negro children to the public schools. The petitions printed in the Philanthropist also involved measures not directly concerned with the free Negro in Ohio, such as repeal of the 1839 fugitive slave law, the making of municipal governments liable for mob damages, and the provision of jury trial for all, which meant fugitive slaves. To omit nothing these omnibus petitions might also call for resolutions by the General Assembly instructing Ohio lawmakers in Congress to work for antislavery goals of national concern, such as prevention of the annexation of Texas. Coupled with the speeches of the few abolitionist members in the General Assembly, these petitions repeatedly set forth the arguments of abolitionism, and it is these arguments that antagonistic assemblymen felt called upon to answer. Thus the status of education of Negroes in Ohio was but one aspect of the general question of their civil rights in Ohio. Since this status, in turn, was coupled with abolitionist propositions in general, the condition of Negro education improved as the strength of abolitionism was able to make itself felt in Ohio politics.

3Ibid., October 30, 1838, 3:5; November 3, 1841, 3:1.
From the time the Lane Seminary was organized, down to 1848, reports were made to all but two of the sessions of the General Assembly, mostly House reports, answering the "prayers" of abolitionist petitioners. Until 1844 every majority report was unfavorable; after that date, they were consistently favorable. Of interest to this study is the fact that these reports offer a ready summary of the arguments for and against the retention of the Black Laws and exclusion of Negro children from the common schools.  

Those reports, unfavorable to repeal of the Black Laws, entailed assumptions of the colonizationists— a logical result since some of the legislators were members of that society. They assumed Negroes to be a degraded race which could never rise, and to associate with them, either as a co-worker, or to "amalgamate," would only mean degradation of the whites involved. If this proposition were granted, all sorts of reasons could be advanced why Negroes should be excluded in the name of self-preservation. 

It may suit some to spin fine philosophical arguments for equality, they argued, but the legislator charged with the promotion of the public welfare must face reality, and not endlessly pursue the ideal. Reality involved what sort of population was wanted, white or black, and if white labor were wanted, Negroes must be kept out. Perhaps the laws were not perfect in excluding the despised black, but any repeal of disabilities would only appear to be a change of sentiment and encourage a greater immigration. The position of Ohio, bordered as it was by slave states, made it vulnerable as a dumping ground for superannuated slaves, and for free blacks who found restrictions in the South intolerable. Indeed such a peril was imminent, and a Virginia governor was cited who proposed to his legislature that a referendum be submitted for expelling free Negroes. In addition to self-preservation, repeal was "inexpedient" since public opinion approved of the laws which constituted state policy for three decades. Indeed the fact that slavery was forbidden, and Negroes excluded from voting demonstrated the intention of the constitutional fathers to keep Ohio free of Negroes.

One Western Reserve Whig later said the message was merely designed to influence the Ohio Legislature to retain the Black Laws. *Ohio State Journal* (Columbus), January 6, 1847, 2:5.
and to exclude those then in residence from the political community.

As the arguments wore on from session to session the unfavorable reports grew more hostile to abolitionists per se, and turned directly to answering abolitionist propaganda. First of all, it was claimed, the blacks in Ohio weren't being terribly abused. They were there illegally, but even so they could own property, and could go to private schools. To show that the Black Laws disabilities were positively beneficial, figures were cited which showed a higher crime rate among Negroes in states without restrictions, than in those that had them. It did not matter that no restrictions were placed on immigration to Ohio of foreign whites, for at least they could be assimilated safely. The danger of assimilation with inferior peoples was obvious for the disastrous result was clear in the example of backward Latin American countries.

Even the early reports, while more moderate in tone, might be supplemented with speeches from the floor where all the stops were pulled out. As early as 1832 James Worthington exclaimed in the House:

Sir, even were laws passed, and could they be continued in force, admitting blacks to a full participation of political privileges; even were this possible would they advance one step in society? Would we be willing to resign our daughters to the arms of black men? Would we
admit them into our families as equals, under any circumstances? Sir, the power of gold itself, so omnipotent in general, is powerless to reconcile men to an union so repugnant to their feelings, and so revolting to that society whose good opinion is as the breath of life.\(^6\)

The arguments against admission to the public schools varied. Early reports maintained that public policy did not admit of public schools for Negroes. Public schools were for training of citizens, and were not the colored people disfranchised?\(^7\) Later, when the chance for Negro admission seemed possible, the tone of the reports became more impassioned, and it was argued that tax-payers, already burdened with aiding the education of poor whites, would not tolerate the extra task of paying for that of poor Negroes. And, more direct to the point, one report asked if the majority or any man, seriously suppose that the children of the two races could be educated together? That they could stand in the same classes, sit on the same forms, or associate in the study of the same lessons? We hazard nothing in affirming that the presence of a single negro, unless under very peculiar circumstances, would turn our classrooms into deserts. A different state of feeling may prevail at the north, but certainly in the southern, eastern, and western parts of our State, it would require the terrors of the bayonet to people the school with a mixed assemblage of whites and blacks. We can not permit ourselves to doubt, that gentlemen would shrink with horror from the idea

\(^6\)Ohio State Journal, February 1, 1832, 1:6.

of sending their own children to associate with negroes and mulattoes. Do they conceive their constituents to be less fastidious, or less delicate than themselves?  

Arguments of proponents of repeal of the Black Laws and for admission of Negroes to benefit of the school funds in general followed the early and lengthy treatment presented by abolitionist Leicester King to the 1837-1838 Senate. Trained in logic, King wrote a well-reasoned argument emphasizing constitutional and natural rights, and coupled these with an appeal to humanitarian feelings. If it were granted that a Negro was a man then as such he was, with whites, a child of God. And as a man living in the United States and in Ohio, he was entitled to the rights set forth in the Declaration of Independence, and the constitutions of the United States and the state of Ohio. In this logical framework the Black Laws were examined and demonstrated to contravene basic principles of American government, and in other respects, to be contrary to sound public policy.

First, consideration of the provisions to exclude the immigrant Negro was urged. They violated the precedents of the Articles of Confederation, the Ordinance of 1787, and the Territorial Law of 1795, all of which contained no restriction on free men to travel about the

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8Ibid., 43(1844-1845):appendix, 30.
Union. The bond law was unenforceable since the punishment for unbonded Negroes, expulsion for the state, was contrary to the Ohio constitution which forbade transportation of persons from the state for offenses committed in the state. Furthermore, article 4, section 2 of the United States Constitution guarantees to citizens of all the states the rights of the citizens of the state to which they move. Thus a citizen of another state coming to Ohio should have the rights of Ohio citizens. Even beyond considerations of a constitutional nature, the certification law by assuming Negroes to be slaves until proven free, constituted a base servility to slave power and, even if they were dead letters on the books, were a disgrace to a free people. As such they ought to be repealed lest a contempt for the law be encouraged. The mere fact that they were not enforced, the report argued, shows that they ran counter to public opinion.9

The testimony clause, it was argued, was not authorized by the state constitution and in effect violated the guarantee of life, liberty and property, a

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9Except, now and then, as an excuse to abuse the Negroes, as in Cincinnati in 1829. Some employers may have felt pinched by the law; a petition from Brown County in 1833 asked for repeal of the law prohibiting persons from hiring unregistered blacks and mulattoes. Ibid., 31(1832-1833):355, 390.
guarantee which scarcely could have meaning without recourse to the courts. Furthermore, such a provision was not good public policy, and it violated basic concepts of humanity. It simply was not just to expose the Negro to depredations of unprincipled and criminal whites with no opportunity for redress of injury unless through the efforts of a white witness. This merely served to encourage lawlessness, which, of course, is contrary to good public policy.

While the testimony clause drew the most fire from antislavery members of the Ohio legislature exclusion of Negroes from the schools was also attacked. Such a provision, it was claimed, violated the spirit of the Ordinance of 1787 which called for the encouragement of schools, and the terms of the federal land grant for education in section sixteen by the Ordinance of 1785, which made no color distinction. But most of all it violated the Bill of Rights of the Ohio constitution "That no law shall be passed to prevent the poor... from an equal participation in the schools" endowed by

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1 There are two versions of the genesis of the testimony clause. One opponent of repeal, (Senator) William Baldwin, said the clause resulted from the "conviction of a man, under Negro testimony in Cincinnati." Ohio State Journal, February 5, 1845, 2:3. An advocate of repeal claimed it stemmed from the desire of a white man to avoid a paternity suit. Ohio Senate Journal, 43 (1844-1845): appendix, 27.
donations from the federal government "and the doors of said schools...shall be open for the reception of scholars, and teachers of every grade without any distinction or preference contrary to the intent for which said donations were made." From the point of view of public policy, it was unsound to keep a segment of the population in ignorance, and thus create a source of subversion of the public weal. Furthermore, it was not just to tax them for schools, albeit illegally, and then exclude them from the benefit of such taxes.

In a few words, proponents of repeal claimed that the certification and bonding laws were obsolete, contrary to the principles of freedom upon which the governments of both the state and the nation were founded, and unjust to a people who had helped fight for its independence. Opponents of repeal argued a greater good than that of consistency to abstract principles, or of justice to all men, namely, the welfare of the white population of Ohio to whom the presence of the Negro was an evil and a threat.

We have looked at the arguments regarding the Black Laws; let us now consider the action taken on these arguments.

Party Divisions on Repeal of Black Laws

The agitation for repeal of the Black Laws led to the introduction of a series of bills on this matter in
nine of the twelve assemblies which covered the years from 1837-1838 until repeal was in fact achieved in the 1848-1849 General Assembly. These bills, plus amendments and resolutions, afford instances offering an opportunity to analyze votes in respect to keeping the civil disabilities on the Negro. While we do not have votes on all the laws, and in other instances the vote is inconclusive in indicating an attitude towards civil rights, enough instances where a vote would retain or remove the disabilities do exist to afford an opportunity for some analysis. Such votes occurred in seven sessions of the Senate and eight of the House, giving fourteen votes in the former body and thirteen in the latter.

Reasons for votes for and against repeal have received different emphasis from various commentators and historians. Aptheker wrote about Negro mass meetings and conventions that were held in the Forties to secure repeal. The battle, he said, "was successful, so that in 1849 the discriminatory legislation of the state of Ohio was repealed." Woodson wrote "Abolitionists, Free Soilers and Whigs fearlessly attacked the laws which kept Negroes under legal

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and economic disabilities."\(^{12}\) Other writers emphasize environmental aspects. Lovett reported that favorable or unfavorable vote on two Negro school measures varied with the number of Negroes in the Assemblyman's constituency.\(^{13}\)

Chaddock found that sentiment regarding repeal varied geographically. In respect to a measure for repeal in 1839, he wrote, "An analysis of this vote shows the demand for repeal came from the northern part of the state where the people did not feel the evil of the negro's presence. The southern counties were still a unit as to the wisdom of these laws."\(^{14}\)

If the party and abolitionist papers are a reliable guide, Negro mass meetings were of little moment in influencing Assemblymen's votes. There is, however, some truth in the political, the geographical, and the Negro-density explanations, yet, by themselves, they are unsatisfactory. While Whigs were the more likely advocates of repeal, enough of them did join Democrats that repeal was stalled for over a decade. And while the counties with high Negro populations did tend to vote against repeal, this leaves unanswered why those with small concentrations did likewise. Finally, explanation of the vote by a


\(^{14}\) Chaddock, *Ohio before 1850*, 85.
north-south division omits many negative votes north of the National Road, and positive votes to the south.\textsuperscript{15}

Because of the confusions and unclarities, it has seemed desirable to examine the votes on rollcalls pertinent to the civil status of the Negro in Ohio, and to arrange the pertinent information in two ways. First, by what will be called "density tables" (Tables 2 and 3), the members for each session have been arranged in the order of the percentage of the population of their constituency that was Negro as given in the nearest federal census (e.g., 1850 census for the 1845-1846 legislature). Since the number of representatives or senators per county, or for a certain combination of counties, varies from time to time, the position of a constituency (in density ranking) varied from time to time. Complete inspection of the list can be made by turning to the Appendix, but for the text of this report the names of the counties and persons have been omitted to make the data more manageable.

Second, the votes of the assemblymen have been entered on maps (numbers I-VIII) to indicate geographical patterns of such votes. Where several counties comprised
\begin{footnote}
An abolitionist editor commented that some Democrats and Liberty men felt that the National Road constituted a Mason and Dixon line— the Whigs saying different things on the two sides of it. \textit{Herald and Philanthropist} (Cincinnati), July 29, 1846, 1:3.
\end{footnote}
a constituency a symbol was entered for each county; if there were more than one constituency per county, extra symbols were entered. To determine the counties represented by the several Assemblymen, the House and Senate Journals (official sources) were used, for Gilkey's list disagreed with the Journals in several instances. The party affiliations for the Assemblymen were taken from contemporary party papers, principally from the Ohio State Journal. The term "favorable vote" in this paper means one in favor of improving the Negro's civil status by repealing the Black Laws and permitting admission to public schools; "unfavorable", against such enhancement.

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16 Eliot Howard Gilkey, The Ohio Hundred Year Book (Columbus, Fred J. Heer, 1901), 150-237.

17 Ohio State Journal, October 30, 1835, 3:4; October 21, 1836, 3:3; November 30, 1837, 2:3; October 26, 1838, 3:3-4; October 22, 1839, 3:1; December 9, 1840, 2:1-2; October 23, 1841, 2:1; October 21, 1843, 2:1; October 31, 1844, 2:4; October 21, 1845, 2:2; December 7, 1846, 2:2-3; December 6, 1847, 2:6, 3:1; November 30, 1848, 2:2; December 4, 1848, 2:1; Ohio Statesman (Columbus), October 15, 1842, 2:3; Cincinnati Gazette, December 8, 1842, 2:3; Ohio Repository (Canton), October 17, 1839, 3:2; October 19, 1843, 3:1; January 7, 1847, 3:1.

There is not entire agreement on just who were the Free Soilers in the 1848-1849 assembly. Compare the Journal reference above; the Ohio Statesman, October 21, 1848, 3:3; A. G. Riddle, "Recollections of the Forty-Seventh General Assembly of Ohio, 1847-1848," Magazine of Western History, 6(1887):341-351; Norton S. Townshend, "Forty-Seventh General Assembly of Ohio," Magazine of Western History, 6(1887):623-628.
The code letters for the bills and acts on the tables and maps are as follows:

**Senate**

(1836-37) A. Bill to prohibit future Negro ownership of real estate. Passage vote.\(^{18}\)

B. An amendment to repeal Black Laws and school fund ban.\(^{19}\)

(1837-38) C. Amendment to school law to repeal school fund ban.\(^{20}\)

(1844-45) D. Repeal of Black Laws. Passage vote.\(^{21}\)

(1845-46) E. Repeal of school fund ban. Vote to postpone.\(^{22}\)

F. Repeal testimony clause. Vote to table.\(^{23}\)

(1846-47) G. Repeal Black Laws. Vote to postpone.\(^{24}\)

H. Repeal testimony clause. Vote to postpone.\(^{25}\)

J. House bill to repeal Black Laws by referendum. Vote to postpone.\(^{26}\)

(1847-48) K. Amend school bill to admit Negroes to benefit of school fund.\(^{27}\)

L. Repeal of Black Laws. Engrossment vote.\(^{28}\)

M. Repeal testimony clause. Engrossment vote.\(^{29}\)

\(^{18}\)Ohio Senate Journal, 35(1836-1837):568.

\(^{19}\)Ibid., 35(1836-1837):148.

\(^{20}\)Ibid., 36(1837-1838):509.

\(^{21}\)Ibid., 43(1844-1845):482.

\(^{22}\)Ibid., 44(1845-1846):383.

\(^{23}\)Ibid., 44(1845-1846):711.

\(^{24}\)Ibid., 45(1846-1847):343.

\(^{25}\)Ibid., 45(1846-1847):343.

\(^{26}\)Ibid., 45(1846-1847):613.

\(^{27}\)Ibid., 46(1847-1848):524-525.

\(^{28}\)Ibid., 46(1847-1848):516.

\(^{29}\)Ibid., 46(1847-1848):505-506.
Presented separately:
  School Act of 1848, which allowed taxation of Negroes to maintain their own schools, and in some instances to attend white schools. Passage vote.30

(1848-49) Repeal of Black Laws, and establishment of Negro schools which used the school fund.31

House

(1837-38) A. Repeal of Black Laws. Vote to postpone.32
(1838-39) B. Resolution that repeal of Black Laws is inexpedient.33

(1842-43) C. Repeal of Black Laws and school fund ban.34
(1844-45) D. Senate bill to repeal Black Laws. Vote for third reading.35

E. Repeal of Black Laws. Vote to postpone.36

(1845-46) F. Repeal certification and bonding requirements. Vote to postpone.37
G. Repeal testimony clause. Vote on amendment to kill the bill.38

(1846-47) H. Repeal Black Laws by referendum. Passage vote.39

J. Admit Negroes to use of the school fund, and tax them for their own schools. Vote to postpone.40

(1847-48) K. Repeal certification and bonding requirements. Vote to engross.41
L. Repeal testimony clause. Vote to engross.42

30 Ibid., 46(1847-1848):639.
33 Ibid., 37(1838-1839):235.
34 Ibid., 41(1842-1843):859.
36 Ibid., 43(1844-1845):709.
37 Ibid., 44(1845-1846):546, 548.
38 Ibid., 44(1845-1846):734.
40 Ibid., 45(1846-1847):462-463; Ohio Statesman, February 3, 1847, 2:2.
42 Ibid., 46(1847-1848):456.
Presented separately:
School Act of 1848, which allowed taxation of Negroes to maintain their own schools, and in some instances to attend white schools. Passage vote.\textsuperscript{43}

(1848-49) Repeal of Black Laws, and establishment of Negro schools which used the school fund.\textsuperscript{44}

Examination of the tables and maps will show that Democrats consistently voted against repeal, whether from north or south of the National Road; whether from counties with few Negroes, or from those with many. It will be noted that, of the 13 roll-call votes in the Senate before the 1849 measure, only two favorable Democratic ballots were recorded. This means that on eleven measures every Democratic vote was unfavorable. In the House the story is much the same. Before the 1847-48 session (votes A-J), only five favorable Democratic votes were recorded on nine measures; on five measures all Democrats voted unfavorably.

In considering the Whig vote on the density tables, the median will be used as a point of departure. After 1838 (subsequent to vote C) in the Senate all unfavorable votes but two are found in the upper half (i.e., Senators with constituencies with higher density of Negroes). The proportion of Senators in the upper half voting favorably varied, but more often were fewer than those unfavorable.

\textsuperscript{43}Ibid., 46(1847-1849):542.
\textsuperscript{44}Ibid., 47(1848-1849):197.
Table 2
Votes in Ohio House on Motions to Repeal the Black Laws and to Provide Negro Schools, Arranged in Order of Density of Negroes in the Population of the Constituencies

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Table 3
Votes in Ohio Senate on Motions to Repeal the Black Laws and to Provide Negro Schools, Arranged in Order of Density of Negroes in the Population of the Constituencies

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* ● Favorable
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● Unfavorable
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In the House very few unfavorable Whig votes (just nine after 1838) are found in constituencies below the median. Up to the time of repeal, on the other hand, about two-thirds of the Whigs above the median voted unfavorably, if we exclude the relatively non-committal referendum bill of 1847 (vote H), and the school measures of 1847 (vote J) and 1848, and more than half (108-127) voted unfavorably on all measures.

It will be noticed from the maps that the Whigs were predominant in the Western Reserve, in the central Ohio River counties (Scioto through Washington), in the Scioto Valley, and in the Miami Valleys above the Ohio River counties. The Democrats were strong in the lower Ohio River counties, in northwestern Ohio, in the counties just south of the Reserve, and in a north-south tier of counties from the Firelands to Hocking County.

The Democrats voted unfavorably up until 1848 in the House and until 1849 in the Senate, no matter what their constituency. In the case of the Whigs a partial geographical pattern emerges. Those from the Western Reserve were overwhelmingly for repeal, and those from the lower Scioto and central Ohio Valleys, against. Relative Negro concentration and nearness to slave territory probably explains the action of the latter, while abolitionist sentiment in an area of Puritan background,
the former. Other Whig areas, however, seem to elude this simple explanation. Whigs from eastern Ohio voted favorably quite consistently, and yet that area had large numbers of Negroes, and was not far from slave-holding Virginia. The Miami Valleys region similarly with large numbers of Negroes tended to vote both ways, some counties favorably, and others not so. The details of these local variations are beyond the scope of this work, yet certain suggestions might be made. Perhaps concentrations of Quaker and other abolitionists in eastern Ohio and the mid-Miami Valleys areas influenced the votes in those areas. Maybe eastern Ohio, bordering on the Virginia panhandle with fewer slaves, had fewer runaways than did those counties across the river from Kentucky and western Virginia. Thus eastern Ohio might have been less concerned with restrictions which the Black Laws attempted to effect. And perhaps the Whigs of the Miami Valleys, where elections ran quite close, were more ready to shift with what they thought organized public opinion to be than were candidates from other areas. But these are mere speculations. One generalization can be made, however: Democrats overwhelmingly opposed repeal, while Whigs were split over the action; Whigs from eastern and northeastern Ohio favored repeal, those from south central opposed repeal, while from southwestern and western Ohio, votes on both sides were
found. Yet in vote for repeal in the act of 1849 Democrats in the House outvoted the Whigs 27 to 25, and cast five negative votes to seven by the Whigs. In the Senate 12 Democrats and 11 Whigs voted for repeal; five Democrats and six Whigs, against. Thus it remains to trace the development of politics that led to the abrupt about-face by the Assembly of 1848-1849.

Struggle to Repeal Black Laws - First Phase, 1837-1844

When the abolitionists began their militant activity in 1833 they picked the very moment when, instead of a favorable climate for Negro settlement and elevation in Ohio, measures to restrict migration were being contemplated. In December 1828 a bill to prevent Negro migration to Ohio had been introduced in the Senate. Later during the same session Negroes were banned from attending public schools with whites (the school law of 1829), and subsequently that year several hundred Negroes were compelled to leave Cincinnati. The matter of a tougher exclusion program, however, remained dormant until the very dramatic Nat Turner rebellion in Virginia called for further consideration. Turner was not the worst treated slave in the South, which made the whole affair rather a surprise.

45 Ohio Senate Journal, 27(1828-1829):63, 152.
If the better-off slaves revolted, which the rebellion showed they indeed might, affairs were in a dangerous state, and Southern officials could be expected to take drastic action. Governor Duncan McArthur warned the state in 1831:

The recent excitement in Virginia, and other slave-holding States will have a tendency to drive many free people of color from them, and they very naturally seek an asylum in the free States. ...we are in danger from our proximity to them, of being much annoyed by that kind of population. Our laws relative to those people, have not been strictly enforced; and I suggest the propriety of adopting such measures as may guard us against the evils which must inevitably result, unless something be done to secure us against imposition.46

A House report on the matter recognized the presence of many Negroes living in Ohio in violation of the bonding law, but while not recommending their expulsion, did suggest some measures be taken to prevent further migration of Negroes to the state. Measures were introduced into both houses of the General Assembly.47 The details on the Senate bill are uncertain, but the measure defended by James Worthington in the House proposed fixing an obligee for the bond (for Negro residents), and establishing a fine for ferryboat operators who transported fugitive

46 Ibid., 30(1831-1832):10.
MAP I

Democratic Votes in Ohio House on Civil Rights Measures 1837-1846

- Favorable
- Unfavorable

(On maps I-VI the counties marked "N.P."—"not formed"—had not yet been organized from neighboring counties by 1846; on maps VII and VIII, by 1849.)
MAP II

Democratic Votes in Ohio Senate on Civil Rights Measures 1937-1960

- Favorable
- Unfavorable
MAP III

High Notes on Ohio Maps and Guild Meetings—1934

▲ Alliance

▲ everlasting
MAP IV

Vill Votes in Ohio Senate on Civil Rights Legislation 1947-1957

\[\begin{array}{c}
\Delta & \text{Favorable} \\
\Delta & \text{Unfavorable}
\end{array}\]
MAP V

Vote in Ohio House on School Law of 1916

- Favorable Anti
- Unfavorable Anti
- Favorable Democratic
- Unfavorable Democratic
MAP VI

Vice in Ohio Senate on School Law of 1861

▲ Favorable Mug ▲ Unfavorable Mug
● Favorable Democratic ○ unfavorable Democratic
MAP VII

Vote in this House on act of 1849 to amend school district laws and to provide for State schools

▲ A favorable Act
▼ Unfavorable Act
● A favorable Democratic
〇 Unfavorable Democratic
+ A favorable Independent

Scale of Miles
slaves across the Ohio River.\textsuperscript{48} The bill was amended to prohibit the entry of any Negro, fugitive or free, and passed in the House, but was postponed in the Senate—without a rollcall being demanded in either house.\textsuperscript{49} Soon the petition campaign of militant abolitionism began and adverse reports appeared forthwith. In February 1834, the report of the Senate Judiciary Committee (all Whigs) opposing repeal of the Black Laws was adopted, as had been its House counterpart a few weeks earlier, and instead of repeal, the laws were strengthened by fixing an obligee for the bond.\textsuperscript{50} The next year the same Senate committee re-submitted the same report on similar petitions. In January 1836 and again in the next Senate, bills were introduced to restrict Negro migration, and, far from considering repeal, discussion in one instance even involved the question of how long to jail the offending Negroes on bread and water.\textsuperscript{51} Similarly in 1837 the House Judiciary

\textsuperscript{48}Ohio State Journal, February 1, 1832, 1:7; February 8, 1832, 2:7.

\textsuperscript{49}Ibid., February 11, 1832, 2:4; Ohio House Journal, 30(1831-1832):413; Ohio Senate Journal, 30(1831-1832):444.


\textsuperscript{51}Ohio Senate Journal, 33(1834-1835):446-450; 34 (1835-1836):464, 470, 545, 820, 821; 35(1836-1837):84, 86, 143-144, 148-149, 161, 187-188, 568. The bill passed the Senate near the end of the session, and was not acted upon in the House, Ohio State Journal, January 10, 1837, 2:3-4.
Committee rejected abolitionist petitions for repeal.\textsuperscript{52} The year 1837 marks somewhat of a turning point. After this date a few bills to strengthen the Black Laws were introduced in the General Assembly, it is true, yet it was the last year of a continuous run of such bills with none calling for repeal. By that time the Western Reserve elected members with abolitionist sentiments who introduced bills calling for repeal. They commanded some Whig support, but not enough, in light of nearly unanimous Democratic opposition, to offer a likely chance of success. Adverse committee reports on the steady flow of petitions continued until 1843.

In 1837 Senator Leicester King, elected President of the Ohio Anti-Slavery Society the year before at Granville, sounded freedom's trumpet right from the floor of the legislature when he proposed an amendment which called for repeal of the Black Laws. In March 1838 he reported out the pioneer statement for repeal from a select Senate committee, which has been referred to above.\textsuperscript{53}

\textsuperscript{52}Ohio House Journal, 35(1836-1837):695-698. The Judiciary Committee had a Whig majority, with those members coming from eastern Ohio and the Miami Valley.

He was champion of the abolitionists in the General Assembly, and in Congress were Thomas Morris and Joshua Giddings. With capable men in such strategic locations, abolitionists had spokesmen in positions where it was difficult to ignore them.

While abolitionists flooded the state legislature with petitions, it will be remembered, they also bombarded the Congress in Washington, calling for antislavery action in areas where Congress had control, such as banishment of slavery in the District of Columbia, stopping of domestic slave trade, and prohibiting slavery in the territories. While Morris of Ohio debated with Calhoun in the Senate even more excitement took place in the House as John Quincy Adams led the Whig minority in agitation for reception of such petitions. The squabble prompted a Democratic resolution in 1837 that "all petitions relating...to the subject of slavery or the abolition of slavery, shall without being either printed or referred, be laid upon the table, and...no further action whatever shall be had thereon." 54 The (Northern) Whigs and abolitionists applied the label of "gag resolution," and just another manifestation of the utter disregard of Southern slave-power for the basic rights of man-- this

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54 Barnes, Antislavery Impulse, 110.
time of the sacred right of petition. One authority feels that beneath all the smoke was the work of partisan Whigs kindling a fire against Jacksonians, for later in 1840, when the Whigs controlled the House, a rule was passed which did not simply table abolitionist petitions, but refused to accept them in the first place. But the effect was made. The necessity of shelving the petitions to get customary legislative work done was overlooked, and many people in the North felt villainous attempts were made to dictate the subject on which people might petition. 55

Meanwhile in Ohio the sun was shining even brighter for the abolitionist agitators. Their ideas had taken hold on the Western Reserve, and with such a foothold the time had come for true antislavery people to look to their "political duties." As early as the election in 1836 the Philanthropist had urged opposition to a Democratic member to Congress on the grounds that he opposed abolition in the District of Columbia. The next year the paper called for abolitionists to oppose a Democratic slate of municipal officials because the party chief, Van Buren, likewise opposed abolition in the District. 56 The policy of questioning candidates for the General Assembly

55 Ibid., Chap. XI.

regarding their stand on matters of concern to abolitionism, however, seems to have been left to the initiative of local societies. The state society merely laid down the broad principle that abolitionism should have no connection with any political party, as abolitionists, and that aid should be given to the established parties only when such help would help promote the cause. This policy of "questioning" seems to have been of little success in 1837, but even so the state society saw cause for optimism. In the 1836-1837 General Assembly

a strong effort was made to re-enforce and aggravate some of the most obnoxious provisions of our laws relating to the people of color. Such a measure during the late session [1837-1838] was too hopeless to be attempted. The tide of injustice, we rejoice to believe, is at length arrested; the current of feeling has set the other way; the legislature begins to feel the pressure of public opinion, to which it has not been accustomed....

The questioning campaign was renewed in 1838, especially on the Reserve, and the election of that year was strategic in several ways. Being an even-year election the offices of Governor and Congressmen were at stake, and in addition the General Assembly selected that year would pick a United States Senator. To abolitionists the

57 Ohio Anti-Slavery Society, Report...1837, 14-15.
58 Ohio Anti-Slavery Society, Report...1838, 18-19.
election was of special interest in two respects. First, it was widely believed that the return of their staunch defender in Washington, Democrat Thomas Morris, depended upon a Democratic General Assembly, and second, the Whig governor of Ohio was especially reprehensible in their eyes since he had returned to Kentucky on extradition a Brown County minister, Mahan, accused of assisting in the escape of some fugitive slaves. 59

In the ensuing election the Governor was indeed defeated, by the same margin by which he had won the preceding election; and a Democratic General Assembly was sent to Columbus. The Whigs were stunned. The first reaction of the (Whig) Ohio State Journal was amazement—no explanation. 60 Then as reports from exchange papers came in the picture took form. While omitting the significance of the Mahan affair, the Journal did blame the loss of the governorship and Assembly on switches in votes of abolitionists. 61 Both the Guernsey Times (Cambridge) and the Akron Beacon reported that their counties went Democratic.

59 Smith, Liberty and Free Soil Parties, 29; Annals of Cleveland, 21 (1838): item 2425; Weisenburger, Passing of Frontier, 350.

60 Ohio State Journal, October 17, 1838, 2:1; Smith, Liberty and Free Soil Parties, 30.

61 Ibid., October 24, 1838, 3:1.
on the appeal that a Democratic Assembly was necessary to return Morris to the Senate in Washington. The election offered early and dramatic proof of what the Democrats probably already knew, that the Whigs were split over abolitionist measures. The Western Reserve was solidly abolitionist, but this was of little moment to the Democrats. As one of their members later pointed out, the Reserve rarely sent a Democratic member to the Assembly, and never one to Congress. South of the National Road, conservative Whigs resented the rocking of the boat by abolitionists, especially since the boat involved extensive trade with Kentucky and the Mississippi Valley slave states. And probably not a few of them acquired the same prejudice towards the Negro, as had the (more-often Democratic) German and Irish laborers. As long as abolitionism was at issue the advantage was with the Democrats. If the Scioto-Miami Whigs in the Assembly were especially lukewarm towards abolitionist measures in the next election enough Whigs in the Reserve might stay home, or in exasperation, vote the Democratic or the Liberty ticket, to return a Democratic President, Governor, or perhaps a

62 Ibid., October 24, 1838, 3:3; November 7, 1838, 2:3.

63 Riddle, Magazine of Western History, 6(1887): 342-343.
Democratic Congressman. If the party, on the other hand, became too friendly to the Negro, anti-Negro votes in the Miami and Scioto Valleys were in danger of going Democratic. The Democrats, conversely, presented a solid front on abolitionism. It is rather remarkable that the Democratic strongholds in central and northwestern Ohio contained some counties (e.g., Wayne, Holmes) populated with fewer Negroes than those on the Reserve; yet these were consistently anti-Negro. Possibly party organization, strengthened by Democratic control of the national administration for a decade, helped create a Democratic stronghold. In any event members from these counties were as consistently anti-Negro, insofar as Black Law repeal votes are concerned, as those from Brown and Hamilton Counties.

As long as this condition obtained Democrats were able to play politics, and the standard strategy was to set up occasions offensive to abolitionists, on which Whigs would have to take a stand. An early instance of this was the condemnation levelled at abolitionists by Democrats at the time the office of the Philanthropist was sacked in 1836. The hope was that popular resentment against abolitionists in Cincinnati would force Whigs to join in an anti-abolitionist position.64 In another

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64 Galbreath, History of Ohio, 2:184.
instance a Democratic-controlled General Assembly created a select committee to consider petitions for repeal of the Black Laws, and made the minority party (Whig) a majority on the committee where they would be responsible for some position on this uncomfortable matter.\(^{65}\)

To abolitionists the election of 1838 proved understandably exhilarating, and the session of the Assembly that followed must have been correspondingly frustrating. Unconcerned about abolitionist power, and goading other Whigs to take an anti-abolitionist stand, the Democrats proceeded to attack abolitionist principles from two directions. First, Representative Flood censured abolitionism in his resolution that

the views and plans of the abolitionists for the supposed happiness of the slaves, are, in the opinion of the general assembly, impracticable and dangerous; and have a direct tendency to destroy the harmony of the Union, to rivet the chains of the slaves and to destroy the perpetuity of our free institutions.

On top of this a second set of resolutions condemned attempts to repeal the Black Laws; and in a third it was resolved that blacks and mulattoes have no constitutional right of petition and that "any reception of such petitions on the part of the general assembly is

a mere act of privilege or policy, and not imposed by any express or implied power of the constitution." Political overtones were to be found in these resolutions which, according to the Philanthropist, were passed to gain Southern support for the 1840 Presidential election, and to pin the label of abolitionism on the Whigs. A bit later it was claimed that the Fugitive Slave Law of 1839 (an attack on abolitionism from another direction than the resolutions), passed at the behest of two representatives from Kentucky, was intended to raise Democratic stock in Kentucky. Further Democratic maneuvering to split anti-slavery and anti-abolitionist Whigs resulted in a bill to prevent racial inter-marriage; and to leave no mistake that abolitionism was the target, Representative Flood proposed an amendment to allow abolitionists to marry Negresses.

66 Ibid., 37(1838-1839):230-237. In 1829 Negroes petitioned the Assembly for funds to colonize in Canada, and subsequently petitioned for repeal of the Black Laws. Initially the Senate expressed doubt on the legality of acceptance of them. Later Negro petitions were received, and then postponed by a party vote. Ibid., 28(1829-1830):51, 184-185; 37(1838-1839):208, 220-221, Ohio Senate Journal, 35(1836-1837):432.


68 Ibid., October 13, 1840, 2:5; Smith, Liberty and Free Soil Parties, 31. To compound the misery, Thomas Morris was not returned to the Senate, and the Democrats won both houses of the General Assembly in the election of 1839.

69 Philanthropist, January 28, 1840, 2:3-5.
All this "politicking" posed a problem for the reformers. In accordance with their claim to be a non-political group, abolitionists, as we have seen drew back from establishing a separate political party. While it would seem that the Democrats should be condemned, the reverse side of the coin--endorsing Whigs--often meant support for just another breed of anti-abolitionists for there was no question that the Democrats had necessary Whig support in retaining the Black Laws. In addition there was the danger, if the abolitionists jumped too heartily on the Whig bandwagon, of being absorbed and the abolitionist program being sidetracked for "party objects." These party objects, furthermore, would serve to bring hostility to abolitionist measures, where presumably it ordinarily would not have existed.\(^7^0\) In 1838 Philanthropist editor Bailey urged fellow abolitionists to vote for the "right" candidate, or if both party candidates were unacceptable, for none at all. In this way, he reasoned, the abolitionist could bargain for Democratic or Whig votes and be a balance of power in marginal areas.\(^7^1\) By 1840 this technique was shown to be clearly faulty. Since the majority of abolitionists were

\(^7^0\) *Ibid.*, July 21, 1840, 2:3.

Whigs in other respects, the pressure was unidirectional for all practical purposes. To withhold a vote from a Whig only enhanced a Democrat's chance for victory.

In the election of 1840 Van Buren was the Democratic candidate for reelection, a candidate totally unacceptable to abolitionists. He had a pro-slavery cabinet, he pursued pro-slavery policies (witness his sanction of slavery in the District of Columbia), and it was Southern agricultural goods which he emphasized in the foreign market. Yet the Whigs were considerable less than lily-white. Bailey was sure that plenty of Northern Whigs with Clay at their head, would rejoice if only they could supplant Van Buren in the affections of the South, and that they would not hesitate at a coalition with slave holders, just as unprincipled and just as degrading to the free states as the existing coalition between slavery and the Democrats. After all, Bailey might feel, what trust could be placed in a party whose official organ held that Van Burenism (principally its ignoble anti-bank policy) and anti-Van Burenism was the crucial test of party principle, and that abolitionism had nothing to do with it. To use the Journal's words "Catholics and Episcopalians, Presbyterians and

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72 Ibid., January 29, 1839, 3:6; March 31, 1840, 2:1-3.

73 Ibid., February 19, 1839, 2:5.
Universalists, Jews and Christians, mingle together in political meetings and vote together at polls, in harmony, and why not Abolitionists and Anti-Abolitionists?"\(^7^4\)

One answer, of course, to the question of what to do when neither candidate was satisfactory was to form a third party. Events after 1838, which seemed to indicate that neither party would promote abolitionist principles served to push a movement towards a third party; and with the nomination of Harrison—scarcely an antislavery man by any standard— the Liberty party was born.\(^7^5\) The creation of this new abolitionist party split political and non-political abolitionists more clearly, and alienated some who believed in political action but did not support the idea of a separate political party.\(^7^6\)

\(^7^4\)Ohio State Journal, December 4, 1839, 4:2.

\(^7^5\)Philanthropist, July 14, 1840, 2:1-6, 3:1. Bailey noted how silent the Whig press suddenly became on Southern transgressions. For the development on the Liberty nomination in 1840, see Smith, Liberty and Free Soil Parties, 38-39.

\(^7^6\)Bailey was severely criticized by abolitionists, notably John Rankin, for endorsing Birney. Rankin maintained that a vote for Birney, and thus one less for Harrison, was as good as a vote for Van Buren. At least Harrison, with but four years to build up a machine, would be easier to oust in 1844, should he prove unsatisfactory, than would the Democrats, already in power for over a decade. Philanthropist, August 4, 1840, 3:5; August 18, 1840, 3:2-3.
it turned out, the enthusiasm of the hard cider campaign swept the field for the Whigs; still an abolitionist party was born, a party which depended for membership on men who ordinarily had Whig sympathies.

The early ascension of Tyler to the Presidency proved to Ohio Whigs to be somewhat of a hangover from the glorious unquestioning hours of the 1840 campaign. Those among them who looked to Clay as their hero could muster little enthusiasm for Tyler. Coupled with this dissension was the Whig failure to end the steady decline in the supply of specie in the state and to check the number of bank failures. As a result Democrats won both houses of the General Assembly in the elections of 1841 and 1842. In general, the period of Democratic control from 1841 to 1845 was one of comparative inactivity in the legislative halls. During this time, however, the Liberty party increased its activities and in the elections of 1842 and 1844 was a constant source of woe to the Whigs, a source which Democrats lost no opportunity to exploit. For example, the Ohio State Journal estimated that abolitionist activity in the election of 1842 cost the Whigs two senators and eight

77Weisenburger, Passing of the Frontier, 406.
representatives in the Assembly, and by losing control of the Assembly, they missed the opportunity to elect a Senator who would have opposed the annexation of Texas.\footnote{Ohio State Journal, October 19, 1842, 2:5.} In regard to the Black Laws and school rights for Negroes, however, the election was probably of little moment, for two-thirds of the Whigs voting favored postponement of a bill for repeal.\footnote{Ohio House Journal, 41(1842-1843):858-859.}

To an Ohioan living at that time it must have appeared that the Black Laws were destined to remain on the books for some time; then dramatically a change in public opinion came with the aftermath of the Presidential campaign of 1844. Slavery which hitherto had never seemed to have trampled on interests of the Northwest suddenly became a sinister force; antislavery agitation thus found many more receptive ears.

The campaign of 1844, calling as it did for both Texas and Oregon, brought to the fore the issue of expansion of slavery with such prominence that it could scarcely be ignored. During Tyler's term there had been a renewal of agitation by pro-slavery persons for the annexation of Texas, a course argued, in part, to protect slavery there from British-encouraged abolitionist sentiment by Mexican authorities.\footnote{Craven, Coming of the Civil War, 206-207.} Even if many people in the

\footnote{78 Ohio State Journal, October 19, 1842, 2:5.} \footnote{79 Ohio House Journal, 41(1842-1843):858-859.} \footnote{80 Craven, Coming of the Civil War, 206-207.}
Northwest who were not abolitionists might oppose the extension of slavery— and Texas was large enough to create many slave states— they were able to go along with such expansion as long as there were free soil additions, too. Thus when Polk ran on the platform of annexation of both Texas and Oregon, expansionist sentiment in the country was thoroughly enchanted, and America elected its first dark horse candidate. Clay's Southern outlook, plus his equivocal position on the Texas question, apparently brought enough New York votes to Birney, the Liberty candidate, to swing that closely-contested state into Polk's column and insure the margin of victory.

Shortly after the election incumbent Tyler signed a joint resolution annexing Texas and the Southerners had their half of the bargain. But Polk was not nearly so vigorous, it seemed, in pushing American claims to Oregon. To add to the Northwestern disillusionment Calhoun, theslavepower personified, led the fight against the passage of strong resolutions against British claims in the Oregon country. Besides this, Polk vetoed a bill to improve rivers and harbors, a measure of interest to the Northwest, located as it is on the Great Lakes. Southern

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82 Smith, Liberty and Free Soil Parties, 79.
politicians, it would appear, were not to be trusted. And so it was, that when new territory was added after the Mexican War, Northern Democrats (Wilmot, Brinkerhoff) helped lead the fight to exclude slavery from that area. In the local elections of 1844 in Ohio the name of Clay helped Whigs to victory in the General Assembly, and its ascendency continued for two more years in the Senate and three more in the House, an ascendency partly attributable to Democratic dissatisfaction over patronage for men of the Northwest by Polk.

We will remember, in review, that opposition to repeal of the Black Laws previous to 1837 was general in both of the major parties. By 1837 abolitionists were able to muster some support (especially on the Western Reserve) for their drive to repeal the Black Laws; yet in the face of a Democratic majority in the Assembly, plus the lack of support by a large number of Whigs, prospects for repeal previous to 1844 were rather poor. Subsequently, in the atmosphere of encroaching "slavepower", as many saw it, sentiment opposing the extension of slavery grew and became more active. In two instances the repeal of the Black Laws

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was able to pass one house of the Assembly, only to lose in the other. To proponents of repeal this was not at all discouraging, for it seemed only a matter of winning over a few recalcitrant Whigs. Yet, as events turned out, this was not the solution.

Struggle to Repeal the Black Laws -
Near Success, 1845-1848

The Polk election of 1844 marked the beginning of a new, and last, phase of agitation for repeal of the Black Laws, a phase which was climaxed with success in 1849. Earlier in two instances, as we have noted, a repeal measure passed one house only to fail in the other. In the first instance (1845) pro-repeal Whigs caught the Democrats and anti-repeal Whigs with enough absent members to shove the bill through the Senate by a bare majority (17-16). This bill would have amended the testimony clause to permit a Negro to testify as long as he could get a white man to attest to his character.\textsuperscript{85} The anti-repeal opposition was alarmed and indignant, for it seemed to be a matter of ramming through a bill which was contrary to the sentiments

of the full Senate. The Democratic Ohio Statesman saw the measure not as simply one to secure full use of the courts, but as the entering wedge for opening the schools to Negroes and encouraging an influx of Negroes to compete with white laborers. The Dayton Journal rang the tocsin:

Are you ready for this state of things? We appeal to the laboring portion of our fellow countrymen. Are you ready to be placed on a level with "the niggers" in the political rights for which your fathers contended? Are you ready to share with them your hearth and your homes? Are you ready to compete with them in your daily vocations?

The crisis passed when the bill failed in the House where 12 Whigs joined 18 Democrats to defeat the bill 30-23. Measures for repeal lost again in the next Assembly (1845-1846), and the following summer (1846) repeal of the Black Laws for the first time became a major issue between the two parties in the gubernatorial race. Previous to this campaign, however, only Liberty men took

86 Ohio State Journal, February 12, 1845, 2:2. It was during the debates that Hamilton County senator, David Disney, referred to Negroes as an inferior race to be classed with "monkeys, baboons, ourangs, &c.", a statement which abolitionists were delighted to repeat. Ibid., February 12, 1845, 2:7, 3:1.

87 Ohio Statesman, February 13, 1845, 2:4.

88 Quoted in Ibid., February 21, 1845, 3:1.

89 Ohio House Journal, 43(1844-1845):822.

90 Ibid., 44(1845-1846):457, 546, 734; Ohio Senate Journal, 44(1845-1846):259, 506, 711.
the stump on the matter of repeal; Whigs and Democrats in their campaigns for state offices had confined their energies to arguing bank policy. After their miserable showing in 1840 the Liberty party picked up strength and were a constant source of annoyance to the Whigs from whom they drew most of their support. The Ohio State Journal, which attempted to steer a neutral course between repeal and anti-repeal factions of the Whig party, broke out with statements of exasperation when the fortunes of the party were threatened during the important even-year elections. As early as 1841 the Journal had termed abolitionism as "that common resort of small politicians in Ohio-- that phantom of morbid minds laboring under hallucinations of impractical theories...."91 The next year its editor wrote, "we regard them as not merely eccentric, but infatuated, demented, INSANE."92 During the campaign of 1844 Liberty men criticized Clay for his equivocal position on Texas, and then poured salt into the wounds of regular Whigs, great admirers of the hero of Ashland that they were, by impugning his character as a gambler and a duelist.93

91Ohio State Journal, April 21, 1841, 2:6.
92Ibid., June 14, 1842, 3:2.
93Smith, Liberty and Free Soil Parties, 72.
It is not surprising that the Whig party could not forever ignore the demands of the abolitionists (especially when opposition to the expansion of slavery seemed to be growing), and little by little their press swung behind such measures. In December 1844 the Cleveland Herald called for repeal; and during the debate on the repeal bill of 1845, the Ohio State Journal defended such a course as a matter of simple justice. Later that year the latter journal urged outright repeal, an action which it termed inevitable. So when the paper which represented itself as the spokesman for the party advocated repeal, it perhaps is not surprising that the Whig candidate for Governor in 1846, William Bebb, should include repeal as a plank in his platform. The Democrats looked forward to a good Whig family brawl, yet in September they, too, were drawn into the fray when it was discovered that their candidate, David Tod, had made a statement back in 1838 which indicated he favored repeal. The Whigs played up Tod's stand in anti-Negro sections of the state, while in the same anti-Negro sections candidate Bebb made a last minute statement that he did not favor admitting Negroes to jury duty, to the franchise, or into the common schools.

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95 Ibid., December 20, 1845, 3:3-4.
and that he would prohibit them from owning real estate. This statement, given in the Miami Valley to assure anti-Negro voters, was made at the last possible moment so that word of it could not reach the Western Reserve in time to change the minds of abolitionists who had been won over by his pro-repeal statements earlier in the campaign.\footnote{Smith, \textit{Liberty and Free Soil Parties}, 91-93; \textit{Herald and Philanthropist}, October 14, 1846, 2:5.} It must be agreed, as argued the Liberty paper, that the Whig excuse that Bebb was speaking for himself and not for the party was rather lame, for naturally what the gubernatorial candidate said tended to rub off on candidates for the General Assembly.\footnote{\textit{Herald and Philanthropist}, December 30, 1846, 1:7; \textit{Ohio State Journal}, November 10, 1846, 1:2.}

The Whig candidate, Bebb, won the election and his party put through the House a bill which took action on all the talk of the campaign, but at the same time was a bill which took the party off the hook of having to take a stand which would antagonize one or the other wing of the party. Apparently it took some time to work out a scheme to straddle the issue for it was not until after two bills for repeal had been introduced into the House, and apparently were going nowhere, that a third was dropped into the hopper which made repeal contingent on a voter
Democrats ridiculed the whole scheme. It would seem absurd for the Whigs to favor a referendum for this relatively inconsequential purpose when they had refused it earlier on such an important matter as revising the state constitution (expected to favor the Democrats). This attempt to dodge responsibility was even criticized by the (Whig) Cincinnati Gazette as shifting of legislative responsibility to the people. The Liberty press was furious. Ignoring the Democratic opposition to repeal, the Cincinnati Herald commented on the action in the Senate:

all we ask...is that this party shall come before the world in its own and not in borrowed dress--that it shall confine its claims to protection of Manufactures, and the creation of money facilities, and disavow all pretentions to the defence and guardianship of the natural rights of man...that it shall not seek to obtain the suffrages of the people on false pretenses...it will save their future candidates the trouble of being all things to all men, and every voter that supports them will understand that he is voting for Protection and Paper Money, and not for the Rights of Humanity.101


99 Ohio Statesman, February 2, 1847, 3:1.

100 Cited in Ibid., February 19, 1847, 2:5.

101 Cincinnati Herald, February 17, 1847, 3:2.
Thus for the second time promising effort for repeal failed. It would seem, as Cleveland Whigs claimed, that repeal could be effected only through the Whig party, yet not quite enough Whigs to achieve the object could ever be lined up.\textsuperscript{102} Repeal may have been inevitable, yet apparently just Whig votes would not suffice. The dramatic turn of events that brought support from the Democrats came as a result of the election of 1848. In the regular party nominations in 1848 the Whigs once again turned to a military hero, as they had done so successfully in 1840. The Democratic candidate, Cass of Michigan, who was considered a "doughface" and besides had declined to take a positive stand on rivers and harbors improvements, was unacceptable to many a Northwest voter. Since the other candidate, Taylor, was a slaveholder, neither man was acceptable to antislavery elements in Ohio, and to many others who weren't particularly concerned about slavery. One Western Reserve journal expressed its dissatisfaction, "the Whigs have nominated Zach Taylor for president! And this is the cup offered by slave-holders for us to drink. We loathe the sight. We will neither touch, taste nor handle the unclean thing."\textsuperscript{103} A major break came when a

\textsuperscript{102} Annals of Cleveland, 28(1845): item 1395.

\textsuperscript{103} Quoted in Smith, Liberty and Free Soil Parties, 128.
Democratic faction in New York (Barnburners) seceded from the party convention and joined with Liberty men and anti-Taylor Whigs to form the Free Soil party, which, while it included a variety of planks, is principally remembered for its stand for no slavery in the territories. The election of 1848 led to a balance between the two major parties, and as a result Free Soilers were able to bargain for their program in the Ohio General Assembly. At last the hour had arrived for realization of equal rights for all men.

Negro Education Legislation, 1829-1848

Before we consider the law of 1849 which repealed the Black Laws and provided for Negro schools let us first review educational legislation in the previous two decades. It will be remembered that the law of 1829 excluded Negroes from the regular district schools, but did provide for the collection of tax money from them and for the township trustees to use this to make some provision for schooling. At this time, we will recall, there was no abolitionism to affect state politics, and Jacksonians and anti-Jacksonians did not split over Negro rights. What

104 The party platform was printed on page one of all the issues of the Ohio Standard (Columbus), and other Free Soil journals, during the days of the campaign for the election of 1848.
champions the Negro might find apparently depended on the disposition of various assemblymen.

Newspapers of the time give little hint about the school bill of 1829, though apparently there was some debate. After having passed the Senate, the bill was amended in the House. Speaker Edward King first proposed an amendment excluding Negro children from any taxation for school purposes. On two different occasions Arius Nye, of Washington County, attempted to liberalize the amendment. First, he proposed that if the school directors were unanimous in their approval Negro children could be admitted to the regular district schools; and if the directors were not, the parents would not pay the school tax. After the failure of Nye's proposal, a second amendment was adopted, which provided for taxation, and for the township trustees to make separate provision for Negro education. Apparently realizing that such tax receipts would be insufficient in areas with few Negroes, Nye proposed his second amendment to allow attendance at regular schools in districts where Negro children were fewer than fifteen in number. After a good measure of debate his measure was

105 Ohio State Journal, February 4, 1829, 2:5.
106 Ibid., February 4, 1829, 3:1.
defeated, and the exclusion amendment adopted, both by
decisive margins. Although the Jacksonian party voted
a bit more heavily against the Nye amendment, the rival
(anti-Jacksonian) party was just as decisive in approving
the Negro education section of the School law of 1829. A
brief check by the author of newspapers around the state
found no more than a brief mention of the total school law,
by the editors, and there was no mention at all of the
Negro exclusion provision.

The injustice of taxing the Negroes for a service
which they did not receive led to introduction of a bill
to repeal the taxation provision. It was considered in
the next Assembly, and passed in 1831. In 1833 a
Senate committee specifically rejected a petition to admit
Negro children to the regular schools, and then, as we
have seen after 1835 the proposal became merged in
general agitation by abolitionists to repeal other dis­
abilities as well. Still from time to time there was

108 Nye's second amendment lost 50-18; the amend­
ment excluding Negroes from regular schools, but calling
for taxes on them, carried 56-12. Ibid., 377.

109 For example, Ohio Repository, St. Clairsville
Gazette, Painesville Telegraph, Scioto Gazette (Chillicothe),
Cincinnati Chronicle and Literary Gazette.

110 Ohio House Journal, 28(1829-1830):331-332, 595;

some action in the General Assembly on the matter of Negro education unconnected with other aspects of his civil status. Leicester King proposed an amendment to a bill in the 1837-1838 Senate that would have admitted Negroes to the public schools, but this procured only two votes.\textsuperscript{112} Next, in 1843 an omnibus bill to repeal disabilities lost in the Senate.\textsuperscript{113} After the State Supreme Court ruled that children less than half colored blood could attend the public schools, a motion to have the school committee of the Senate consider a bill to prohibit the admission of students of any degree of color lost by a tie vote.\textsuperscript{114} This was followed by an omnibus bill for repeal which lost in the 1845 House, and by bills for repeal of the educational disability which lost in the 1846 Senate and in the 1847 House.\textsuperscript{115}

Finally in 1848 both houses of the Assembly agreed on a law which permitted the organization of Negro school districts in areas where there were 20 or more Negro children. In districts where there were less than

\textsuperscript{112}Ibid., 36(1837-1838):509.

\textsuperscript{113}Ohio House Journal, 41(1842-1843):859.

\textsuperscript{114}Ohio Senate Journal, 42(1843-1844):207-208.

\textsuperscript{115}Ohio House Journal, 43(1844-1845):709; 45(1846-1847):463; Ohio Senate Journal, 44(1845-1846):383; Ohio State Journal, March 12, 1845, 4:4; Ohio Statesman, February 3, 1847, 2:2.
the requisite number, Negro children could enter the regular district schools as long as no white patron or taxpayer filed a written protest. If there were a protest, Negroes in the district were not to be taxed. In the regular Negro school districts (those with 20 or more children) no provision was made for participation in the school fund; the only support provided was that from Negro taxation.

It will be seen from this legislative outline that the only bill to provide specifically for public Negro education after King's measure in 1838 came eight years later, although the same effect would have been provided in two more or less general bills, calling for repeal of all Negro disabilities. All of this time, of course, there was agitation, as abolitionists and Negro groups endeavored to provide some schooling. After the weakening of Democratic morale as a result of the dissatisfaction with the administration of Polk, coupled with the increasing strength of abolitionists in the Whig party, the chances for improving the civil status of the Negro turned upward. Even though the Black Laws were still on

116 Laws of Ohio, 46(1847-1848):81-83. There was some objection in the Senate to letting Negroes into any schools with whites, even if no one objected. Ohio State Journal, February 9, 1848, 2:3. A provision to admit the colored schools to the benefit of the school fund was specifically defeated. Ohio Senate Journal, 46(1847-1848): 524-525.
the books by 1849, a dent in the opposition to Negro
rights had been made by the school law of 1848.

Party papers at the time give no clue as to the
reasons why as many Democrats voted for the school bill
of 1848 as did. And after the bill became law, both
Democratic and Whig papers (in areas supposedly anti-
Negro) expressed no alarm over the measure, indeed, did
not even comment on the law.117 We can speculate as to
why Democrats did not object more than they did to the law.
Perhaps the fact that this measure did not provide for
Negro equality with whites to the extent that repeal of
the testimony clause would have done was of some moment,
nor was equality under the act mandatory, for the indi-
vidual community had the right to reject the admission
of Negroes. Besides there were more important things
for Democrats to worry about that year. Party papers
were full of concern over the new apportionment law which
would split Hamilton County into five election districts
(formerly it was a unit), and which would result in the
Whigs winning two seats in the House where Democrats had
customarily swept all five. In any event the school bill
of 1848 didn't provide much. In districts where there

117 None in the Democratic Ohio Statesman,
Cincinnati Enquirer, or St. Clairsville Gazette; or in
the Whig Scioto Gazette.
were 20 or more colored children Negroes could not enter the white schools, and besides it relied on Negro initiative to create their own districts; in other areas the only compulsion was for the County Auditor to refund any taxes paid should the Negro children be excluded from the regular schools. And, to repeat, Negroes still were not admitted to share in the state school fund.

Although some complained that the law was undemocratic and unchristian, for it set one class apart from another, it was, others felt, a step in the right direction, for if only Negroes could get some education, they would have an opportunity to demonstrate the validity of their claim to humanity and the rights that go with a common humanity. 118 Friends of the Negro found the bill unsatisfactory as it was carried into operation. In Massillon abolitionist Betsy Cowles reported that eleven Negro children were expelled from the union school at the behest of certain whites of the community who objected and who threatened the Trustees with legal action. 119 Obviously Negro education was still in an unsatisfactory condition and there followed the usual resolutions to the

118 Cincinnati Herald, February 9, 1848, 1:2.
119 Anti-Slavery Bugle, February 2, 1849, 2:5-6, 3:1.
legislature calling for repeal of all laws "making distinctions account of color"; in other instances friends urged Negroes to attend the regular schools in order to get a test case into court. In addition, Governor Bebb (in his outgoing message) and Governor Ford (in his inaugural message) both advocated repeal of the Black Laws. This, of course, was fairly routine activity and probably would have been disposed of in a routine manner had not the election of 1848 returned a General Assembly considerably more than usual in nature, and because of this unusual nature of the Assembly, foes of the Black Laws were finally able to achieve success.

The School Law of 1849, and Repeal of the Black Laws

To understand how the pro-repeal forces were able to achieve a position of strength we must return for a moment to the matter of districting Hamilton County, which was such a lively issue in state politics in 1848. Democrats in Hamilton County would not accept the districting law of 1849, and called for the faithful to vote for a unit slate of five candidates. Whigs, of course, voted by the

120 Ibid., October 13, 1848, 1:4-5; December 15, 1848, 2:6, 3:1.

121 Ohio Executive Documents, 13(1848-1849):part 1, 7, 100-101.
five separate districts provided for by the law, and as expected under this system carried two districts. As a result the five Democratic nominees were victorious if one considered Hamilton County as a whole; two Whigs were returned if the votes were counted by districts. To make the situation more interesting the Democratic County Clerk issued election certificates to the five Democrats; the Whig judges at the polls issued certificates to two of their contestants. Thus Whig and Democratic claimants to two disputed seats in the House arrived at Columbus, and it was a matter for the Assembly to judge their credentials.

The membership of the 1848-1849 Ohio House presented a host of possibilities for logrolling, and for other varieties of playing politics. If one did not count the contested Hamilton County seats, there were in the House 32 Democrats, 29 Whigs, and nine Free Soilers. Of the Free Soilers five were of Whig leanings on non Free Soil matters, and had had Whig party backing in the election; two had had Democratic backing; and two were truly independent, in that they had run against Democratic and Whig candidates. A little addition will show that if the Free Soilers voted regular on questions of organization, the lineup would be 34-34, leaving the two independents with deciding votes. 122 When time came for the Assembly

122 The election of 1848 is mentioned in several secondary sources, most of whom seem to rely on the
to convene, both the Whigs and the Democrats organized separately, each claiming to be legitimate. Free Soiler A. G. Riddle persuaded the two other parties to assemble as one body without seating contestants for the two disputed Hamilton County seats, until organization could be effected. Once this was done the two independent Free Soilers, Norton S. Townshend and John Morse, voted for a Democratic speaker with the understanding that two Whigs, two Democrats and Townshend would be appointed to the five-member committee on elections. Thus if Townshend voted with the Democrats that party would pick up the disputed seats and have exactly half of the House. There

Figures of either J. W. Schuckers, The Life and Public Services of Salmon Portland Chase (New York, D. Appleton and Co., 1874), 91-92, or Riddle, Magazine of Western History, 6(1887):341-351. Riddle was a Free Soil Whig at that session. With these sources should be read the accounts by Norton Townshend, one of the two independents, in Magazine of Western History, 6(1887):623-628, and "Salmon P. Chase," Ohio Archaeological and Historical Quarterly, 1(1887-1888): 109-124; Benjamin Arnett, "The Black Laws...," 32-34. (In Speeches and Papers of Ohio Men, Vol. IV. Each work is paged separately in this reference.)

Riddle lists eight Free Soilers in the House; Townshend, nine. The difference is that Townshend included representative Hugh Smart (Fayette-Highland). Smart did run as a regular Democrat, and while the author was unable to learn how he campaigned, his votes were such that would have warmed the heart of any true Free Soiler. Be that as it may the regular and Free Soil Democrats still equalled the number of Whigs and Free Soil Whigs. See Ohio State Journal, November 30, 1848, 2:2; December 4, 1848, 2:1, and the Ohio Statesman, October 21, 1848, 3:3, for election returns for this session of the Assembly.
was even more than the contested seats at stake. Since
the Senate was split evenly between the two parties, the
two independents were in a position also to cast deciding
votes on election of two Supreme Court vacancies, a court
which would probably be called to rule on the election law
which was causing all the uproar. What was Townshend's
and Morse's price? Democratic backing in electing a United
States Senator acceptable to Free Soilers, and more im-
portant to this study, repeal of the Black Laws. This was
the bacon Morse and Townshend must bring home to normally
Whig territory if they were to justify voting with Demo-
crats on organizational matters.

While all this maneuvering was going on, Free
Soilers introduced measures in both the House and the
Senate to repeal the Black Laws.\textsuperscript{123} One of the Senate
bills, after a series of amendments, provided for repeal
of all acts regarding Negro disabilities, and for an edu-
cation section substantially the same as the law of 1848
except that the township trustees, rather than the Negro
residents, were to take the initiative in establishing
separate schools where more than twenty Negro children
lived in the regular school district. It also would have
fined persons bringing into Ohio Negroes calculated to

\textsuperscript{123}\textit{Ohio House Journal}, 47(1848-1849):40, 46; \textit{Ohio
become public charges. Meanwhile in the House Morse had introduced an omnibus bill to revise the educational bill of 1848 and to repeal the Black Laws. It is not certain why it was the Morse bill that was pushed to a vote. Perhaps it best met the demands of the Free Soilers. There is indication that Senate-aspirant Chase was anxious that Morse should have something to show for voting for the Democrats on organization of the House. In any event the bill passed the House by a vote of 52-10, with only four Democrats, and six Whigs voting against the measure. Townshend reported later that considerable party pressure was necessary for passage, but apparently the pressure was behind the scenes for one Whig reporter tells us that "One Locofozo followed after another, like a flock of sheep clearing a barn yard gate." In the Senate the bill was amended to forbid Negroes from sitting on juries, and to retain the law excluding Negroes from poor relief.

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124 Cincinnati Enquirer, January 24, 1849, 1:5.
128 Townshend, Magazine of Western History, 6(1887): 625; Scioto Gazette, January 31, 1849, 2:7.
The measure was then approved by the Senate 23-11, with five Democrats and six Whigs disapproving.\textsuperscript{130} Thus by a deal the Black Laws of Ohio were repealed and Negroes were no longer required to post bond, or to have certificates of freedom, and they were allowed to testify in all court cases. Of more importance for our study are some important changes made in provisions for schools for Negroes.

The law of 1848 was repealed and now township trustees were under obligation to provide districts for Negroes where they felt it inadvisable to admit Negroes to the regular district schools. The further obligation of the township trustees to compile a tax list of Negroes and to enumerate Negro children indicates that these schools were to receive a prorated share of the land grant and other school funds.\textsuperscript{131} This was the opinion of both the Secretary of State and the Auditor, and, indeed, they ruled that if no separate districts were provided, Negroes must be admitted to the regular schools.\textsuperscript{132}

Thus the forty-year-old Black Laws were repealed, and at last some provision had to be made for Negro education, and with the support of public funds. Pro-repeal forces

\textsuperscript{130}\textit{Ibid.}, 251.


\textsuperscript{132}\textit{Anti-Slavery Bugle}, May 11, 1850, 1:3-4.
rejoiced. Free Soilers took pride in such an initial triumph, and one of their journals challenged critics to repeat the charge that Free Soilers accomplished no good.\footnote{133} Negroes in Cincinnati, Cleveland, and other parts of Ohio formally expressed satisfaction at the proceedings.\footnote{134}

Many members of the two major parties, on the other hand, did not share such elation. During the course of debate on the measure, several members put their position on record by proposing amendments specifically exempting their constituencies, and on one roll call two Senators locked themselves in the Sergeant-at-Arms' room to dodge the vote.\footnote{135} Both friend and foe of Negro equality admitted the law to have been born in a moment of expediency.\footnote{136} Reaction in the party press varied. Some maintained a silence, while a leading Democratic journal prepared readers for the news by reporting debates and

\footnote{133}{\textit{Western Reserve Chronicle} (Warren), February 14, 1849, 3:2.}

\footnote{134}{\textit{Ohio Standard}, February 23, 1849, 2:3; \textit{Anti-Slavery Bugle}, May 18, 1849, 3:3; \textit{Annals of Cleveland}, 32 (1849): items 1075, 1077.}

\footnote{135}{\textit{Ohio Statesman}, January 24, 1849, 2:2; \textit{Western Reserve Chronicle}, February 14, 1849, 2:5.}

\footnote{136}{\textit{Ohio Statesman}, February 5, 1849, 2:1.}
commenting that repeal was inevitable. The *Licking Herald* (Newark) called it wise, safe and humane. Whig papers did not criticize the law itself, although some of their editors found silence intolerable when considering the role of Townshend and Morse in giving the Democrats a victory in the Hamilton County dispute. A Cleveland paper is quoted as writing, "It would require an act of Omnipotence to bring Townshend up to the level of a Judas Iscariot or a Benedict Arnold, or Morse to the level of a fool. The Free Soil party is as badly treated by its traitors, as was Jesus by Judas Iscariot." Forty years later one of the Free Soilers (of Whig outlook) claimed that the deal with the Democrats was unnecessary since the repeal vote in the House was so decisive (52-10). Yet, both Chase and at least one Free Soil reporter felt enough doubt about the measure that we must agree with Townshend's contention that the deal was necessary to secure repeal. Certainly the voting record of the

137 *Ohio Standard*, February 7, 1849, 2:1; *Toledo Blade*, February 13, 1849, 2:1; *Cincinnati Enquirer*, January 26, 1849, 5:1; February 1, 1849, 1:6.
138 *Ohio Standard*, February 14, 1849, 2:3.
139 *Western Reserve Chronicle*, February 21, 1849, 3:2.
140 *Annals of Cleveland*, 32(1849):item 1838.
141 *Riddle, Magazine of Western History*, 6(1887):350.
Democratic party previous to 1849 further indicates this to be the case.

A great victory had been won for racial equality, but as yet racial peace was not secured. Foes of Negro equality were not quieted and indeed the following summer (1849) Fayette County Democrats pledged to re-institute the Black Laws. While there were scattered attempts until the end of the Civil War to prevent legal entry of Negroes into Ohio, after 1849 provision for education for them became divorced from automatic involvement with Black Laws. Subsequently development of their education was more an independent entity, although still related to the general civil rights status.

Friends of an improved Negro status felt the fight to be far from over. Abolitionists found the bill of 1849 unsatisfactory because of its portions that made "distinctions account of color." Senator Backus correctly put his finger on a weakness of the 1849 law, that it relied entirely upon the initiative of the township trustees if the Negro were to get his educational due, regardless of the interpretation of the Attorney General that it

was either a matter of attending regular schools or being provided with separate ones. Still undeniably an important first step had been taken; there was enacted into law the admission that public education should be provided for Negroes.

This first step moved the Negro from the status of being excluded from the public schools to the position of being permitted to attend regular (white) schools in some communities and, in others, to attend segregated classes. The next chapter will describe briefly Negro schools during the period of partial segregation (1848-1887); and then in the final two chapters our attention will focus on the repeal of the school segregation law.

CHAPTER V

NEGRO EDUCATION DURING THE PERIOD OF SEGREGATION,
1848-1887

In the last chapter we left the course of anti-slavery agitation with the arguments about whether to forbid the extension of slavery to any territory acquired as a result of the Mexican War. And were such territories to become states, of course, it would have meant loss of the Senate to the slaveholders, and the end of that constitutional check on the assembly of the majority, the House of Representatives, which was already controlled by the North. To the antebellum slaveholder higher tariffs would follow, and in the logic of their times, poverty would be their lot. Dixie once again talked about secession, and in the North there were extremists who, on their part, shouted "no union with slaveholders." In 1849 events not directly connected with abolition and slavery brought the whole problem to a climax. By September of that year the prospectors and fellow-travellers who had swarmed into California in search of gold had formed a government which outlawed slavery, and on the basis of this government they asked for statehood in the
Union. As it turned out moderation carried the day, and the crisis was resolved with the compromise proposals (of 1850) by Henry Clay which admitted California as a free state and left the question of slavery in the new territories of New Mexico and Utah to be dealt with by the inhabitants of those areas. Apart from these points, a new and tougher fugitive slave law was passed, and slave trade in the District of Columbia was outlawed. Thus the Wilmot Proviso was eliminated as a solution for the status of slavery in a territory, and "popular sovereignty" was to deal with the issue.

It is true that abolitionists in the North scorched their press with denunciations of the Fugitive Slave Law of 1850, and in the South fire-eaters licked their wounds as the secession conventions for which they had agitated fizzled. On the whole the nation breathed a sigh of relief, and with the economic good times that characterized the first portion of the Fitful Fifties people were content to forget about slavepower aggressions.

The Legal Status of the Colored Schools

This calm after the storm is reflected in the activity in the Ohio legislative halls and in the Constitutional Convention of 1850-1851, for it seems that as the
sectional argument died down on the national and state scenes, the threat of Negro contamination caused less concern to defenders of white integrity. On the whole the party press was silent, and what agitation there was seems to have been more or less an individual matter. It is true that in the backlash of repeal of the Black Laws in 1849 the Fairfield County Democratic convention passed a resolution for the Assembly to enact measures to discourage Negro migration to Ohio, and indeed, in the following two legislatures bills to restore the Black Laws were introduced; but they were overwhelmingly defeated.\(^1\) Widespread and wild tirades against the Negro, and the use of the race issue for campaign purposes appeared again after the passage of the Kansas-Nebraska Act in 1854, when sectionalism was once again revived in dramatic form. Such agitation will be the topic of the following chapter. In this chapter the legal status of the Negro schools, how they operated in that framework, and local action toward integration will be treated.

In the days when things were comparatively calm, the Constitution of 1851 was fashioned, and two years later a comprehensive school law, which included a clause

\(^{1}\)Ohio Statesman (Columbus), September 13, 1849, 2:5, Ohio House Journal, 48(1849-1850):381; 49(1850-1851):465, 466.
on Negro education, was adopted. Although reform agitation at the Constitutional Convention mostly concerned temperance, there were about two dozen petitions calling for equal rights, suffrage, or the elimination of "distinctions account of color," most of them coming from the Reserve, or from nearby Stark County; and countering these were another dozen petitions asking for reinstitution of the Black Laws, especially the ones designed to exclude the Negro. Two-thirds of the latter came from areas south of the National Road. In response to these petitions came proposals to include in the new constitution provisions to exclude and colonize the Negro on one hand; and, on the other, to educate him, give him the vote, and to make him liable for militia duty. In the course of the debate delegates from the Reserve objected to being taxed to provide money for colonization, and further warned that attempts to enforce an exclusion law in that part of the state would only produce civil strife. Southern delegates likewise argued that there would be trouble should the Negro show up at the ballot box in


3Ibid., 2:604.
that part of the state as a result of being enfranchized. Other points were made, which we have mentioned in the preceding chapter. Underlying all these considerations once again was the fundamental question of equality, an utter impossibility to some because amalgamation was sure to follow. One member was reported to have passionately argued that:

> Until there was an entire social revolution in the intercourse between the two races -- until the time should come when the black man could go to your house as a suitor to your daughter, and ask and obtain her in marriage, and until you could welcome the issue of that marriage, and receive with pride your grandson "William Cuffy," or some such name, that would follow -- and when a man could introduce them to his friends, and they would be received into the society of the white race -- until then the two races were separate and distinct.

After all the speeches were made, and all the votes were in, the Negro was barred from militia duty, according to one author because of the disposition to ignore the Negro as a member of the civil community, because some people did not want to put a gun into the hands of such an underprivileged class, and because they did not want fraternization with them in militia musters.

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4Ibid., 2:553.
5Ibid., 1:58.
6Hickok, Negro in Ohio, 59-60.
Measures for colonization and for exclusion were defeated. The proposal for colonization would have permitted state funds to be used for that purpose when it could be done without encouraging an influx of Negroes. In the mind of its author the measure would have enjoined the legislature first to pass measures to prevent the entrance of Negroes from outside the state. In the vote of 26-71, Whigs provided 17 of the positive votes. About half of the positive votes came from the Miami Valley area, which perhaps reflects its conservative outlook. The proposal to strike the word "white" from the clause providing for male suffrage lost by a vote of 12-66, with 2 Whigs and 2 Democrats voting with 8 Free-Soilers in favor of the measure. All of them came from northern and eastern Ohio.

Although the above limitations on the civil status of the Negro were adopted, restrictions proposed on his education opportunities did not quite succeed. The

7Ohio. Constitutional Convention, 1850-1851, Debates, 2:337.

8Ibid., 2:605. Party affiliations are taken from Ohio Statesman, April 11, 1850, 2:2; and Ohio State Journal (Columbus), April 9, 1850, 2:3. The two lists disagree on the number of Free Soil members since in some constituencies candidates ran on the ticket of one of the two major parties as well. In those cases the author counted them as Free Soil, since on race matters that party label seemed more descriptive.

committee for education split on ways of best allowing the local community to deal with the race issue in school matters. The majority reported this clause with racial implications:¹⁰

> The General Assembly shall make such provision by taxation and other means (in addition to the income arising from the irreducible fund) as will secure a thorough and efficient system of Common Schools, free to all children in the State.

The minority report included in its fourth section provision for a school year of at least six months, and that "black and mulatto youth shall not attend the schools for white youth, except by common consent."¹¹ An amendment to strike out the words "except by common consent," thus making all mixed schools illegal, lost by a vote of 34-53, with Democrats providing all but 4 of the positive votes and 19 of the negative. There was no particular geographical pattern about the votes of the delegates; except for the Western Reserve, the Democratic votes, both positive and negative, came from all parts of the state. Following this action, the minority report was tabled by an overwhelming vote.¹² As the educational measure finally

¹⁰Ibid., 2:11.
¹¹Ibid., 2:18.
¹²Ibid., 2:18-19. All six Free Soil votes were negative.
went into the constitution the last words of the majority report, "free to all children in the State," were stricken out, and the General Assembly was merely enjoined to provide a system of education; the details were left to the General Assembly.\(^{13}\) It is interesting to speculate on the possible course of Negro education had section four of the minority report been incorporated into the constitution. The instructions could easily have been taken to read exclusion unless there were positive approval: \textit{i.e.}, no attendance by Negroes unless it were specifically sanctioned. And undoubtedly there would have been many who, while not approving of mixing, would not have gone out of their way to protest such a policy. Also when the time came to get rid of the authority to maintain compulsory separate schools in 1887 the action was comparatively simple, for it meant merely the passage of a law; amending a constitution might have proven much more difficult.

To follow out the broad constitutional authority to maintain schools, and to overhaul the act of 1838, a comprehensive educational bill was passed in 1853, which was significant principally in taking away important financial powers from district boards and giving them to newly-created township boards of education.\(^{14}\) The new

\(^{13}\)Article 6, section 2.

law also reinstated a state supervisory officer, the Commissioner of Common Schools. Section 31 of this act provided for Negro schools. School authorities (in the townships or other districts) were both authorized and required to create special schools for Negro children whenever the enumeration of those children in the district exceeded 30. Principally as an economy move, but probably also as a spur to keep up attendance, it was provided further that if the enrollment of the school should drop below 15 that the school must be discontinued for a period up to 6 months. If the number of Negro children were less than 15 the school authorities were to "reserve the money raised on the number of said colored children, and the money so reserved shall be appropriated for the education of such colored children under the direction of the township board."\textsuperscript{15} The boards that managed the white schools managed those for Negroes as well, and the Negro children were to be afforded "as far as practicable under all circumstances the advantages and privileges of a common school education."

Financially this act was an improvement over that of 1849.\textsuperscript{16} Under the earlier act Negroes were to get a

\textsuperscript{15}Ibid., 51(1852-1853):441.

\textsuperscript{16}Ibid., 47(1848-1849):17-18.
share of the state funds, but the local tax money had to come from the pockets of the Negro only. Money raised by local taxes on whites was not to be used for colored schools, and vice versa. Under the act of 1853 the Negroes were just another sub-district, financially, and they were to be apportioned a share from all school funds, on the basis of enumeration. Theoretically the act of 1853 was less liberal, however, in at least two respects. First, Negroes no longer had the right to select their own school directors; and second, no longer was it a clear-cut case, as in the law of 1849, of admitting Negroes to the regular schools, or of creating separate schools for them. There was much uncertainty about what to do with those Negroes who lived in districts where they numbered less than 15, and there was no mention at all of those living in districts with less than 31. In the mind of Commissioner Smyth there was a further question of how school money, "so reserved" was to be used.\(^\text{17}\) The language of the law

\[\text{17The pertinent portions of section 31 read as follows: The school officers in the several districts of the state "shall be and they are hereby authorized and required to establish within their respective jurisdictions, one or more separate schools for colored children, when the whole number by enumeration exceeds thirty...but in case the average number of colored children in attendance shall be less than fifteen for any one month, it shall be the duty of said board of education, or other school officers, to discontinue said school or schools for any period not exceeding six months at any one time; and if the number of colored children shall be less than fifteen, the} \]
was made more specific by the Act of 1864 which provided that

such schools for colored children shall be continued in operation each year until the full share of all the school funds of the township or district belonging to said colored children, on the basis of enumeration, shall have been expended.18

This meant that the School authorities could not hold the money over from year to year, promising to spend it when they had enough; it must be used each year. The Act of 1864 changed the status of the colored schools in other respects, as well. An attempt was made to bring schools to more Negroes by lowering the minimum number for a district to 21, and by authorizing the school officials in adjoining districts to combine to form joint-districts, with administration to be under the board of the district directors shall reserve the money raised on the number of said colored children, and the money so reserved shall be appropriated for the education of such colored children under the direction of the township board." Is the money to be reserved if the enrollment, or if the number enumerated, is less than fifteen? How shall the money be appropriated? State commissioner H. H. Barney interpreted this last portion of section 31 to mean when the number enumerated fell below 15, but coming as it did right after a provision for suspension of the school, it seems quite possible it referred to the number enrolled. Commissioner Barney ruled the money could be used to hire the regular public school teacher in the evenings or in the summer; or to hire a private teacher. Ohio Commissioner of Common Schools, Annual Report, 1853-1854, 34-35.

in which the school was physically located. Nothing was said about discontinuing the school when the number enrolled dropped below some level. And once again nothing positive was said about admission into the regular schools. The question was left with the same uncertainty as in the Act of 1853.

An act passed in 1878 finally simplified matters by simply providing that the several boards of education were to provide schools in sufficient number for the free education of all children of school age, and if it seemed to the advantage of the district to do so, the authorities could organize separate schools, or combine with adjoining districts to form districts. Nothing was said about the minimum number for a district; and from this point on, some provision had to be made for Negroes, whether there were one or one hundred in the district -- if only they would insist upon it.

The first case to come to the attention of the state Supreme Court over the law of 1853 concerned what was meant by "colored" when one spoke of "colored" schools. In Logan, the county seat of Hocking County,

19Ibid., 75(1878):513.

20Enos Van Camp v. Board of Education of the Incorporated Village of Logan, 9 Oh.S.R.407. This decision was rendered in the year 1859.
a child three-eighths Negro and five-eighths white, considered "colored" by members of the community, was denied admission to the regular schools for whites. It would not seem too unreasonable for the parent to feel that his child was qualified to attend the school for whites since previous decisions had held that anyone less than one-half Negro was white, for legal purposes. In this case, however, the court shifted the definition to that of visible mixture. It was true, the court conceded, that in earlier cases, when the restrictions on Negroes were particularly severe, the courts held that those partially black, but with a preponderance of white blood, could attend the public schools. But it was notorious, the court continued, from the many suits brought in, that this interpretation did not receive the approval of the people. The majority report reminds us that "The prejudice of ages could not be dissipated by one or more judicial decisions...." But, of course, the courts cannot be a mere reflection of public sentiment, and so the definition of color was examined further, in a legalistic sense. Brushed aside was the argument of the minority that since the words "black and mulatto" were used in the title, and "colored" in the text, of the law of 1848, the two expressions were interchangeable in the minds of the legislators; and that when the word "colored" was used
in the laws of 1849 and 1853, it was just to reduce the amount of wording in the interest of brevity. According to the majority, the legislators had gone to the trouble of saying in the law of 1849 that "colored" meant "black and mulatto;" in 1853 they did not make such a definition, and so the word "colored" was intended in the popular, Webster, sense of the word. From this distance, this last argument of the majority does not necessarily follow, or else the legislature need not have provided in the school law for Cincinnati (1856) that colored meant those "reputed to be in whole or in part of African descent." It seems just possible that it was no more than another case of inexact wording of a statute.

A second important point was made by the Van Camp case. It was held further than an act of creating separate schools for Negroes was not one of exclusion, but of "classification." As the justices saw it, the intent of the law was to make provision for the education of all children, and at the same time do this in such a manner that the prejudices of (white) patrons would not be offended. In the words of the court:

If those a shade more white than black were to be forced upon the white youth against their consent, the whole policy of the law would be defeated.

The prejudice and antagonism of the whites would be aroused, bickerings and contentions become the order of the day, and the moral and mental improvement of both classes retarded.

And finally if it should happen that the

...number of colored youth is too small to justify the organization or the continuance of a school for colored youth, [and if] such school must be temporarily delayed or suspended...this is no more than might occur with the other class under similar circumstances.

Thus was disposed the question of "colored;" and if the colored student happened to live in an area where there were not enough Negroes for a separate school, that was one of the hazards of living in such an area. It was not exclusion, although one might be classified right out of school privileges in such districts.

Before we look at the operation of the colored schools in the state in general, it should be noted that one city in the state did not operate under the laws described, but had its own special legislation. Because of the very size of the city, both Negro and white children in Cincinnati were numerous enough to make more elaborate school provisions feasible. In 1850 about an eighth of the Negroes of the state lived in the Queen City, and according to chronologer Charles Cist, there were just over a thousand Negro youth from four to
twenty-one in the city in 1851. In accordance with the policy of the city School Board to "foster schools for people of color," a call was issued for the election of six school directors (to make two districts) as provided by the Act of 1849. Rooms were rented in two churches, and four teachers were hired, when the new school system ran into a legal snag. School funds to the extent of $2,177.67 had been received from the County Treasurer, but the City Treasurer would not make payment to the Negro trustees until the City Council approved the bill. The Council contended that the Act of 1849 was unconstitutional because it provided for election of (school) officials by Negroes, and by the constitution of Ohio Negroes did not have the franchise. By this time one month's salary was due to three of the teachers, two months to the fourth, and there was a total of three months' rent due on the two school rooms. A writ of mandamus (May 1850) ordered the money to be paid, and that winter, in an appeal to the state Supreme Court, the


23Cincinnati Board of Education, Annual Report, 1848-1849, 10; Cincinnati Chronicle, August 9, 1849, 2:5.
writ was sustained. According to Justice Hitchcock a school director was not sufficiently an "officer" to be affected by the constitutional bar on the franchise for men of color. "He is merely the officer of a school district...a mere creature of legislative enactment." The consequence, moreover, of denying them this power would be to give the Negroes the right to enter the public school of the city; and it was "unquestionably better that the white and colored youth should be placed in separate schools, and that this school fund should be divided to them in proportion to their number."24

Once this matter was settled schools employing eight teachers began operating, and, as provided by the general Act of 1849, were controlled by boards of colored trustees.25 The Act of 1849 was repealed by the Act of 1853, and along with repeal went authority for existence of the colored boards.26 Thus control of the Negro schools of Cincinnati, for that year, passed under the direction of the regular city Board of Education. Right after the passage of the Act of 1853 the city Board

24State ex rel. Directors of Eastern and Western District v. City of Cincinnati, 19 Ohio R. 178.


recommended that control of the colored schools be vested in a separate board of their own, with the suggestion that certification of teachers be left with the regular Board of the city. The act of the following year, which did indeed transfer control to a Negro board, manifested a great deal of distrust of Negro ability, for in addition to leaving certification power with the city Board, the city Board also selected the Negro Board, and it was further required that each month the Negro Board submit a financial report to the city Board. These supervisory provisions were galling to Negro leaders, and largely on the agitation leadership of John Gaines, an act was passed in 1856 which turned over selection of the Negro Board members to the adult males of the colored community, and the monthly accounts were abandoned in favor of a yearly estimate of needs. The colored schools were operated by Negroes until 1874 when control was passed back to the regular Board of the city. (By the general

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28 Laws of Ohio, 52(1854):49.


30 Cincinnati Gazette, April 28, 1874, 3:1.
school Act of 1873 the special laws for colored schools in Cincinnati and Cleveland had been repealed.31)

The four Cincinnati Negro schools of the early part of the Fifties were consolidated by the end of the decade into two large buildings. One for the Eastern District was built in 1858, and another for the Western District the following year. The former had 6 rooms, and the latter, after two subsequent additions, 13.32 Both the number of students and teachers increased over the years until compulsory segregation was ended in 1887. For example, there were 417 pupils and 8 teachers in 1853; by 1874 there were 21 teachers and 1,074 pupils; and by 1887, 1,482 pupils and 31 teachers.33 A new eight-room structure was opened in 1872 in Walnut Hills and a four-room building in Cumminsville in 1876. With these suburban schools included there were six schools operating in the system by 1887.34 Throughout the period of segregated schools, Cincinnati had a full-fledged system of

31Laws of Ohio, 70(1873):238. This action for Cleveland is somewhat curious since the 1863 law had already been repealed in 1868. Ibid., 65(1868):241.

32Cincinnati Board of Education, Annual Report, 1885-1886, 303.

33Ibid., 1852-1853, 77-78; 1873-1874, 51, 87; 1886-1887, 102-103.

34Ibid., 1885-1886, 303-304. Since the Gaines High School and the Western District School occupied the same structure, there were five buildings in the colored school system.
colored schools, with a fairly large faculty, and with supervisory-teacher personnel with correspondingly high salaries. It is not surprising that it was Cincinnati teachers who provided much of the leadership for opposition to ending the color line in the public schools in Ohio, as we shall see in the next chapter.

Quantitative Aspects of the Colored Schools

No statistics were kept by state authorities on Negro schools which operated under the laws of 1848 and 1849. We know that schools were begun in Cincinnati and Dayton in 1849, in Toledo during the 1852-1853 school year, and that irregular schools existed in Sandusky before the law of 1853. The Secretary of State noted in his reports

35 As principal of the Gaines High School, 1884-1885, Peter H. Clark drew an annual salary of $2,200. The following year his replacement, William A. Parham, was paid $2,000. In 1884-1885 only two white high school principals earned more than Clark. Ibid., 1884-1885, 365-392; 1885-1886, 303. In Columbus the principal high school teacher was paid $2,400, while $1,000 was the typical teacher salary. Columbus Board of Education, Annual Report, 1884-1885, 18. In Dayton the high school principal earned $2,000 and the principal of the colored school $1,200. Dayton Board of Education, Annual Report, 1883-1885, 282, 290.

36 Cincinnati Board of Education, Annual Report, 1848-1849, 10; Robert W. Steele, "Historical Sketches of the Schools of Dayton," 10 (in Historical Sketches of Public Schools in...Ohio [?Columbus, ?, 1876]);) Toledo Board of Education, Minutes, 1848-1858, 192, 205; M. F. Cowdery, "Local School History of the City of Sandusky, From 1838 to 1871, Inclusive," [17] (in Historical Sketches of Public Schools in...Ohio).
for both 1850 and 1851 that the requirement to enumerate Negro children, on which turned the distribution of state school funds, was not being met in some of the counties.\textsuperscript{37} This is reflected in the federal census returns for 1850 which reported that only 2,531 (26\%) of the 9,643 Negro youth from 5 to 20 had attended a school during the 1850 calendar year.\textsuperscript{38} These figures included all schools, private as well as public. At the same time 68 per cent of the white children of those ages had attended a school during that year. In some of the counties Negro children apparently were on a perpetual vacation. The percentages of school-age Negroes attending school in 1850 for example, in some of the counties with relatively large Negro population (with comparable figures for whites given in parentheses) were:

\begin{center}
\begin{tabular}{lll}
   Gallia & 4 & (52) \\
   Fayette & 4 & (62) \\
   Champaign & 5 & (65) \\
   Belmont & 9 & (59) \\
   Franklin & 19 & (62) \\
   Ross & 21 & (59) \\
   Hamilton & 26 & (49) \\
\end{tabular}
\end{center}

It was noted above that the Act of 1853 theoretically was not as liberal as that of 1849, since the former

\textsuperscript{37}Ohio Secretary of State, Annual Report...on Common Schools..., 1850, 26; 1851, 14.

\textsuperscript{38}U.S. Bureau of Census, 1850, Population, 812-815, 858-859.
gave the simple choice of maintaining separate schools or of admission into the regular schools. It would seem, however, that school officials did not pay attention to the requirement for Negro schools until it became part of the code in 1853, and that few were the public educational facilities for Negroes that existed before the 1853 statute. That year the report of the Secretary of State listed a dozen counties where there were Negro schools, and during the 1853-1854 school year, Columbus, Chillicothe, Hamilton, Portsmouth, Steubenville, Urbana, Wilmington, and Zanesville had begun regular classes for Negroes. A year later Cadiz, Lebanon, New Richmond, and Piqua followed suit. Thus, once the law of 1853 put a section

39 Columbus Board of Education, Annual Report, 1874-1875, 142-143; History of Ross and Highland Counties, Ohio... (Cleveland, W. W. Williams, 1880), 191; Evans Nelson, A History of Scioto County (Portsmouth, Ohio, the author, 1903), 489; "Historical of the Educational Progress of Hamilton, Ohio," 15 (in Historical Sketches of Public Schools in...Ohio); "Steubenville Public Schools," 5 (in Historical Sketches of Public Schools in...Ohio); Benjamin Arnett, Centennial Thanksgiving Sermon, Delivered at St. Paul A.M.E. Church (Urbana, ?, 1876), 57; Albert J. Brown, History of Clinton County, Ohio... (Indianapolis, B. F. Bowen & Co., 1923), 150; History of Muskingum County, Ohio (Columbus, Ohio, J. F. Everhart and Co., 1892), 122. According to Arnett's account it seems that some sort of school was operating in Urbana before 1853. A colored school was likewise operating in Hamilton in 1849. Anti-Slavery Bugle (Salem), July 21, 1849, 2:6.

40 E. H. Eckley and William T. Perry, eds., History of Carroll and Harrison Counties, Ohio (Chicago, Lewis Publishing Co., 1921), 375; "Sketch of the Rise and Progress of the Common School System in Lebanon...Ohio," 5
for Negro education into the general school code, provision for it steadily rose. The number of colored schools established in the entire state, for the years such figures were reported, rose as follows:

<table>
<thead>
<tr>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1853</td>
<td>22</td>
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<tr>
<td>1854</td>
<td>48</td>
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<tr>
<td>1855</td>
<td>88</td>
</tr>
<tr>
<td>1856</td>
<td>88</td>
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<td>1857</td>
<td>93</td>
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<td>1858</td>
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<td>1859</td>
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<td>1860</td>
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<td>1861</td>
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<td>1862</td>
<td>172</td>
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<td>1863</td>
<td>167</td>
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<td>1868</td>
<td>189</td>
</tr>
<tr>
<td>1869</td>
<td>204</td>
</tr>
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</table>

Before we look at some of the quantitative and geographical aspects of separate schools for Negroes in Ohio it might be well to say a few words about the principal source for such information, the reports of the Commissioner of the Common Schools. For the most part they


41 Before the law of 1853 re-established the post of commissioner, the Secretary of State functioned as the chief state school officer and compiled the reports. Through the year 1855 the reports were dated merely "for the year;" after that date the reports, but for two exceptions, are "for the year ending August 31." For convenience of tabulation the author will use the year when the academic year terminated. Thus a reference to the year 1885 will mean the 1884-1885 school year. The figures for enumeration in this paper are for the beginning of the academic year, e.g., 1885 enrollment refers to the count made in September, 1884. Unless otherwise indicated, information for the statistics were compiled from easily found tables and introductory summaries in the pertinent annual reports.
represent statistics (as far as Negro education is concerned) on such things as enumeration, enrollment, number of teachers and wages paid, and months in operation. The form in which the information was presented was not consistent over the period to 1887, so tabular presentation of data is not always feasible. When one uses those statistics, furthermore, only approximations are possible, and such things as variations from one given year to the next are uncertain because of the unreliability of the returns. In 1865 the Commissioner complained that there was a constant turnover of township clerks and of the lack of any uniform blanks supplied by the state for the information desired by his office. And when it is remembered that a Commissioner's report represented the digest of 88 county returns, it is obvious that the opportunities for errors are numerous. For example, in 1874 there was no colored enrollment reported from Hamilton County while that same year the report of the Board of Education for the City of Cincinnati reported a Negro enrollment of 1,004. This constitutes a rather sizable omission from the total Negro enrollment for the state

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43 Ibid., 1873-1874, 105-106; Cincinnati Board of Education, Annual Report, 1873-1874, 51.
which for that year was given as just over 6,000. At other times we cannot be sure what the information represents. Before the end of the Civil War several counties reported Negro enrollees, but gave no accompanying figures for Negro schools, such as teachers, weeks in operation, etc. We cannot be sure whether the enrollees constituted a separate class (which is how the Commissioner presented the information), whether they were put on one side of a class room, or simply were a count of noses of those in indiscriminately mixed classes. In short, the reports must be used collectively, and only for trends and generalizations over a period of years; they do not seem reliable for specific points, or for smaller variations from year to year. With these reservations we now may consider a few quantitative aspects of the public colored school system in Ohio.

Table 4 lists enrollment statistics and the number of teachers. Since so many of the Negroes in the state lived in Hamilton County (a third in 1870) omissions or other distortions in returns from there loom rather large in the picture. Thus, for those years when the enrollment returns were obviously too low, or were omitted entirely, adjustments were made by the author accordingly. The figures in parentheses represent a correction to bring the return for Hamilton County for
### TABLE 4

STATISTICS FOR COLORED SCHOOLS IN OHIO, AS REPORTED BY THE COMMISSIONER OF THE COMMON SCHOOLS

<table>
<thead>
<tr>
<th>Year</th>
<th>Number Enumerated</th>
<th>Number Enrolled</th>
<th>Percent Enrolled</th>
<th>Number Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td>1853</td>
<td>6,862</td>
<td>939</td>
<td>14</td>
<td></td>
</tr>
<tr>
<td>1854</td>
<td>9,756</td>
<td>2,439</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>1855</td>
<td>10,510</td>
<td>4,110</td>
<td>39</td>
<td></td>
</tr>
<tr>
<td>1856</td>
<td>10,500</td>
<td>4,297</td>
<td>41</td>
<td>93</td>
</tr>
<tr>
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<td>11,582</td>
<td>4,685</td>
<td>40</td>
<td>100</td>
</tr>
<tr>
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<td>12,562</td>
<td>5,518</td>
<td>44</td>
<td>137</td>
</tr>
<tr>
<td>1859</td>
<td>13,487</td>
<td>(5,373)*</td>
<td>(40)</td>
<td>148</td>
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<tr>
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<td>13,632</td>
<td>6,512</td>
<td>48</td>
<td>151</td>
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<td>14,247</td>
<td>6,902</td>
<td>48</td>
<td>174</td>
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<td>14,068</td>
<td>7,456</td>
<td>53</td>
<td>174</td>
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<td>18,605</td>
<td>(6,545)</td>
<td>(39)</td>
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<td>10,085</td>
<td>43</td>
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<td>10,404</td>
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</tr>
<tr>
<td>1871</td>
<td>26,107</td>
<td>(6,559)</td>
<td>(25)</td>
<td>145</td>
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<td>26,283</td>
<td>(7,512)</td>
<td>(29)</td>
<td>163</td>
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<td>8,545</td>
<td>38</td>
<td>210</td>
</tr>
<tr>
<td>1876</td>
<td>22,598</td>
<td>(7,928)</td>
<td>(35)</td>
<td>188</td>
</tr>
<tr>
<td>1877</td>
<td>22,933</td>
<td>(7,735)</td>
<td>(33)</td>
<td>180</td>
</tr>
<tr>
<td>1878</td>
<td>23,103</td>
<td>9,829</td>
<td>42</td>
<td>262</td>
</tr>
<tr>
<td>1879</td>
<td>23,174</td>
<td>9,441</td>
<td>41</td>
<td>238</td>
</tr>
<tr>
<td>1880</td>
<td>24,525</td>
<td>9,511</td>
<td>39</td>
<td>225</td>
</tr>
<tr>
<td>1881</td>
<td>23,654</td>
<td>10,296</td>
<td>43</td>
<td>254</td>
</tr>
<tr>
<td>1882</td>
<td>24,296</td>
<td>9,701</td>
<td>40</td>
<td>234</td>
</tr>
<tr>
<td>1883</td>
<td>25,074</td>
<td>9,240</td>
<td>37</td>
<td>242</td>
</tr>
<tr>
<td>1884</td>
<td>24,860</td>
<td>8,490</td>
<td>34</td>
<td>241</td>
</tr>
<tr>
<td>1885</td>
<td>25,347</td>
<td>8,947</td>
<td>35</td>
<td>225</td>
</tr>
<tr>
<td>1886</td>
<td>25,586</td>
<td>8,928</td>
<td>35</td>
<td>221</td>
</tr>
</tbody>
</table>

* The figures in parentheses represent corrections of the Commissioner's reports in respect to returns from Hamilton and Franklin counties. See page 217.
that year to at least the enrollment of its largest city, Cincinnati.\footnote{Benjamin W. Arnett, *Proceedings of the Semi-Centenary Celebration of the African Methodist Episcopal Church of Cincinnati...1874.* With an Account of the Rise and Progress of the Colored Schools of the City (Cincinnati, H. Watkins, printer, 1874), 67; Cincinnati Board of Education, *Annual Report*, 1873-1874, 51; 1875-1876, 70; 1876-1877, 73.} For the year 1886 it seems safe to discount the 2,348 reported for separate districts in Franklin County since by that time Columbus had ended its separate school. When these corrections have been made, the breaks from year to year become less drastic, but there still remain instances of pronounced change to consider.

From Table 4 it will be seen that the percentage and the absolute number of enrollees increased gradually until a peak was attained during the first half of the Civil War. A steady tapering off followed until it ended with a sharp drop from 1869 to 1870. After 1873 the minimum school age was raised from five to six, thus the enumeration after that date dropped somewhat. There were marked increases in 1875 and again in 1878, after which the percentage of Negro children enrolled in separate schools varied from 35 to 40 for the balance of the period of their operation.

The sizable changes in enrollment from one year to the next occurred in the 38 "continuous" counties
(those reporting schools throughout two-thirds of the period), because the other 50 of the state enumerated a comparatively small portion of the Negro population. In 1873, for example, 22,269 of the 26,303 Negro youth in the state lived in the 38 "continuous" counties. It would follow, then, that there were no shifts of importance resulting from the adoption or discontinuance of Negro schools by non-continuous counties.

The variation from 1869 to 1870 represented a decrease in absolute enrollment, in the proportion of the total enumerated who were enrolled, and undoubtedly in the number of schools as well, since the number of teachers declined. While contemporary sources say nothing about this and other variations it seems quite possible that the post-war decline represented a gain in the number attending schools with white children, since the complaints about school conditions after the war for the most part emphasized inequality of facilities offered rather than the absence of any facilities at all. This drop in the number of Negroes in separate schools probably is a reflection on the acceptance of the Negro into the political community that came with the adoption of the Fifteenth Amendment to the Constitution, and the general drive by Negroes and sympathetic whites for racial equality in public institutions.
There is a further suggestion of an increase in the number attending mixed schools, rather than a decrease in the number attending school at all, in the Census returns for 1870. With the reservation that comparison with census figures is only approximate since there is no breakdown according to private and public schools—although few Negroes probably attended private schools except at Wilberforce—and since there is no definition of the age groups reported as having "attended school," we find the following: The federal census reported 9,844 as having attended school in 1870; the Commissioner reported 6,317 enrolled in colored schools for 1870 (1869-1870) and 5,822 for 1871 (1870-1871).\(^4\) The increased level of Negro enrollees during the last half of the Seventies seems to indicate that more classes were being made available to them. At least the greater number of teachers suggests this. Perhaps the sharp increase from 1874 to 1875 was caused by the depression that set in during the autumn of 1873, and that from 1877 to 1878 was undoubtedly the result of the compulsory education law passed in the spring of 1877.\(^5\)


\(^5\)Laws of Ohio, 74(1877):57-59.
For the purpose of indicating geographical distribution of the colored schools in Ohio the author has denominated those counties which reported separate schools for over 21 of the 34 years of their operation from 1853 to 1887, and which reported constantly throughout the period— that is, in about two-thirds of the years and during some years of all the decades— as "continuous" counties. These counties are shaded on Map 9. The figures on the unshaded counties indicate the number of times during these years that enrollments were reported by the Commissioner.

As might be expected the "continuous" counties predominated in the southern half of the state, for the incoming Negro after 1850 tended to go there, where most Negroes lived. Still in the southern half of the state there were pockets where there were comparatively few Negroes, such as Perry, Noble, and Vinton Counties. Athens, Union and Delaware Counties reported colored schools fairly consistently until about 1870. In the northern half of the state five counties never reported Negro enrollments. They were Ottawa, Henry and Williams in the northwestern section; and Coshocton and Holmes to the east. In none of the censuses before 1900 did any of these five counties show over one hundred Negroes among their population. Holmes County, for example, had
The shaded counties reported colored schools for at least two-thirds of these years; unshaded counties reported for the number of years indicated on the individual counties.
five, four, two and six Negroes for the censuses from 1860 to 1900, respectively. Other counties reported a Negro school or enrollees for but one year. Paulding County, on the other hand, reported Negro schools consistently after 1856, Sandusky had Negro schools until 1861, and Toledo until 1871.47

Inadequacies of the Colored Schools

We shall see in the following chapter that repeal of the Black Laws was a far cry from being the end of persecution of the Negro. There were draft riots during the Civil War, and after the war ill feeling and contempt was expressed in such various ways as quick-on-the-trigger lynchings; exclusion from hotels, restaurants, and roller rinks; and even the naming of a pea shooter (of sufficient power to break windows) in Springfield, "nigger-shooter."48 However, the author has yet to encounter an instance where public Negro schools, or white teachers in these schools, were attacked because of their educational function. This was not unheard of in the

47Cowdery, "Local School History...Sandusky," [18] (in Historical Sketches of Public Schools in...Ohio); Toledo Board of Education, Minutes, 1871-1873, 63-54.

48Champion City Times (Springfield), March 15, 1887, 4:1.
reports of the women abolitionists of a previous chapter. After the Civil War, indeed, Negro teachers were apt to encounter more hostility from militant desegregationists of their own race.\textsuperscript{49}

If maintaining separate schools is granted to an example of race prejudice— for in some places they operated at the behest of Negroes— then the Western Reserve, as in the days of Black Law agitation in the Thirties and Forties, generally drew the color line less in areas where there were substantial numbers of Negroes than did counties south of the National Road. But perhaps it would be too much to hope for that the Northern area had an entirely

\textsuperscript{49}W. O. Bowles, of Dayton, and Peter H. Clark, of Cincinnati, were criticized for opposing integration. In Portsmouth the colored teacher was quite unpopular with some Negro elements of the city, because, one local paper said, he would not shoot craps, or hoist a few with the boys in their Negro taverns. As a consequence, a party was planned to "shoot him out of town." "...to accomplish this end they procured a cannon and would have had it ready for the occasion had not those from whom they intended securing the same, learned of their plans and thwarted any such disgraceful proceedings. Not to be checkmated, though, they got a barrel, built a fire on Eleventh street, near John, and amused themselves by taking the powder bags that were intended for the cannon and throwing them into the burning barrel. A crowd of some two hundred had collected around the ring leaders and it was a perfect bedlam until Officer Archie Justice came on the stage of action and speedily called a halt to their riotous proceedings." Portsmouth Tribune, August 26, 1885, 3:3. The teacher, W. B. Ferguson, resigned a few days afterwards. Portsmouth Times, August 29, 1885, 3:2.
spotless record in this respect, and it did not. Trumbull County (1864) reported a separate school for Negroes to have operated for 36 weeks for 1 pupil; Mahoning (1857), 1 for 11 weeks and for 5 enrollees; in 1858 there was a school for 115 reported from Lorain County, an enrollment so large that it could only have been at Oberlin; and during the 1885-1886 school year in Austinburg, a venerable former abolition center in Ashtabula County, a colored school was begun. Then in the 1890 census, of the 14 counties in Ohio reported to have Negro schools, half were the northern ones of Sandusky, Seneca, and Stark outside the Reserve; and Cuyahoga, Erie, Summit, and Mahoning within that area.

It was the proud boast of some Clevelanders (e.g., H. C. Smith of the Negro Cleveland Gazette) that they never drew the color line in their schools, and one historian of the city school system dismissed the whole idea rather summarily, suggesting perhaps, that such a condition in that city would have been unthinkable. We have seen in

50 Ohio Commissioner of Common Schools, Annual Report, 1856-1857, 103-107; 1857-1858, 11; 1863-1864, 73, 77; Ashtabula Sentinel (Jefferson), December 10, 1885, 1:5; February 18, 1886, 4:3.


52 Akers, Cleveland Schools, 29.
a previous chapter that Negroes were excluded at least some of the time before the Act of 1848, although after that date the city does not seem to have maintained public schools on a racial basis. There were times, however, just before and during the Civil War, when there were some who wished for a measure of distance between the white and Negro children in the schools. One example of this came in 1859 in the Sixth Ward of Cleveland where there were 38 Negro children, enough to establish a separate school in the opinion of some of its color-sensitive citizens. In December of that year one of them, L. A. Pierce, after sounding out some of the members of the Board of Education, and apparently believing he had lined up some support, presented a petition signed by himself and 23 others asking for a separate school, and expressing their willingness to be taxed extra if only the races might be separate "as the Creator designed them to be." 53 Expressing a regret over the necessity of the races to associate, the Board claimed that the school law of Cleveland did not give authority to segregate. 54 So Pierce tried again. This time he called on the Board to do the next best

53 *Cleveland Leader*, October 11, 1859, 3:3; December 20, 1859, 3:3; *Cleveland Plain Dealer*, February 14, 1860, 3:3.

54 *Cleveland Leader*, January 4, 1860, 2:3.
thing, have the teachers set the two races apart in the classroom. Desks in those days could hold two children and, of course, if care were not taken, whites and Negroes might be found sitting together in the same seat. Without invoking the special school law of Cleveland as a defense, the Board voted this down, too, although there seems to have been some support for the idea of requiring the teachers to give white children seats apart from Negroes, if the parents so requested.\footnote{Ibid., February 14, 1860, 3:3.} It might be argued that there would have been little sense in insulting Negro sensibilities by spelling out such a policy when in all probability such an arrangement prevailed in most cities. Still, it might have proved sufficient action to satisfy Pierce, who at this time seems to have lost patience, and began in a local paper to point a finger at the Board.\footnote{Cleveland Plain Dealer, February 14, 1860, 3:3.} It was Pierce's reference to one of the members that brought that member to assure Cleveland readers (by a public statement, although not an official one) that Pierce had not been disregarded, for the "Superintendent and teachers have been requested to respect prejudices of parents as well as children in the association of the school room."\footnote{Ibid., February 15, 1860, 3:3.} Apparently some members of the Board may
have sympathized with Pierce's wishes but did not want to take formal action on the subject, for a subsequent resolution at one of the Board meetings to have teachers seat whites in separate seats from Negroes failed. 58

The excuse that the special law of Cleveland did not permit separate schools was eliminated during the Civil War. In response to a petition of some 2,000 Cleveland citizens the General Assembly passed a law permitting, but not requiring, the city to have separate schools. 59 The Board never acted on the option, and Board minutes, news items, and letters to the editor printed in the local papers do not indicate pressure on the Board to do so.

The option law of 1863 was repealed in 1868. 60

These instances of drawing the color line, or the demands to have it drawn, even in sections of the state considered liberal in racial matters, suggest that in areas frankly antagonistic to the Negro discrimination would be more widespread. In respect to education this seems to have been manifested by the exclusion of many from school facilities, or in maintaining schools for a

58 Cleveland Leader, March 27, 1860, 3:3.


shorter length of time than for the whites; in providing inferior housing; and especially in depriving them of the benefits of graded schools and of going to schools nearest home. The discrimination in salaries, as we shall see, seems to have been less serious.

In 1865 Commissioner E. E. White estimated that Negroes were deprived of all public school facilities in half of the districts in which they were enumerated, although this does not tell us what proportion of all Negro youth were involved. To demonstrate his point he showed that 121 townships kept separate schools at a time when 171 had the requisite enumeration of over 20 Negro youth needed to form a district. Clermont County, for example, had five townships with more than 20 youth; yet not one colored school was reported. In Clinton County there were eight townships with a sufficient number of Negro youth; in two there were schools. In Fayette County the ratio was two out of six. The Commissioner does not say whether Negroes were able to attend the regular (white) schools in the counties involved, but the suggestion is strong that they were not. In addition to this report there is evidence of scattered instances of total denial.

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of education. During the Civil War (1863) the school board in Athens excluded Negroes from the town school, saying that when they could muster a daily attendance of a separate school would be provided. In 1864 several citizens of Perry Township in Fayette County secured an injunction which required that the local school board exclude Negroes from the white school where they had been attending. In the 1867-1868 school year Negroes of Wapakoneta were denied admission, and were told a separate school would be provided when the minimum for a district (over 20) was enumerated in the town.

There is a suggestion that in 1870 some places in northern Ohio were also remiss in enrolling Negroes in their schools. If we combine the census of that year with the Commissioner's reports for 1869-1870 and 1870-1871 we arrive at the figures below. The first column is the census returns of those attending (any school); the columns in brackets are the enumerations for 1869-1870 and 1870-1871, respectively:

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62 Athens Board of Education, Minutes, January 20, 1863.

63 Register and People's Advocate (Washington Court House), October 5, 1871, 2:5-6.

64 "History of Wapakoneta Schools," 6 (in Historical Sketches of Public Schools in...Ohio.)

Allen 25 (55, 72)
Ashland 1 (9, 17)
Erie 29 (73, 118)
Ottawa 0 (13, 15)
Portage 9 (31, 44)
Van Wert 12 (57, 75)
Wyandot 8 (30, 21)

It should be noted at this point that there were some school districts that did not exclude, but went to what must have been a measure of trouble to avoid having Negroes sit in the regular schools with their paler brothers. We have already noted the instances where Trumbull County reported one enrollee, and Mahoning five. The author has counted at least 15 instances where schools for Negroes were reported with less than 20 enrolled. Some were as low as Mahoning; for example, five in Perry County (1858), five in Meigs County (1873), and four in Hocking County (1881).66

Just what was to be done for Negroes in these districts with enumeration below the minimum was one of the first problems in this area to face the Commissioner. The law of 1853, contained this last vague provision:

...and if the number of colored children shall be less than fifteen, the directors shall reserve the money raised on the number of said colored children, and the money so reserved shall be

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appropriated for the education of such colored children under the direction of the township board.67

Commissioner Barney held that the money raised in such circumstances could be used to give them private instruction, to hire the district teacher for classes during off-hours or during the summer vacation; or else the Negroes might be admitted to the regular district schools. And as we have seen the law was amended in 1864 to require boards to make such provisions each year, which, in effect, forbade them to hoard the money, promising to spend it when a sufficient amount for a school had been accumulated.68 In some instances, there was not even the promise of a school eventually; all the money received by the district (some on Negroes included in the enumeration) was spent for the white schools, while the Negro was excluded from those schools. This Commissioner White called the essence of meanness.69 An example of this occurred in Mifflin Township of Franklin County. Here the Negro children had been enumerated, and money drawn upon them for four years, and no schools had been provided for them.70

69Ohio Commissioner of Common Schools, Annual Report, 1863-1864, 151; 1870-1871, 40.
70Toledo Commercial, November 14, 1870, 2:3.
But even in cases where communities attempted to carry out Barney's ruling in good faith, there was still the question of how, practically, this was to be done. Commissioner E. E. White estimated, that, as a crude index, it took the tuition of two students to keep a school open for one week; obviously if the enrollment were much below 20, or even 30, a school could not be kept open for long. Besides, it would be difficult to secure a competent teacher to accept such a position; and the parents of Negro children, like those of whites, often felt the need of the income from their children's labor during the summer months. Commenting some years later, former Commissioner White termed this particular provision of the school law as "a disgraceful fraud." Apparently with the passage of the Fourteenth and Fifteenth Amendments to the Constitution the opportunity for all Negro children to obtain some education improved during the Seventies. The court cases under the Fourteenth Amendment were not on the question of exclusion from all schools, rather exclusion from ones conveniently nearby, or from those with proper graded facilities. In

71Ohio Commissioner of Common Schools, Annual Report, 1864-1865, 46.
1874 Commissioner Thomas Harvey wrote that although few Negroes were deprived of any education, provision for them was still inadequate. The following year Commissioner Charles Smart added that the provisions in the city were adequate.

To examine the quality of facilities for Negro education a bit further a listing of the length of the school years, as given in the several reports of the Commissioner, has been abstracted to form Table 5. The time units and the types of schools are not consistent throughout the period. For the first three years the school year is expressed in months; for the next seven, months and days are used; and after 1863, time is expressed in terms of weeks. Since in but a few instances the Negro schools did not contain grades of high school level, comparison is made only with the white common (below high) schools. There is no common school-high school distinction for the years 1869 and 1870; consequently these years have been omitted from the table. After 1870 a distinction is made between township and separate districts as well as by races. Separate districts were those areas authorized to incorporate apart from the township district. Most urban areas fell in this classification.

73Ohio Commissioner of Common Schools, Annual Report, 1873-1874, 19.
74Ibid., 1874-1875, 26.
TABLE 5

LENGTH OF SCHOOL YEAR IN MONTHS, WEEKS, OR DAYS OF OHIO COMMON SCHOOLS AS REPORTED BY THE COMMISSIONER OF COMMON SCHOOLS, FROM 1855 TO 1886

<table>
<thead>
<tr>
<th>Year</th>
<th>White Schools</th>
<th>Negro Schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>1855</td>
<td>5 5/8 m.</td>
<td>4 3/4 m.</td>
</tr>
<tr>
<td>1856</td>
<td>6 1/10 m.</td>
<td>5 4/5 m.</td>
</tr>
<tr>
<td>1857</td>
<td>5m. 23d.</td>
<td>5m. 11d.</td>
</tr>
<tr>
<td>1858</td>
<td>6m. 7d.</td>
<td>5m. 2d.</td>
</tr>
<tr>
<td>1859</td>
<td>6m. 6d.</td>
<td>4m. 19d.</td>
</tr>
<tr>
<td>1860</td>
<td>6m. 4d.</td>
<td>5m. 7d.</td>
</tr>
<tr>
<td>1861</td>
<td>6m. 6d.</td>
<td>5m. 8d.</td>
</tr>
<tr>
<td>1862</td>
<td>6m. 3d.</td>
<td>5m. 6d.</td>
</tr>
<tr>
<td>1863</td>
<td>6m. 2d.</td>
<td>5m. 4d.</td>
</tr>
<tr>
<td>1864</td>
<td>25.15 w.</td>
<td>22.23 w.</td>
</tr>
<tr>
<td>1865</td>
<td>25.78 w.</td>
<td>20.66 w.</td>
</tr>
<tr>
<td>1866</td>
<td>27.29 w.</td>
<td>22.24 w.</td>
</tr>
<tr>
<td>1867</td>
<td>27.33 w.</td>
<td>21.56 w.</td>
</tr>
<tr>
<td>1868</td>
<td>27.81 w.</td>
<td>22.91 w.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Year</th>
<th>twp.</th>
<th>separate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1871</td>
<td>25.60w.</td>
<td>36.84w.</td>
</tr>
<tr>
<td>1872</td>
<td>26.37w.</td>
<td>34.18w.</td>
</tr>
<tr>
<td>1873</td>
<td>26 w.</td>
<td>33.95w.</td>
</tr>
<tr>
<td>1874</td>
<td>27 w.</td>
<td>33 w.</td>
</tr>
<tr>
<td>1875</td>
<td>27 w.</td>
<td>33 w.</td>
</tr>
<tr>
<td>1876</td>
<td>27 w.</td>
<td>34 w.</td>
</tr>
<tr>
<td>1877</td>
<td>28 w.</td>
<td>34 w.</td>
</tr>
<tr>
<td>1878</td>
<td>28 w.</td>
<td>37 w.</td>
</tr>
<tr>
<td>1879</td>
<td>28 w.</td>
<td>36 w.</td>
</tr>
<tr>
<td>1880</td>
<td>28 w.</td>
<td>37 w.</td>
</tr>
<tr>
<td>1881</td>
<td>29 w.</td>
<td>34 w.</td>
</tr>
<tr>
<td>1882</td>
<td>29 w.</td>
<td>35 w.</td>
</tr>
<tr>
<td>1883</td>
<td>28 w.</td>
<td>32 w.</td>
</tr>
<tr>
<td>1884</td>
<td>29 w.</td>
<td>34 w.</td>
</tr>
<tr>
<td>1885</td>
<td>29 w.</td>
<td>34 w.</td>
</tr>
<tr>
<td>1886</td>
<td>29 w.</td>
<td>33 w.</td>
</tr>
</tbody>
</table>

twp. separate
It will be noticed that for most of the years before 1869 colored schools averaged about a month less than those for whites. In the township districts during the Seventies there was a difference of a few weeks. In the separate districts, however, the school year was nearly identical, and after 1875 there was little difference in either type of district between those for Negroes and those for whites. For both Negroes and whites it was better to live in an urban environment if one wanted to have a longer school year. These of course are averages, and can hide instances of gross favoritism. A Fayette County auditor reported in 1872 that only one township in that county had equal school terms for whites and Negroes. In two others the school year for the whites was 28 weeks, for Negroes 12; in another township the comparative figures were 26 and 12.75

We also have comparisons of salaries for Negro and white teachers in the common schools, until the year 1868. In Table 6 the figures are given by the Commissioner of Schools in the average per month, by sex and races. It would appear from the wages given before 1869 that racial differences for male teachers were not of much significance. Much more striking is the differences between the wages of

75Ibid., 1871-1872, 169.
TABLE 6

AVERAGE SALARY IN DOLLARS PER WEEK FOR OHIO COMMON SCHOOL TEACHERS, BY SEX AND RACE, FROM 1855 TO 1869, AS REPORTED BY THE COMMISSIONER OF COMMON SCHOOLS

<table>
<thead>
<tr>
<th>Year</th>
<th>Male Teachers</th>
<th>Female Teachers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>White</td>
<td>Negro</td>
</tr>
<tr>
<td>1855</td>
<td>25.02</td>
<td>25.40</td>
</tr>
<tr>
<td>1856</td>
<td>26.70</td>
<td>25.73</td>
</tr>
<tr>
<td>1857</td>
<td>27.71</td>
<td>27.28</td>
</tr>
<tr>
<td>1858</td>
<td>27.89</td>
<td>27.24</td>
</tr>
<tr>
<td>1859</td>
<td>27.82</td>
<td>26.90</td>
</tr>
<tr>
<td>1860</td>
<td>27.81</td>
<td>27.50</td>
</tr>
<tr>
<td>1861</td>
<td>27.81</td>
<td>26.09</td>
</tr>
<tr>
<td>1862</td>
<td>26.35</td>
<td>24.48</td>
</tr>
<tr>
<td>1863</td>
<td>25.73</td>
<td>25.81</td>
</tr>
<tr>
<td>1864</td>
<td>28.25</td>
<td>27.74</td>
</tr>
<tr>
<td>1865</td>
<td>36.25</td>
<td>34.42</td>
</tr>
<tr>
<td>1866</td>
<td>37.51</td>
<td>35.58</td>
</tr>
<tr>
<td>1867</td>
<td>38.52</td>
<td>37.44</td>
</tr>
<tr>
<td>1868</td>
<td>39.86</td>
<td>37.79</td>
</tr>
</tbody>
</table>

white and of Negro women teachers, where the latter seem to have done much better. Perhaps this is a reflection of the demand for colored teachers. Peter Clark complained that the demand was so great that many of them left the colored high school in Cincinnati as soon as they had completed the very minimum course to qualify for positions. It would seem that school authorities were not particularly

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76Cincinnati Board of Education, Annual Report, 1875-1876, 117-118.
worried about the wolf at the door of the white school marm— as long as he was not some egalitarian bent on amalgamation. During the period after 1869 it is uncertain whether there was extensive salary discrimination. In fixing the wages of teachers experience was usually considered, so in the isolated instances we have there is no certainty whether the differentials were based upon race or not. It is true that supervisory personnel salaries usually favored the whites, if Cincinnati and Springfield are typical examples. In Columbus, on the other hand, a schedule was established based on sex and experience. It does not seem, however, from complaints about the schools, that salary discrimination was a serious matter.

Much more a subject of criticism by the Negro in his quest for equality was the disparity in the housing of the schools for the two races. The manifest inferiority of the school building in Toledo will be described presently. In the fall of 1885 one school in Springfield was so overcrowded that students had to sit within 18 inches of the stove; and, in addition, there was an

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77 Xenia Gazette, July 14, 1874, 3:3; see also, fn. 35.

78 Columbus Board of Education, Annual Report, 1881-1882, 55.
overflow into the basement which was reached by a "dark, narrow stairway."\textsuperscript{79} The school in Hamilton started out in a "shanty."\textsuperscript{80} At other places the Negro child got his own school building when the whites were through with it. This was the case with the colored school in Cadiz, and with the Loving School in Columbus.\textsuperscript{81} By 1878 there was a demand in Zanesville for a new (white) high school by "every consideration of safety and decency;" when the new high school (for whites) was indeed built in 1883, the old one was reported safe for school purposes, painted inside and out, fitted up with new shutters and windows, and turned over to Negroes for a school.\textsuperscript{82} Many of the early Negro schools were for no more than a single class, and in such cases usually a single room was rented for their accommodation, especially a room in a colored church. Cadiz, Piqua, Urbana, and Walnut Hills began in this way.\textsuperscript{83}

\textsuperscript{79}Cleveland Gazette, July 31, 1886, 1:3-4.

\textsuperscript{80}"History of the Educational Progress of Hamilton, Ohio," 15 (in Historical Sketches of Public Schools in Ohio.)

\textsuperscript{81}Eckley, History of Carroll and Harrison Counties, 375; Columbus Board of Education, Annual Report, 1874-1875, 137.

\textsuperscript{82}Zanesville Courier, May 23, 1878, 4:2; Zanesville Signal, January 9, 1883, 4:3.

\textsuperscript{83}Eckley, History of Carroll and Harrison Counties, 375; Hoover, Memoirs of the Miami Valley, 1: 589; Ohio Colored Teachers Association, Transactions...1861, 3.
After the Civil War several of the larger towns of the state provided separate buildings for Negroes, and, except for a few places with large numbers of the race, these buildings were one or two-room structures. While complaints about exclusion and the shorter school year tended to become more infrequent after 1870, criticism of poor school buildings continued as part of the general indictment of the separate school in the post-war period. The second specific complaint by Negroes was the distance their children must travel to reach the colored school.

We will remember that according to the terms of the laws of 1864 and 1878 school authorities in adjoining districts were permitted to cooperate in maintaining one school. This means that the potential size of rural Negro districts was not limited to one township. Whether a joint district or one comprising a single township, the geographical area was apt to be oversized. In very few cities was there more than one colored school, and in most the entire city was a single district. (In some, however, Negroes in outlying areas were allowed to attend the ward schools along with white children.) As Negro parents and champions of racial equality pointed out over and over again this could mean, and undoubtedly

84Laws of Ohio, 61(1864)32-33; 75(1878):513.
did, a distance of several miles to walk to school, which, for children of young age, was equivalent to exclusion. Even for older ones a walk of three miles or more must have consumed a great deal of time and left them fatigued when it came time for recitation. In stormy weather, of course, it would mean another day absent from school, and according to some Negroes this was the principal cause of absenteeism. It would not do to be reminded that in earlier generations whites had just as hard a lot; as long as more conveniently located facilities were within purview, Negroes naturally demanded admission. 85

For this complaint there was no relief in Common Pleas, state Supreme, or in the Federal Courts. Much of the hope of the Negro was based on that part of the Fourteenth Amendment which reads:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States. To the politically unsophisticated Negro this clause, intended to curb a resurrection of Southern white Democracy and to prevent abuse of former slaves, meant that insofar as a thing was public he was to have it as good as the whites. Naturally he would, and did, contend that

85_Toledo Commercial_, January 24, 1870, 2:3._
suffering over-sized school districts was an abridgment of his privileges of citizenship. In the Township of Norwich, in Franklin County, Sub-district Nine was furnished a school for whites, while Negroes who lived in its geographical limits were to attend a school house located in the Village of Hilliard, to which the subdistrict was attached to make a joint-district. A colored school patron in the sub-district sued on the basis that such an arrangement violated the Fourteenth Amendment. First, he contended, Negroes did not have privileges equal with the whites, in this case of going to the nearest school; and second, they did not have a part in the election of officers who had control of the educational destiny of his children. (It will be remembered that educational affairs of joint districts were administered by the school officers of the district in which the school house was located.)

In the resultant case (1871), *Games v. McCann*, the Ohio Supreme Court interpreted both the Ohio and the U. S. constitutions strictly. It was held that the state constitution made restrictions only in matter of religion (no funds for sectarian schools) but none on classification

account of color. Thus the school law did not contravene the Ohio constitution. Classification did not deny the right of citizenship or of equal protection of the laws; thus, classification did not violate the Fourteenth Amendment. For the court to apply the guarantee of immunities beyond what was specifically provided by the federal constitution, the court held, would be to open a veritable floodgate of demands. This point, however, was academic. There was no abridgment of rights in this case, for education was provided for Negroes, and they had their share of public funds for that purpose. In the words of the court "Equality of rights does not involve the necessity of educating white and colored persons in the same school, any more than it does that of educating children of both sexes in the same school."

Negroes in the cities received no more sympathetic treatment. The Hamilton County District Court denied (1876) a similar plea by Hensley Lewis for a writ of mandamus to compel admission of his children to the intermediate grade schools of the white (Twenty-first) district of the area, rather than to make them walk four miles, past white intermediate schools, to a Negro school offering the desired instruction.87

87State of Ohio ex rel. Hensley Lewis v. the Board of Education of Cincinnati, 1 Wkly. Law Bul. 139.
The opinion of the court pointed out that not all students could be within equal distance of the school they attended, that some lived closer to the schools of another district than their own, and that, for their part, some whites must pass Negro schools on the way to their own. As the court explained, as one belongs to a classified group which is small, the fewer the available schools, the less the convenience. As intermediate students pass primary schools on the way to their own building, this sort of logic would have it, so must Negroes pass white schools in reaching the colored schools to which they are assigned. Classification was of accepted legality, and the Negro schools of Cincinnati had equal facilities. The point at question, therefore, was the matter of distance. On this the court ruled that

...as the only inconvenience complained of is taking a long walk, which walk is not longer than children must take who go to other schools, such as high schools, and less than some must take who go to university, that is not such an objection as would warrant the court in setting aside the classification that has been adopted by the school board under the direction of the legislature and has been sanctioned by the supreme court.

A third attempt to gain admission to a closer school was attempted in an Ohio court. Judge Lincoln of Pickaway County Common Pleas court (1884) refused to grant a writ of mandamus to compel the admission of the Negro children of William Bass into the district (nine) school
only three hundred yards away, rather than go to the colored school, reportedly three miles distant. In 1882, under a federal civil rights bill, a suit involving a similar complaint was brought into the Federal District Court in Cincinnati. In this case James Vines, a sixteen year old Negro lad from Washington Township in Clermont County, asked for damages because he was denied admission to a school for whites, three miles away, and was told to attend the Negro school, about five miles distant. Such a case involved a jury trial, and in the charge to the jury, Judge Baxter reviewed the law involved. There admittedly was a school for Negroes, and it admittedly was constitutional for the state to "classify" according to race. But, Judge Baxter told the jury:

...if, as has been contended, you shall find that said colored school was so remote from the prosecuting witness' residence that he could not attend it without going an unreasonable and oppressive distance; that the school did not offer substantially the same facilities and educational advantages that were offered in the school established for the white children, and from which he had been excluded--then and in that event he was entitled to admission in said last-named school, and his exclusion therefrom was a denial and a deprivation of his constitutional right. How the facts are is your province to decide.

88Cleveland Gazette, June 7, 1884, 2:1-2.

89United States v. Buntin, 10 Fed. 730. Judge Baxter took the same position when the question of Negroes attending a convenient school came before him in a suit by Springfield Negroes. See Chapter VI, note 117.
The jury disagreed on the facts, but this was a more liberal position than the Hensley case, and perhaps if separate schools had been continued a bit longer some standard of oppressive distance would have been defined. Perhaps some judge might even have been found who would have held that any distance farther than the district in which the Negro lived was an oppressive distance. This is a possibility that must have frightened more than one segregation-minded school board.

It should be mentioned, in fairness to school boards in cities with segregated schools, that in some (e.g., Columbus, Dayton) Negro children were allowed to attend the district schools in some of the outlying areas. In Zanesville there was a juggling of school sites to provide a more central location. Undoubtedly

90 *Dayton Journal*, February 20, 1885, 3:3; Columbus Board of Education, Annual Report, 1881-1882, 96.

91 *Zanesville Courier*, August 14, 1878, 3:3. In Springfield some Negroes were not as interested, it would seem, in remedying specific complaints as in moving forward on a broad front towards equality. After complaining about the overcrowded Negro school, they attempted to block construction of a new building. Perhaps it was thought no colored school system could be as good as one mixed, but obviously sensitivity to the color line was a basic concern as well. *Cleveland Gazette*, April 12, 1884, 2:5; August 30, 1884, 2:3; July 31, 1886, 1:3-4; September 18, 1886, 2:3. One Negro contemporary growled, "Springfield's mongrel school board will purchase a lot and put up another school 'for Negroes only'...." *Cleveland Gazette*, October 30, 1886, 1:1.
there were many conscientious board members who tried to provide as good facilities as possible, but in no city, and without doubt in most townships, were there as many colored schools as white schools. Nor could there be, without maintaining schools whose enrollment would be economically unjustifiable. Thus, the facilities were not equally available in respect to nearness to home, and the only practical way of reaching such equality was to mix the schools. The demand for equal convenience was a factor in the Negro's general case for integration.

A second potent force pushing toward partial mixing, if not total integration, was the demand for participating in the graded school systems which had been established for whites in Ohio even in antebellum days. Cincinnati might be able to approach a fairly complete graded system for Negroes with their twenty-eight teachers by the school year 1886-1887, but a force of this size was exceptional. The typical number in the teaching forces of the colored schools of Columbus and Gallipolis was about six; Circleville, Zanesville, and Portsmouth, about four; while Bellefontaine in 1880 had one teacher for both elementary and high school grades. If

92 Cincinnati Board of Education, Annual Report, 1886-1887, 102.

93 Columbus Board of Education, Annual Report, 1873-1874, 291; 1880-1881, 87; Zanesville Courier, May 22, 1878, 4:4; Gallipolis Bulletin, June 14, 1887, 4:2;
other factors were equal, the quality of instruction was higher where the teacher could specialize in, and concentrate on, only one grade; but a staff numerous enough to make this possible in turn depended upon a sufficient enrollment to make it economical. As one Dayton Negro complained, he was told by the principal of the colored school that Negro children did not make better progress because the teachers had too many grades to handle; and in turn the white school board said that more teachers could not be hired because the enrollment would not justify it. As with the problem of over-sized school districts, the economical and practical answer to achieving equality in educational opportunity seemed to lie in attending the regular (white) schools.

Some communities did attempt to provide a colored equivalent to the graded white schools. On the argument that a high school was needed to train teachers for Negro schools, a board of education, apprehensive of the cost, approved the opening of the Gaines high school (for Negroes) in Cincinnati in 1866 by the margin of one vote. It was named after John I Gaines, for years clerk of the colored school board, and a pioneer in agitation for the

September 17, 1889, 3:2; Portsmouth Times, June 27, 1885, 3:3; Circleville Union-Herald, April 16, 1885, 1:6-7; History of Logan County (Chicago, O. L. Baskin Co., 1880), 348.

94 Dayton Democrat, July 2, 1885, 4:3.
establishment of Negro control over their own schools. During the first years the purpose of founding overshadowed its curriculum, as the course of study pointed to preparing students for the teacher certification examinations, to the neglect of the "so called cultural" subjects, possibly meaning drawing, music and foreign languages. According to its principal, Peter H. Clark, the demand for its graduates was such that few stayed to complete its full slate of offerings. By 1876 Clark could report that its course of study was equal to that of the two white high schools; yet, when segregation was put on a voluntary basis in 1887 in Cincinnati, the Gaines High School was one of the first casualties.95 Pupils preferred the (white) Woodward or the Hughes High Schools.

95 Shotwell, History of Schools of Cincinnati, 458-459; Cincinnati Board of Education, Annual Report, 1875-1876, 117-118.

While this study is limited principally to primary and secondary education, a few words should be said about a new Negro college, founded in this period, which also included work below the college level and for teacher-training as well. This, of course, was Wilberforce.

In 1853 the Cincinnati Conference of the Methodist Episcopal Church appointed a committee to report a plan for the mental and moral elevation of the Negro population of the state. This set into motion a series of activities which culminated two years later in the purchase of a former resort site near Xenia for $13,000, and the opening of a school there in 1856. The title of "Ohio African University" was first suggested, but finally the present-day name of Wilberforce University, in honor of the British abolitionist, was adopted. According to earlier resolutions of purpose the new
By 1873 there were in various cities qualified Negroes who were beginning to ask instruction in high school subjects, a situation which presumed admission to white schools in those cities which did not have those grades in their colored schools. By coincidence the problem came the same autumn (1873) to Xenia and to Zanesville. In Xenia the applicant was the daughter of the Negro Councilman, C. E. Jackson, who had been elected from a ward where Negroes outnumbered whites.

Institution was intended to prepare teachers, and to educate colored people in general.

With the withdrawal of Southern Negroes (offspring of slaveholders) when the Civil War broke out, operations were discontinued in 1862. The following year the African Methodist Episcopal Church, which had already cooperated with the Cincinnati Conference in planning the school, sold the property of its manual labor school north of Columbus (Union Seminary, defunct by 1858), and purchased the Xenia property for $10,000. Its guiding genius in the early years of A.M.E. operation was Bishop Daniel E. Payne, who raised it from an obscure beginning in 1863 with only six students, to a going concern. Subsequent financial difficulty brought a request for state aid in 1887, and out of this aid developed the quasi-independent C.N.I. (Combined Normal and Industrial) Department, which was vocational and teacher-training in its emphasis. As a result, by the time of World War I, essentially two Negro institutions were operating at the Xenia site. Daniel A. Payne, "Historical Sketch of Wilberforce University," (in Historical Sketches of the Higher Educational Institutions, and also of Benevolent and Reformatory Institutions of the State of Ohio [?Columbus, ?, 1876]); Frederick A. McDinnis, A History and an Interpretation of Wilberforce University (Blanchester, Ohio, Brown Publishing Co., 1941); U. S. Bureau of Education, Bulletin, 1916, No. 38. Negro Education a Study of the Private and Higher Schools for Colored People in the United States, 2:683-687.
206-129. But instead of admitting her to the city high school, the School Board decided that since one of the colored teachers was not overburdened with pupils (19), it would be no task for him to provide instruction for her in the desired high school subjects. To make clear the high-school level of his new responsibilities, the teacher's salary was raised to that of a principal. It was provided further that all the additional apparatus needed to make his instruction equivalent to that of the regular (white) high school would be made available. But, as the resolution of the Board proclaimed:

...all colored children of legal school age in the district attending or desiring to attend the schools thereof, shall have free admission to said separate schools for the colored children and no other.96

In Zanesville the situation and the solution were much the same as in Xenia. Two Negro youths were denied admission into the high school by an eight-to-two vote of the Board. It was decided to have one of the teachers handle the advanced subjects, and in order to free him for these additional duties, to hire an assistant for him. The total bill for this high school course was $300, or $150 per pupil, which meant, of course, that the cost of segregation was rather high, as the Board members noted.

96Xenia Gazette, September 16, 1873, 2:1-2; September 23, 1873,1:8.
when compared with the estimate of $50 per pupil in the regular high school. 97

Besides Cincinnati, Xenia, and Zanesville, there were classes established dealing with high school level subjects in other communities when students were ready for the work, and when their parents were aggressive enough in their demands. 98 Still, the expense of providing equality in high school instruction, or even of providing any instruction at all, was more than many communities would undertake in order to maintain the color line. It isn't surprising, therefore, that some communities came to adopt the policy of keeping separate schools for the first eight grades or so, but admitting Negroes to the high school. This was the case at least in Columbus, Springfield, Marietta, Lancaster, Urbana, and Bellefontaine. 99 After a common pleas court writ of mandamus

97 Zanesville Courier, September 10, 1873, 4:3-7; September 15, 1873, 4:3-6.

98 Circleville Union-Herald, April 6, 1885, 1:6-7; Gallipolis Journal, September 16, 1885, 3:3; "History of the Public Schools of Ripley, Ohio," 7 (in Historical Sketches of Public Schools in...Ohio).

99 Columbus Board of Education, Annual Report, 1881-1882, 95-95; Cleveland Gazette, June 28, 1884, 1:2; June 20, 1885, 2:2; August 22, 1885, 1:2; Marietta Register, September 6, 1883, 2:1; Ohio Eagle (Lancaster), January 13, 1881, 3:2.
ordered admission of Negroes into the Portsmouth High School, the Board of that city, in the interest of economy, decided to mix the grammar grades as well. This left Portsmouth with separate schools only for the first few primary grades. Troy, in Miami County, similarly integrated all grades above the primary level.

Integration by Local Initiative

Statewide compulsory separate schools for Negroes was ended in 1887, but even before that year complete integration was ordered in some communities which for years had operated a separate system. Both Toledo and Delaware integrated their school systems in 1871. In 1882 Columbus abandoned its Negro school. After a brief flurry during which one of the white patrons withdrew his child, Marietta mixed its system in 1883. In

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100 Portsmouth Times, October 24, 1885, 3:3; November 14, 1885, 2:4; December 12, 1885, 3:2.

101 Cleveland Gazette, July 4, 1885, 1:1.

102 Toledo Board of Education, Minutes, 1871-1873, 61-64; Delaware Gazette, June 21, 1871, 3:3.

103 Columbus Board of Education, Annual Report, 1881-1882, 95-96.

104 Marietta Register, September 20, 1883, 3:4; Ohio State Journal, September 12, 1887, 1:2. There was some grumbling about the action by the Board, presumably because the move came without warning. Actually the Board did not plan the "consolidation" that year, but
1885 the colored school was abolished in Piqua, and the following year in Lancaster.\textsuperscript{105} The reaction of Negroes to their separate schools, and of white citizens of various Ohio communities to the proposition of mixing the schools presented many forms. In Toledo there was plenty of Negro leadership, not a great deal of public opposition, and it was mostly a matter of overcoming the opposition of the President of the School Board. In Columbus the School Board seemed fairly conscientious in providing comparable facilities for the two races, at least from the standpoint of convenience, and in the process of contemplating the building program necessary for such a program, it ended by mixing the system. In Dayton public opinion of the whites was apparently ready for integration, but Negro leadership of the city could not agree on the move. In Zanesville the colored community seemed to have desired integration, but did not demand decided on it as an emergency move when Friday before school opened the colored school teacher resigned to become a mail clerk. \textit{Marietta Times}, September 6, 1883, 3:2. The President of the Board had published a note to explain the action of the Board and allay dissatisfaction with the turn of events. Its reasons were: (1) with the resignation, the Board was faced with the choice of consolidation or suspension of the colored school; (2) consolidation would save $500-$600 a year; (3) Justice to Negroes, by giving to them the benefit of graded schools, which they lacked in the colored school where one teacher handled eight grade levels. \textit{Marietta Register}, September 6, 1883, 2:4.

\textsuperscript{105}\textit{Ohio Educational Monthly}, 34(1885):466; \textit{Lancaster Gazette}, June 30, 1886, 3:3.
action beyond additional buildings and grades.\textsuperscript{106} In Gallipolis there was little agitation, and even when compulsory segregation was ended in 1887, the Negroes made no move to enter the white schools that year. In Delaware, indeed, Negroes asked for continuance of their school, proclaiming that such schools "are bulwarks to the liberties of the colored people, and must be guarded with unflagging vigilance."\textsuperscript{107} To provide a somewhat closer view of the progress of integration as a local action, and to show the nature of some of the agitation involved, the author has selected the experiences of four communities for a more extended treatment. The story in Lancaster is quite short, but does present an example of initial reaction to an attempt at mixing below the high school, which was followed by acceptance of integration a few years later. Toledo was the first major instance of integration after the Civil War, and was largely the work of Negro agitators and a white journalist ally. Columbus is an illustration of integration resulting from an administrative desire to remove the necessity of providing convenient buildings for a separate system. And last, Dayton, as has been mentioned before, is an example of a city

\textsuperscript{106}Zanesville Courier, July 17, 1878, 4:3.

\textsuperscript{107}Delaware Gazette, June 21, 1871, 3:3.
where Negro division of opinion hindered the integration of the school system.

In December 1860 overcrowding in Lancaster's one-room school building for Negroes (daily attendance averaged 30) led to a request by its teacher that a dozen or so of the more advanced grammar level students be distributed among the regular schools of the city. It was not the intention of some of the members of the Board who approved the action that this was to remain a permanent arrangement, and in following meetings of the Board plans were discussed to divide the building into two rooms. But when the Board meeting of January 6, 1881 failed to produce authorization for the partition, a protest meeting was organized by a segregationist of the town, Tom B. Cox, Jr., where it was demanded that the students return to the colored school, and where the Board was censured for its arbitrary action in flouting the law requiring separate schools and public opinion which approved of such a law. Cox got 1,018 signatures for his petition calling for rescinding of the partial integration, and only 118 persons refused to sign. A subsequent meeting of

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108 Ohio Eagle, January 13, 1881, 3:1, 2.
109 Ibid., March 17, 1881, 2:4-5.
the Board, while providing for partition of the building, did not recall the Negro students from the white schools. This led Cox to call for the election of Board members who would protect the interests of white children, and to offer himself as a candidate. And, indeed, he was elected.

At its first meeting after the election the Board ordered the return of the Negroes to the colored school building.

Lancaster was a community where integration, partial though it was, came before the public was ready for it, but at that it is possible the arrangement would have passed without incidence had not there been an agitator to complain. The editor of the local Ohio Eagle frankly said that no one had the "backbone" to move in the matter until Cox called the meeting. The fact that Cox could get over a thousand signatures for his petition suggests that many approved of his opposition to "Mexicanizing" the city. And, as a friendly editor noted, his election to the School Board, with his position known as it was, indicated that the city opposed even this limited amount of mixing.

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110 Ibid., March 10, 1881, 3:1.
111 Ibid., March 17, 1881, 2:5; April 7, 1881, 3:2.
112 Ibid., April 14, 1881, 3:1.
113 Ibid., January 20, 1881, 3:2.
114 Ibid., January 13, 1881, 3:2.
115 Ibid., April 7, 1881, 3:2.
Yet when Cox ran again for the School Board, three years later, on the same program of being a defender against mixing in the schools, he was defeated. Maybe the city had had enough of agitation; perhaps after the example of Columbus, the integration proposition did not seem so terrifying. Then again, they simply may not have been impressed with Cox’s claim for support— that he had done his best to get a fence erected between the Negro and white playgrounds (they occupied the same lot), and that he had put an end to Negro girls and boys using one side of the white girls’ privy.  

The disgusted Ohio Eagle editor commented, "Brother Cox had too much platform." The repudiation of Cox ended the agitation over mixing in Lancaster. Two years later, as a surprise to many, the Board ordered integration of the schools beginning that autumn (1886). There was not a dissenting vote. The colored school was then turned into a residence for the janitor of the nearby white school.

We have no minutes of the school board of Lancaster for these years, and all that local papers offered

117 Ibid., April 10, 1884, 5:1.
118 Ibid., July 1, 1886, 5:4; Lancaster Gazette, June 30, 1886, 3:3.
119 Ohio Eagle, August 5, 1886, 5:1.
in explanation was that it followed a report by the Superintendent. Perhaps it was simply a matter of economy. While it seems to have been ordered for administrative convenience, and was not the result of politics or agitation, the Board undoubtedly was aware that the Arnett Bill ending compulsory segregation had already passed the House in the General Assembly, and that passage in the Senate the following spring was quite probable.

By the time the story of desegregation began in Toledo (1869) the slaves had been freed, there was all sorts of talk about a new era having dawned, and Negro brothers down South were beginning to hold offices of trust. It was only natural that in such a period Negroes of Toledo should look around at themselves, and what they saw, at least as far as their school house was concerned, they did not find good. There is some question as to whether the building was new when it was provided for Negroes in 1856, but by 1869 it left something to be desired.\(^{120}\) Two years earlier one of the local papers reported on its condition. According to that account, it

\(^{120}\) In an 1858 report the Toledo Superintendent of schools listed the date of erection as 1855. Ohio Commissioner of Common Schools, Annual Report, 1857-1858, 148. Minutes of the Board carry the item that on March 15, 1855, the "unclassified" school house was turned over for use as a colored school. Toledo Board of Education, Minutes, 1849-1858, 419.
was located on an alley, which was muddy and inaccessible when it rained, and apparently was so uncentrally located that some students had to walk two miles to reach the place. The building itself was described as "a low, one-story frame, of cheap structure, dirty and without ventilation of any kind whatever." In its single room of 30x35 feet the reporter found sixty pupils of all shades, ranging, in age, from 6 to 32 years, and in size from a mere child to a full grown man and woman.\textsuperscript{121} Such school facilities, of course, to many Negroes did not seem like the equality which was being so widely heralded by, and to, that hopeful people in those hectic days. The battle for something better was not long in coming.

There were two phases in the battle to integrate the schools in Toledo. During the first, beginning April 1869, the argument initially was rather general, and subsequently developed to the point where it was principally a question of whether mixing was legal. It ended with the separate school retained. The second phase began in January 1871 with a court case, and ended that summer with an action by the Board, without court order, integrating the system.

\textsuperscript{121}Toledo Commercial, April 6, 1867, 2:1.
On the night of Monday, April 5, 1869, J. Madison Bell, Negro plasterer, called a meeting to order in a Negro church of Toledo to consider the lot of his race. Initiative by a tradesman, or perhaps a minister and the setting in the church-meeting house—all this was true to form. Denunciation of injustices, tributes to friends, and resolutions for correction of the complaints formed the typical agenda. Such was the Negro mass meeting—a standard technique of the more militant leaders to harangue the more complaisant and to arouse them from accepting an inferior position in society. At this particular meeting the purpose was to protest the condition of the schools. The building was denounced as a "shed" located in a "pig pen." Second, there was objection to the size of the district for the school (the entire city), and to the fact that those living in outlying areas had to go a distance of miles to reach school, which in the case of younger children meant exclusion and about a three-year delay in starting school, or at best a great deal of absenteeism. The meeting ended with a memorial to the Board to extend equal school benefits "in justice to a common humanity." 122

The following day they were assured by the President of the Board that they hadn't been forgotten, that

122 Ibid., April 7, 1869, 4:2.
the matter was being discussed. No public announcement of policy had been made because the Board was waiting to see what the state legislature would enact regarding the common schools.\textsuperscript{123} The rest of the statement by the President of the Board was not so conciliatory, and indicated trouble for Bell and his associates, but they had picked up an ally in the publisher of one of the local papers who seconded the call for equal privileges— which everybody knew would mean in fact integration of the schools.\textsuperscript{124} A second meeting was called to increase the pressure on the Board, and here admission to the white schools was specifically requested. The points of the earlier meeting and memorial were repeated in substance, and a shrewd appeal to antinativism was added in noting that as Americans they did not want separate schools on any basis, be it religion or nationality.\textsuperscript{125} But after some talk by Board members at subsequent meetings about selling the lot and erecting a new building, the requests of the petitioners for mixing were ignored, and it was decided to keep the old lot, and repair or build a new

\textsuperscript{123}Ibid., April 8, 1869, 2:3.
\textsuperscript{124}Ibid., April 7, 1869, 2:1.
\textsuperscript{125}Ibid., June 19, 1869, 2:4.
structure. The separate school was to remain, and Bell and his allies had lost the first skirmish.

In anticipation of the next round it should be pointed out that one of the chief points made by the President of the School Board, who was most adamant on the whole business of integration, was that under the law of 1864 the school boards had no choice but to operate a Negro school whenever the district enumerated over twenty Negro youth. A co-worker of Bell, William Waring, minister-barber, cited the action of Akron in mixing their schools, and logically asked why a similar policy for Toledo was not feasible. A few months later he again chided the Board as being the chief stumbling block in the path of mixing schools. In December things came to a head when another mass meeting was called, again presided over by Bell, where it was decided to appeal to the boss of the Board, the citizens of Toledo. It was to be done by circulating two petitions, one to be signed by whites, and the second by Negroes, asking the Board to integrate the schools. The Commercial approved. After all, the

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126 Toledo Board of Education, Minutes, 1866-1871, 268, 302-303. (Meetings of June 21 and September 1, 1869.)
127 Toledo Commercial, July 6, 1869, 2:1.
128 Ibid., November 16, 1869, 2:3.
129 Ibid., December 22, 1869, 4:4.
plight of the Negro had continued from year to year, getting scant attention; perhaps the petitions would prove just the thing to draw attention to the worthy cause. Social intercourse need not follow mixing in the school, the editor argued; such was not the case of white with white in the schools. Furthermore, he asked, "Do not Justice, Patriotism, Humanity and Christianity demand it?"\textsuperscript{130}

It is clear that the Negroes and Commercial editor Clark Waggoner did not fully appreciate the nature of their antagonist. President of the Board Charles W. Hill had a long and distinguished career as an attorney in Toledo, and had been a member of the Board since 1850 (except for war service as a General), and head of it since 1859.\textsuperscript{131} Apparently sensitive professionally, he resented having the law interpreted for him by amateurs. To him the petitions were asking the Board to violate the law, as he saw it, and accedence to its demands would simply open the way for making the board an instrument of public pressure and would end in its becoming a public football.\textsuperscript{132}

\textsuperscript{130}\textit{Ibid.}, December 22, 1869, 2:1.

\textsuperscript{131}\textit{Clark Waggoner, ed., History of the City of Toledo and Lucas County, Ohio (Toledo, Munsell and Co., 1888)}, 521-531. The above account on Hill is from the "Bench and Bar" section prepared by John H. Doyle.

\textsuperscript{132}\textit{Toledo Blade}, December 28, 1869, 2:4-5; January 24, 1870, 2:4.
Waggoner and Hill exchanged vindictives which at this distance of time seem a bit childish. Blasting editorials in the Commercial were answered by Hill in letters to the rival Blade. Hill would not use the Commercial; indeed, he cancelled his subscription to it.  

Underneath all the smoke was a very fundamental disagreement in the minds of the two antagonists over the true meaning of the law of 1864. It will be remembered that the law provided that the school authorities were required and authorized to establish one or more separate schools for Negroes "when the whole number, by enumeration, exceeds twenty, and when such schools will afford them, as far as practicable the advantages and privileges of a common school education...." Hill dwelled on the first part requiring a school because there were more than twenty Negro children in the city; Waggoner insisted the school was not mandatory unless the advantages and privileges in such a school were equal to the white schools. Waggoner further cited the opinion of a former Commissioner of Schools, E. E. White, and the several examples in northern Ohio (Cleveland, Sandusky, Norwalk) to show that a school did not have to be established when there were over twenty school-age Negroes by enumeration in the city. The whole

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133 Toledo Commercial, January 20, 1870, 2:1.
question was even referred by the Board to a panel of four local lawyers for their opinions.  

Hill centered his case on the law of 1864, but he presented other arguments as well. If the location of the school were so inconvenient, he asked, why did Negroes of Toledo locate a church right next door. He asserted, further, that most Negroes did not live very remote, and in many cases some patrons, white and Negro, must live a considerable distance from the school house.  

The Superintendent of the schools reported that some of the schools in Toledo attended by the whites were in even worse condition.  

On the other side, Waring appealed to religious prejudice by noting that the local priest had welcomed Negroes into the parish school. It isn't clear whether this was supposed to constitute a danger of losing Protestants to Catholicism, or to be simply a matter of shame that the community functioned so poorly in matters of benevolence and Christianity. And the campaign finally found a positive emotional appeal in the form of a little

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134 Ibid., April 8, 1869, 2:3; January 27, 1870, 2:1-2; February 2, 1870, 2:1; February 15, 1870, 2:1-2; Toledo Board of Education, Minutes, 1866-1871, 351-353.

135 Toledo Blade, December 28, 1869, 2:4-5.

136 Ibid., January 22, 1870, 2:4.

137 Ibid., January 27, 1870, 2:4.
lame girl who was excluded from going to a nearby ward school because of the ruling of the Board calling for complete separation.\textsuperscript{138} The \textit{Commercial} deplored that such a thing could happen

\begin{quote}
...in the young, growing, ambitious City of TOLEDO, in the year 1870, with the Fourteenth and Fifteenth Amendments in the Constitution! The doors of our boasted \textit{Free Schools} -- the pride and glory of our city -- barred against a \textit{little lame orphan girl}, because God in His wisdom failed to give her skin quite the same shade or her hair quite the same shape of those of the majority of the little girls living about her! Christianity, Humanity, Justice and the Law of the land demand for her equal rights of "a free education"....\textsuperscript{139}
\end{quote}

By this time the agitation of nearly a year had dulled sensibilities. Even earlier the \textit{Commercial} admitted that the public had heard enough of the controversy.\textsuperscript{140} The consideration of the little lame girl was tabled, and that March the committee on colored schools reported. It seems that the opinions of the lawyers were not clearcut in support of the position of either Hill or Waggoner, and the findings of the lawyers were not part of the committee's report.\textsuperscript{141} Its recommendations called for

\begin{itemize}
\item[\textsuperscript{138}] Toledo Commercial, February 2, 1870, 2:1.
\item[\textsuperscript{139}] Ibid., February 7, 1870, 2:2.
\item[\textsuperscript{140}] Ibid., February 2, 1870, 2:1.
\item[\textsuperscript{141}] Ibid., February 8, 1870, 2:2; March 22, 1870, 4:1-4.
\end{itemize}

It might be mentioned that all the four lawyers felt that it was the duty of the Board to provide separate
finding a more central location, or at least for improving the accessibility of the old lot; for redecorating the structure; and finally for additional rooms for Negroes throughout the city when they should seem necessary. The report was adopted by a four to two vote.¹⁴²

Despite the opinion of the four distinguished lawyers that the Negroes could not demand admission into the nearest ward school, one of the colored citizens of Toledo, self-advertised as worth "more than $10,000," began legal action on just this point in January, 1871. After an absence of agitation for over a half year the struggle was renewed. In his petition to the court Garland White claimed that his daughter, because of a weak constitution, was unable to walk the distance-- well over

schools when they felt that equal advantages could be offered. They also agreed that the Negroes could not demand admission to the white schools. Whether children in outlying areas could be admitted to the nearest ward school was a matter of disagreement. One lawyer argued that the money raised on Negro enumeration could not be used for such a school even were the Negro admitted; another arguing that since the Van Camp case held that the law was one of classification, and not of exclusion, and that since the laws of 1864 and 1853 did not differ sufficiently to obviate the decision (1859) that the Board could classify the children as they pleased, in this case could send them to the ward schools.

¹⁴²Toledo Board of Education, Minutes, 1866-1871, 373-374. (Meeting of March 21, 1870.)
a mile— to the colored school. On May 21, 1869 she had been excluded from the Clinton Park School nearest her home, and again in November 1870 from the Erie Street School, next nearest her home. Since she was physically unable to make the distance to the Negro school he hired a private teacher, and stood the expense while paying taxes for the schools. He was suing for $500 damages.\(^{143}\)

While the suit was on its way to a decision, both forces were busy. A Negro lobby, headed by Benjamin Arnett, a local pastor, visited Columbus in an attempt to secure repeal of the Negro section of the school law. As we shall see in the next chapter, the action came close to succeeding. On the other hand, President of the Board Hill was accused of attempting to create divisions in the Negro opposition. He offered to plaster the upper part of one of their churches if its officers would rent the lower part for school purposes. When this failed he offered to pay one of the debts of another Negro church if the officers would rent part of the building for classes. Besides bordering on bribery, these actions, if successful, presumably would have served to create a vested interest in the continuance of separate schools. When these tactics failed, Bell charged:

\(^{143}\)Toledo Commercial, January 30, 1871, 2:2, 4:1.
...he set to work upon one of the most talented men they [Toledo Negroes] had, knowing that if he could once get him in his toils that a large number of the colored people would go with him, and then there would be dissension enough in the camp to keep them busy among themselves, and let him alone.144

The intended dupe was Arnett himself, the hero of repeal of compulsory segregation in 1887, who resigned after first agreeing to be teacher of the colored school.145

The final resolution of the conflict came somewhat as an anticlimax. There turned out to be no court compulsion, no hostile memorials to the School Board by irate patrons, or any of a host of dramatic possibilities. Rather, a newly constituted School Board simply reversed the action of a predecessor. Eleven days after the election the Board appointed a committee to report on what changes would be necessary in the rules of the school system to admit Negroes into any of the city schools.146

To Waggoner this constituted victory. He commented:

It will be seen that the resolution assumes the policy of such an arrangement to be settled, the only thing remaining being the necessary action of the Board for carrying it into effect....The day cannot come too soon.147

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144Ibid., March 21, 1871, 4:1-2.
145Toledo Board of Education, Minutes, 1866-1871, 485; 1871-1873, ii.
146Ibid., 1871-1873, 38. (Meeting of May 20, 1871.)
147Toledo Commercial, May 24, 1871, 2:1.
Garland White was approached to drop his suit against the Board if segregation were ended, and on June 26, 1871 a majority report calling for ending of the separate school was adopted by a vote of four to three. A counter-proposal by Board President Hill to supply the deficiency in facilities for Negro education, and to take steps to repeal the state law enjoining separate schools lost by a reverse vote of three to four.  

What brought about the decision to integrate the schools? Waggoner wrote "the present action is directly due-- we will not say to any change in, but rather an expression of-- the popular sentiment at the late school election." There seems to be some justification for Waggoner's reference to the election. One of the four favorable votes in 1871 was a newly elected Board member who replaced one of the four who voted against mixing in 1870. The Blade, too, seemed to feel that the move was

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148 Ibid., June 15, 1871, 2:1, 4:1; Toledo Board of Education, Minutes, 1871-1873, 61-64, 71.

149 Toledo Commercial, June 28, 1871, 2:2.

150 Editor Waggoner did not elaborate on how the election was a factor, and from this distance in time, the whole matter is far from self-evident. At the meeting of March 31, 1870, Boyd, Gloyd, Shoemaker, and Hill voted to retain the colored school; Braun and Rogers opposed. Malone and McMaken were absent. In 1871 those who voted for abolition of the school were Braun, Rogers, Cone, and McMaken; against, Hill, Malone and Howell. With the expiration of their terms in 1871 Gloyd and Boyd declined to run again, and Hill had no opposition in his bid for
prompted by progressive sentiments, and referred to the action as removing another relic of slave days.\textsuperscript{151} This awareness of a new era is further indicated by President Hill's protest that talk of a "New Departure" did nothing

\textsuperscript{151}\textit{Toledo Blade}, June 27, 1871, 2:2.
to alter obligations of the Board under the law. Perhaps by the time of the Garland White court case citizens of the town were ready to end the source of constant friction. Last, we can be sure, with all the publicity given by editor Waggoner to the unnecessary expense of a dual system, that taxpayers were not unaware of the cost of their prejudices when exercised in the field of education. In reality we probably are not appraising sentiment in the city in this respect, so much as we are motives prompting Board members to integrate, for there seems to have been little agitation at the time of the election. Yet, if editor Waggoner is correct, there was a public approval of the move and this approval was effected by the Board. But whether the vote represented the sentiments of the Board, or whether the Board attempted to effect the sentiments of the people, Toledo seems to have been ready for the move. There seems to have been no reaction to the ending of the educational color line, and thus the only major city in northern Ohio with segregation joined the parade of progress.

Columbus was one of several cities and towns in Ohio that experienced a comparatively rapid increase in

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152 Toledo Board of Education, Minutes, 1871-1873, 63.
153 Toledo Commercial, April 7, 1869, 2:1; January 6, 1870, 2:1-2; February 17, 1870, 2:1; March 22, 1870, 2:1.
Negro population during and after the Civil War. In 1860 the Negro population was 997; in 1870, 1,847; and in 1880, 3,010. This increase naturally was paralleled by a demand for more building space for the separate colored school system. The first demand after the war came in 1867; in 1869 there was another; and finally in 1871 this stage of pressure resulted in returning to use the abandoned building at Long and Third Streets, which became the principal colored school of the city, and was named Loving School, after one of the members of the Board of Education.

In the middle Seventies Negro leaders of the city seemed well satisfied with the building. After an initial complaint of improper drainage of the lot, subsequent reports of visitors' committees were quite complimentary about operation of the school. It was not a matter of selected "Uncle Toms" complacently endorsing white policy; signers of the reports included such vigorous leaders as James Poindexter, John Roney, and Willis Mitchell. At

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155 Columbus Board of Education, Minutes, 1858-1871, 292, 354, 416, 542-544; 1871-1877, 10.

this time, at least, Negroes in Columbus were not clamoring for mixing of the entire system.

With the advantage of hindsight we can recognize storm signals on the horizon by the end of the Seventies. In October 1879 two schools of the city refused Negroes admission on the grounds of being overcrowded. The following September (1880) some Negroes in the east end of the city petitioned for "school privileges." Gone was the absence of criticism in the reports of the Loving School visitors. In a critical review of the school for the 1880-1881 academic year they asked for a change of location away from its Long and Third site amidst a host of taverns. In the early spring of 1881 Negro patrons of the suburban Montgomery School expressed dissatisfaction at having a mere room in the white school, and asked for a new building of their own. It was not merely a matter of the situation of housing for Negro students becoming somewhat critical at the turn of the Seventies; the problem was compounded by equally pressing demands for new buildings for the increasing white enrollment.

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157 Columbus Board of Education, Minutes, 1877-1882, 135.
158 Ibid., 1877-1882, 233.
159 Columbus Board of Education, Annual Report, 1880-1881, 193.
160 Columbus Dispatch, April 6, 1881, 2:5.
The chain of events that led to the abolition of the separate Loving School began with the presentation of a petition to the Board on May 3, 1881, from eighty Negroes in southeast Columbus, requesting the establishment of a school for them in that area of the city. At this point one of the newspapers of the city, the Dispatch, took issue and called for an end to the establishing of any more separate schools. It objected to such "monstrosities" as buildings exclusively for Negroes, and exclaimed that—

The time...has come when all children of school age should be treated exactly alike. The same district boundaries should apply to all; and no distinction should be made on account of color or previous condition.

The special committee of the Board to consider the petition reported favorably. The establishment of a colored school in the southeast part of the city, it felt, would best accommodate the feelings of both whites and Negroes of the area. A couple of years earlier an attempt to mix Negroes and whites in that part of the city had led to "serious injury to the school;" furthermore, in conversation with the committees other Negroes of the area expressed with the petitioners a desire for a separate school.

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161 Columbus Board of Education, Minutes, 1877-1882, 275-276.

162 Columbus Dispatch, May 4, 1881, 2:1-2.
The committee proposed moving the two-room janitor's residence from the grounds of one of the white schools of the area to an adjoining lot one street away.\footnote{276}{\textit{Columbus Board of Education, Minutes, 1877-1882, 286-287.} (Meeting of May 31, 1881.)}

The report touched off a debate that took up pretty much where the \textit{Dispatch} had left off. During the Columbus experience with the problem of integration in 1881 the question of law which had disturbed Toledo school authorities was not involved, and in the absence of outspoken Negro agitation, criticism of their motives was avoided.\footnote{286-287.} Instead, the main point of the argument concerned whether public opinion was ready for mixing, and whether the move would result in ostracism of Negro children by their white school mates.\footnote{4:3-4.} There was something to be said for this concern. Earlier an attempt had been made at one of the white schools, and had failed on account of the opposition of patrons. It is true that mixing had been without incident in the high school, but it could be argued that the numbers involved there were quite small. The proponents of integration were willing to take the risk. It was argued that it was not in children that prejudice was usually found, that by such an advanced date

\footnote{286-287.}{\textit{Columbus Times and Ohio Statesman,} June 1, 1881.}
\footnote{4:3-4.}{\textit{Columbus Dispatch,} June 1, 1881, 3:5.}
as 1881 adults were cognizant of the post-Civil War principle of racial equality, and that people had accepted the presence of Negroes in the legislature and in the Columbus City Council with equanimity. The Dispatch expressed further the position of proponents of mixing in a subsequent editorial that the proposition for an additional building was "unworthy of the spirit of the age," and that "we should no more think of building school houses distinctly for colored children, than we should for children of any other characteristic personal appearance."166

It is not certain what part Negro leaders played in the debate. They attended meetings of the Board, but there was no mass meetings, letters to the editor, or petitions to the Board to end the separate system. Perhaps this was because the board seemed to be moving in the right direction. The report of the committee was not approved. Instead it was referred to the committee on sites for further consideration, and a report by this committee was made the following June 28.167 Their estimate of the cost of removal of the janitor's residence, digging a well, providing a cellar and an outhouse, and improving

166Ibid., June 1, 1881, 2:1.
167Columbus Board of Education, Minutes, 1877-1882, 286-287.
the school yard, added to the cost of the site totaled $15,000, and the result would be a structure "not commensurate with the dignity of Columbus school buildings, and inadequate for the purposes required." In summary, the committee condemned the proposal as one in which "the cost will be more than the end will justify." They reported further that there was sufficient room for a few additional students in the existing school buildings in the area, and recommended that the proposal for a separate school be postponed indefinitely. The report carried eleven to two.168

The Dispatch commented that by this action the Board "virtually settled the mixed school question."169 But had it? From this distance the editor was premature, although correct in the long run. The adoption of the report of the committee on sites still left some questions unanswered. Because there was room for extra students in the school buildings in the southeast part of the city, and in light of the fact that the Board refused to construct a colored school building in that area, were the Negroes of that area to attend the nearest school, or were they to enroll at the Loving School? More fundamental

168 Ibid., 1877-1882, 308-309.
169 Columbus Dispatch, June 29, 1881, 2:1.
still, did this imply the abandonment of the Loving School in the near future? It was late August, and soon the schools would open; Board member George D. Jones decided that the first question, at least, should be cleared up.\footnote{Columbus Times and Ohio Statesman, August 25, 1881, 4:4.} On August 23, 1881 he introduced a motion to have Negro children attend the school of the district in which they lived. Presumably this would have meant the abandonment of Loving School, although whether Jones intended that those Negroes living within the regular school district in which the Loving School was physically located should attend that school is not clear. But without undue hairsplitting, such a resolution, if approved, could vest the Superintendent with authority to integrate all the schools. Jones' motion lost 6-8.\footnote{Columbus Board of Education, Minutes, 1877-1882, 323; Columbus Dispatch, August 24, 1881, 3:5.} There was still some timidity on the part of certain members of the Board. To allow Negroes to enroll in some schools by making no positive order against it was one thing; but apparently to put it on the basis of a right, and of declared policy, was still too drastic for some of the members. Then, a couple of weeks later, Negro patrons fairly well made a decision for the Board.
The vote against Jones' proposal of August 23 was clear, and the newspapers of the city reported the proceedings, but apparently the Negroes of the city took their cue from the refusal to build any more colored school buildings, in this case for the southeast part of the city, and from refusal by the Board at the same time to authorize repairs on the Loving School.\textsuperscript{172} In any event, Columbus Negroes somehow got the idea that their children would be admitted to the regular district schools, and on opening day, September 5, these children appeared at the several schools for admission. Where the schools were already crowded this new turn of events naturally posed a problem, especially in the central part of the city where Negroes were more numerous. One Negro parent, for example, sent his children to the Spring Street school, even though the Loving School was but three blocks away. The problem was settled for the moment when most of the Negro children were sent to the Loving School, and by the policy of allowing the smaller children, especially in the outlying areas, to attend nearby schools.\textsuperscript{173}

\textsuperscript{172}Columbus Board of Education, Minutes, 1877-1882, 308-309, 318. (Meetings of June 28 and July 26, 1881.)

\textsuperscript{173}Columbus Dispatch, September 8, 1881, 4:4; September 9, 1881, 4:4; March 8, 1882, 2:4.
This adjustment must have left dissatisfaction in many quarters. One Negro patron threatened court action if his three children, too, were not admitted to the schools of their district. Belligerently he petitioned the Board, "Will you do my children justice, or shall I be compelled to secure it at the end of a lawsuit? I petition for justice; I demand justice."174 The Dispatch reported that most of the Board members and the Superintendent agreed that colored children had a right to attend the school of their district, but this posed a problem in the area around the Loving School. It would only be the source of continuous dissatisfaction to make a Negro district in that section, and mix the rest of the city; and to make a new school district by using the Loving School did not seem possible, for as the Dispatch observed, "Colored pupils have already attended that building so that mixed schools in that building, as things are, are out of the question."175

While the problem lay unresolved, threatening to appear again at the beginning of another school year— or even sooner if the threatened lawsuit materialized— the solution came quickly, without committee deliberation,

174Columbus Times and Ohio Statesman, September 7, 1881, 4:4.
175Columbus Dispatch, September 8, 1881, 4:4.
and without agitation. In the course of considering the problem of providing new school rooms for the city in general the question of scarcity of money for building purposes, quite naturally, entered the conversation. Board member Twiss had a motion which he felt would provide some income for this purpose. Sell the Loving School. The Dispatch reported:

The motion took the members somewhat by surprise, but they quickly comprehended that its adoption would effectually settle the question of mixed schools in the city, and its abolition would of necessity distribute the colored pupils throughout the schools of their several districts. The proposal was approved 12-0. According to one Board member a site with whiskey shops on three corners, and the school on the fourth, if it could be sold was good riddance. Very curiously, or perhaps not so curiously after all, the Board did not put the matter of mixing to a formal vote. The Loving School, it was understood, was to continue for the 1881-1882 academic year, and during that time the public would have plenty of time to adjust themselves to the coming change for the autumn of 1882.

177 Columbus Board of Education, Minutes, 1877-1882, 332. (Meeting of September 27, 1881.)
178 Columbus Dispatch, September 28, 1881, 3:4.
The visitors to one of the schools of the city expressed displeasure at the mixing of the schools, but there seems to have been little more fuss than this. The Superintendent, Robert W. Stevenson, later reported that disturbances predicted by some for the beginning of the 1882-1883 school year did not materialize. Not a single white parent, he continued, withdrew his child from school in protest. The apprehensions about ostracism voiced by the Board during the summer of 1881, it would seem, proved to be unnecessary. As the Superintendent noted, much of the groundwork for acceptance of the policy had been laid with integration, first in the high school, and subsequently in the grammar grades. He deemed the action to have been inevitable for court decisions made it "only a matter of choice with the Board, as to whether they would admit the colored children to the schools voluntarily, or by compulsion." But even if the motives were not entirely pure, he expressed obvious pleasure in the "magnanimous action of the Board and the quiet submission of the people." The Columbus

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179 Columbus Board of Education, Annual Report, 1881-1882, 156.
180 Ibid., 1882-1883, 108.
181 Ibid., 1881-1882, 95-96.
experience with so little trouble was a boon to Negro agitators advocating mixing of schools in other cities. It could be done, it was proved, in a city with a substantial Negro population, and in a city with a long tradition of a separate school.

Public education for Negroes in Dayton began with the opening of a school in 1849, and it was continued on a small scale, typical of colored schools of the times, so that by the time the controversy over desegregation flared up in the city the school had a comparatively venerable thirty-five year history. During the summer of 1884, as was the practice each summer, school boards throughout the state were in the process of appointing teachers for the coming academic year, and on June 27, two of a normal staff of four were appointed for Dayton's (Negro) District Ten School. For these teachers the action came just in the nick of time. At the next meeting of the Board of Education (July 10) a petition was received from thirty Negroes of the city asking for an end to the separate school because of the unnecessary ($4,000) expense, because of the poor quality of instruction occasioned by the small number of grades,

182Steele, "Historical Sketch of the Schools of Dayton," 10 (in Historical Sketches of Public Schools in Ohio).

183Dayton Journal, June 27, 1884, 4:5.
and because of the distance some students lived from the school. According to a local newspaper District Ten did, indeed, compare unfavorably with some of the other schools of the system. The Negro school reported 500 tardy cases annually from an enrollment of less than 200; in the (white) Sixth District the tardy rate was less than a fifth as high. In 1883, it continued, none of the seven students from District Ten examined were promoted to the next (intermediate) grade level; and in 1884 only two of seven were successful. By comparison all 14 examined in the Eleventh District were passed in 1884.

Had not teachers for the 1884-1885 academic year already been hired it seems the Board would have put the request of the petitioners into effect at that very meeting. In any event, it set about to do the next best thing. A resolution to end District Ten— an institution "no longer for the Public benefit"— at the end of the next school year was referred to a committee of three, and by the time of its August 7 meeting the Board reportedly was ready to adopt the resolution when a counter-resolution, signed by 155 persons,-- was presented probably

184 Dayton Board of Education, Minutes, 1880-1886, 452.
185 Dayton Journal, July 10, 1884, 4:3.
186 Dayton Democrat, July 11, 1884, 4:3.
prompted by Tenth District Principal W. O. Bowles. It questioned whether the District Ten school was so poor as to require abolition, and whether public sentiment was sufficiently advanced to accept integration. It ended with the reminder that such a move would "inflict a cruel and unmerited injustice on the colored teachers..."  

In the face of this new development the committee on District Ten asked more time to report. But the counter-petition proved to be no more than a diversion; when the committee did report (August 21), it was thoroughly in sympathy with the first petition. In a five-point preliminary the committee summarized their findings on the condition of the District Ten School. First, the boundaries of the district were co-terminous with the city limits, about 14 to 16 square miles-- obviously too large; second, there were seven grades taught by but three teachers [and the principal]-- obviously the benefits of proper grading were lacking; third, there was an excess of tardiness-- which would seem to follow from point one; fourth, the standard of scholarship was low; and, fifth, the cost was unnecessarily high. As the committee noted, at the rate of $22 per pupil, over the year

about $2,500 could be saved and used to make the other schools even better. It advised admission of Negroes into the seventh grade of the several white schools, and in justice to Negro teachers, that District Ten be continued for the balance of the year. The school would then be abolished. At this same meeting W. O. Bowles was appointed principal, but with approval of the report his teaching days in Dayton appeared numbered. 188

The question seemed to be settled, although arguments followed from time to time over the merits of the move. First, Bowles had printed in a local newspaper an excerpt from a Negro Methodist journal, the Christian Recorder, which warned against precipitous action in attempting to break down race prejudice, and argued that a sudden mixing of schools would prove less effective in ending race prejudice "than would the appearance of thousands of colored teachers in the presence of pupils of the land, exciting confidence, and in the presence of thousands of white educators challenging respect." 189 Later, during the following February (1885), in answer to a criticism of Negro teachers as incompetents, Bowles took up his own pen to defend the position of the Negro teacher.

188 Dayton Journal, August 8, 1884, 3:3; Dayton Democrat, August 22, 1884, 1:2-3.
189 Dayton Journal, August 27, 1884, 3:2.
His letter was of such length that it was presented in parts in three issues of a newspaper. He charged that the drive to integrate the schools was being led by "race politicians" who disregarded the necessity of keeping the equality equation balanced by providing for the teacher, as well as for the pupil. It is true, he continued, that the Negro had been subject to unjust discrimination, but the key to advancement was not fawning or politics, rather a racial self-determination:

A manly independence, to be secured by the accumulation of wealth, the improvement of morals, the development of intellect, and the courageous support and exaltation of our race institutions will do more toward destroying the existing race antipathy and securing to us just recognition than any act of legislation compelling race associations.

Admitting that colored schools were of poor quality in early days, Bowles claimed that nevertheless they served the beneficial function of giving race talent a place to assert itself. The three-day letter was ended by an expression of the willingness of Negro teachers to endure martyrdom were they sure that such a sacrifice would bring about the coveted equality of rights instead of being merely a case of:

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190Ibid., February 14, 1885, 4:5; February 16, 1885, 3:5; February 18, 1885, 3:2; February 20, 1885, 3:3.

191Ibid., February 18, 1885, 3:2.
...crafty politicians...pressing the matter...
[for] an advantage by making the prostrate forms of colored pedagogues stepping stones to place and power....But knowing too well that the results will not be as portrayed by the wily politicians, they venture to proclaim the truth, and the great majority of colored patrons applaud their loyalty to race and principle.192

After the Bowles letter we encounter another example that the colored community was not of one mind on the question of integration. In a debate held by the Colored Reading Room Club on the proposition that mixed schools would prove a benefit to the race, the decision was awarded to the negative on the strength of the argument that thousands of dollars would be lost to Negro families because Negro teachers thereby would lose their jobs, as the precedence of mixing in Columbus indicated they would.193 Outside of these scattered examples, there was no manifest agitation, such as several of letters to the editor, meetings, or petitions to the Board for repeal. Support for Bowles, particularly among his brother Odd Fellow lodge members, was there, however, and it merely took an occasion when the Board decided to give a second thought to the matter of finally doing away with District Ten to trigger off anew the debate with a vigor that is reminiscent of the dispute in Toledo described above.

192Ibid., February 20, 1885, 3:3.
193Ibid., May 15, 1885, 3:5.
At the Board meeting on the evening of June 25, 1885, as was customary at mid-year, various committees for the several districts of the city reported on prospective teachers of the schools of their districts. The committee for District Ten reported no nominees, the understanding, of course, being that there would be no colored school for the coming year. A member of the Board challenged the interpretation; to him acceptance of the report of the committee the previous August 21 did not abolish the Negro school. The matter was referred to the committee on law, and to the lawyer for the Board, and July 9 they submitted a report stating that by accepting the report of August 21, the Board had voted the District Ten school out of existence for the 1885-1886 academic year. The lawyer for the Board concurred. It is difficult in reading the report of August 21, 1884, to understand how any other interpretation could be entertained; nevertheless, the Board failed, to accept the report of the law committee by a tie vote. A motion to reappoint Bowles failed, partly because it was feared that if he were reappointed, and should it later be decided to

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194 *Dayton Democrat*, June 26, 1885, 1:8.
end the colored school, a spot would have to be found for him in a white school.\textsuperscript{195} A flag of truce was raised on the argument over the merits of a separate school, and the whole matter was suspended for the time being. What the sentiment of the Board was at this point is uncertain, but by the time the Board met again on the question it was clear that the colored community lacked agreement on what constituted a proper course of action.

Further action was not taken for a period of six weeks, and during the interim partisans and opponents of separate schools wrote a flood of letters to the newspapers with a vigor that suggested that Bowles and his friends had no intention of passing up the opportunity offered by this reprieve. Tears were shed for poor colored children who would be abused by the prejudice they would encounter in mixed schools.\textsuperscript{196} Citizens of Dayton were warned that the city could not afford to lose the distinguished services of Principal Bowles, and his work in the I00F lodge was cited as proof.\textsuperscript{197} Retention of the separate school, readers were assured, represented the will of two-thirds or four-fifths-- depending on who


\textsuperscript{196}\textit{Dayton Journal}, July 16, 1885, 3:2; July 24, 1885, 3:4.

\textsuperscript{197}\textit{Ibid.}, July 14, 1885, 3:3.
was doing the estimating-- of the colored people of Dayton.\textsuperscript{198} To demonstrate the support for keeping a separate school Bowles circulated a petition that netted 202 signatures.\textsuperscript{199} Critics of Bowles, on the other hand, denied the existence of any popular support for a separate school; the only ones behind it, it was asserted, were the Principal and his fraternity crowd.\textsuperscript{200} According to one unfriendly account, those pushing the retention of District Ten

...after employing six Odd Fellows and a horse and buggy, and canvassing the city and its vicinity for three days, going into every nook and corner and alley, and at last came up through Broadway alley...all they could bring up was two hundred and two....More than one-third that took part in circulating the protest were themselves in favor of mixed schools, but were urged by the Principal for his own personal benefit to sign it.\textsuperscript{201}

It would seem that the voice of the colored people was a veritable babel.

On August 20, after rejecting some proposals to limit the pupils in District Ten to lower-age groups, the Board decided to continue the District by a vote of 12-5.\textsuperscript{202}

\textsuperscript{198}Ibid., July 16, 1885, 3:2; July 24, 1885, 3:4.

\textsuperscript{199}Dayton Democrat, August 7, 1885, 1:6. Only 111 patrons of the District Ten School.

\textsuperscript{200}Ibid., July 23, 1885, 4:3-4; Dayton Journal, July 22, 1885, 4:5.

\textsuperscript{201}Dayton Journal, July 24, 1885, 3:4.

\textsuperscript{202}Ibid., August 21, 1885, 3:3.
Apparently no party politics was involved; even the militant Negro Cleveland Gazette reported that the action was prompted by the conclusion that the colored people of Dayton did not agree on what they wanted.\textsuperscript{203}

District Ten thus remained as part of the Dayton school system. This left the question of who was to be principal for the coming academic year. And at this point party politics did enter the picture. With a rare sense of humor a Democrat on the Board nominated a white-and-Democrat, Joseph E. Johnson, in opposition to Negro-and-Republican W. O. Bowles; and by a straight party vote (11-6) District Ten was provided with a white Democrat for its principal for the coming school year. According to the Republican Journal Negro spectators at the meeting shook their fists; according to the Democrat colored patrons of the school at hand were "highly pleased."

The Republicans on the Board condemned this interjection of politics; it just wasn't done above the position of janitor.\textsuperscript{204} While the Democrats may have had some

\textsuperscript{203}Cleveland Gazette, July 3, 1886, 2:3. This is also the Democratic position. Dayton Democrat, August 21, 1885, 4:2. The Republican Journal made no charge of politics on the re-establishment vote, although a majority of the favorable vote, and of the Board, was Democratic.

\textsuperscript{204}Dayton Democrat, August 21, 1885, 4:2; Dayton Journal, August 21, 1885, 3:3, 4:3.
justification in eliminating vested interest number one in the whole matter, their choice of a white, one who seems to have been distressingly regular in party work, and one who had been denied renomination for a teaching post in 1882, was rather questionable.205

It takes little imagination to picture the jolt that the appointment of Johnson must have given to Bowles, and a mass meeting to protest was quickly called.206 The Democrat chided the Negro community for clamoring for a separate school, and then protesting just because a Democrat was hired as principal.207 This must have been written with tongue in cheek; no one following the course of propaganda over the previous six weeks could have believed that the desire to protect Negro children from discrimination in white schools was the principal reason for all the agitation. There was no mistaking who was to be saved. At any rate participants at the mass meeting did not think it at all humorous, and a memorial was sent to the Board deploring the action of removing Bowles, "a gentleman of high character and eminent fitness for the

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205 *Dayton Journal*, June 30, 1882, 4:4; August 21, 1885, 3:3, 4:3; August 22, 1885, 2:1.


207 *Dayton Democrat*, September 2, 1885, 1:4-5.
place, a successful teacher, a thorough scholar, a friend of the race," and replacing him with a man who did not command their respect. It demanded a colored school and a colored teaching staff, and, with temper at full blast, called on friends of "justice, right and equity to come to our aid and help us shake off this parasite which the Board has inflicted upon us...." With but a single dissenting vote the memorial was referred to the Committee on Fuel, Heat, and Ventilation, possibly suggesting Hades as a terminus. Thus Dayton came near to ending its separate school two years before state action compelled the move in 1887. The author must agree with the correspondent of the Negro Cleveland Gazette that the end could have come two years earlier had the colored community of the city with one voice demanded it.

We have now examined the condition of the colored schools, principally as reported by the Commissioner of Common Schools, but also as revealed by various law suits and by the experience of individual communities with segregation. As we have seen, some school boards integrated on their own initiative, but, as it turned out, before

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209 Cleveland Gazette, July 3, 1886, 2:3. This is also the position of the Dayton Democrat, September 2, 1885, 1:4-5.
colored schools, as such, were ended all over Ohio a state law repealing the authority to maintain such schools was first necessary. Thus it remains for us to examine the course of politics from a time when the Negro was begrudged any use of the state school funds (in 1849) to a time when the color line was ended (in 1887) with comparatively little trouble.
CHAPTER VI

POLITICAL AND CIVIL RIGHTS, 1850-1887

In Chapter IV we left the course of agitation for an improved political and educational status for the free Negro of Ohio at the point where most of the Black Laws had been repealed. He was, at this point, a member of the community, at least to the extent that his exclusion was not called for by law, and that tax money for education of his children was provided. By 1853, we will remember further, this lessening of racial antagonism had resulted in Negro schools becoming a regular part of the school system of the state. It must be admitted, of course, that many of the facilities provided were the merest suggestion of a school. In Columbus at the beginning of the Fifties, for example, Negroes shunned the public facilities to attend a private class. At the end of the decade the general condition was condemned in the often-quoted characterization by Commissioner Anson Smyth:

Many of the colored schools are kept in mere sheds and basements; without decent furniture, or anything to render them cheerful and attractive. Their teachers, whether white or colored, are, with few exceptions, poorly qualified, and are employed because they can be had at small salaries. It is, therefore,

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not strange that but few of the colored children attend these schools. They very properly hold such "seats of learning" in contempt.2

Yet it was only a decade earlier that there were no public schools at all for Negroes and as we have seen the physical safety of private teachers of Negroes had been threatened.3 The status of Negro education had advanced, and although much more needed to be done before equality would be achieved, the condition of their education was not the principal concern of Negroes during the years before 1870. Suffrage was much more important.

Once the Negro did achieve the franchise under the Fifteenth Amendment his voice in politics became stronger, and no longer did he depend solely upon petitioning for the white man's grace. As we have seen educational facilities improved in the Seventies, and by 1878 every Negro was to be provided some sort of education. Finally in 1887 the Arnett Law forbade compulsory segregation by race. During the course of agitation before 1870, for abolition of slavery and subsequently for Negro suffrage, the question of colored schools was definitely in the background. This agitation did, however, serve to clear the air, and in the Seventies a new public

2Ohio Commissioner of Common Schools, Annual Report, 1858-1859, 54-55.
3Philanthropist (Cincinnati), May 10, 1843, 2:1.
opinion and a new status for the Negro were made possible on which turned the fate of provisions for his education. Thus the struggle for political rights will be considered first, to be followed by that for greater equality in education.

The Sectional Controversy, and Attempts to Abridge Negro Rights in Ohio

In a previous chapter it was noted that before 1850 what help the Negro received from white men in improving his civil status came largely from abolitionists. While there were general petitions for ending distinctions on account of color, or for an end to the testimony clause, the matter of Negro franchise as a separate program of reform received scant attention. Even in the excited days when the Republican party in the state was being organized there were only a few petitions to the General Assembly for extending the franchise, and at least half of these were from Negroes themselves. It is true that a few real friends, such as Norton S. Townshend, did their best to achieve this at the Constitutional Convention of 1851, but for the most part during the Fifties abolitionists concentrated their attention on fugitive slaves, the fugitive slave law, and the question of expansion of slavery into uncommitted territories. Even such a famous advocate of
abolition as Cassius M. Clay wrote to a Negro convention in 1852 for them to bide their time in their quest for further political rights. "I think," he wrote, "nothing can be done at the present time by public resolves, etc. The best road to political elevation lies through the road of INDUSTRY AND SELF-RESPECT, which will at last wear us into a generous magnanimity."^ Benjamin Wade in the same manner urged them to form their communities, practice the trades, educate their children, and when intelligence and independence were achieved that they would be accorded social and political rights.5

While there seems no question about the sincerity of such men in advocating this "Booker T. Washington" approach, there were those among the Negroes, following the example of abolitionists themselves, who felt that the fastest way to achieve their goal was by direct agitation for their rights. Lacking a press of any considerable size they utilized the device of the mass meeting where spirits could be rallied, and where their very numbers would call attention to their cause.6 And, of course,

^Cincinnati, Ohio State Convention of Colored Free­men of Ohio [1852], Proceedings... (Cincinnati, Dumas and Lawyer, 1852), 15.

5Ibid., 25.

6These meetings were often held in January in time to set forth a position for the recently-convened Assem­blies. For examples, see Ibid.; Columbus, Ohio State
this was supplemented with memorials and petitions. An early statement of Negro sentiment on the specific matter of franchise was given to the Assembly in 1854 by one of their most distinguished leaders, John M. Langston, in a memorial which he represented as the voice of 25,000 "half-free men of Ohio."Langston first argued a point, subsequently denied by Chief Justice Taney in the Dred Scott decision, that as free-born natives they were citizens of the polity. As citizens, therefore, Negroes were entitled to the franchise. Besides this natural right, Langston argued further, Negroes were entitled to the franchise by virtue for their participation in the battles of the nation—witness Crispus Attucks (at the Boston Massacre), Bunker Hill, and New Orleans. Third, it was their right as taxpayers to have the right of suffrage, for was it not a national policy established by our forefathers that taxation without representation constituted tyranny. Langston's memorial was followed by other petitions in 1856 and 1857, and in the latter year some bills to begin the amendment process were introduced in the Assembly. By that time, however, agitation over the

Convention of Colored Men [1857], Proceedings... (Columbus, John Geary and Son, 1857).


8Ohio House Journal, 53(1857):39, 46, 53; Ohio Senate Journal, 52(1856):84, 117; 53:(1857):80, 93, 356, 406. The measure in the House was a bill; in the Senate,
slavery question had resumed in full fury, and as a result the tide went in another direction until 1864. And with the renewal of agitation the question of the day was not that of extending Negro rights; but rather it was asked whether he should not be limited further in his civil status. Achieving the franchise, as it turned out, had to await the Civil War. But before we take up this activity let us look briefly at the revival of sectional controversy on the national scene after 1854.

Between the Rockies and the states just west of the Mississippi lay a vast area of land which at mid-century was still without governmental organization. And by 1850 the ever-present pioneer was ready to push westward from Iowa and Missouri, already established states. At the same time a population, spurred on by the discovery of gold, was pouring into California. In such a situation the commercial and military advantages of a railroad across the West to the Pacific coast were obvious. Leading citizens in city after city extolled the advantages of their communities as the eastern terminal for the contemplated trans-Mississippi railroad. As a necessary preliminary to a resolution. A bill to amend the constitution, but with no specifications about proposed changes, was introduced in the 1854 Senate. Since it immediately followed Langston's memorial for Negro suffrage, it probably called for such an amendment. Ohio Senate Journal, 51(1854): 474, 548.
settlement and a railroad, Indian titles had to be ex­
tinguished and the territory organized for administrative
and military purposes. To provide for organization Stephen
Douglas of Illinois introduced a bill in the United States
Senate which, after amendment, provided for the formation of
the two Territories of Kansas and Nebraska to be divided
at the fortieth parallel, and with the status of slavery
to be decided by the inhabitants of the territories. The
Missouri Compromise which excluded slavery north of 36°30'
in the Louisiana Territory except for Missouri, was specifi­
cally repealed. Douglas obviously had calculated its
appeal to his Illinois constituents. The provision that
slavery would be decided by the inhabitants of the terri­
tories, called "popular sovereignty," was in accordance
with western ideals of individualism, tolerance, and local
autonomy, dear to the area which Douglas represented.9
Furthermore, it carried an appeal to Southerners whose
support would prove useful in pushing claims for Chicago
as the terminus of the western railroad. Unpopular as was
the measure with some members of Congress, the influence
of Douglas, plus the backing of the Pierce administration,
was sufficient. The Kansas-Nebraska Bill became law by
the end of May, 1854.

9Henry C. Hubbart, "Pro-Southern Influences in the
Free West, 1840-1865," Mississippi Valley Historical
The expectation was that the Territory of Kansas, west of Missouri as it was, would be settled by slave holders who would vote for slavery; and that settlers from Iowa would make the Territory of Nebraska free. Such a development, of course, would constitute a gain for the South since under the Missouri Compromise slavery had been forbidden in the entire area. To make sure, however, that Popular Sovereignty would not operate to make Kansas a slave state various antislavery groups in the North organized immigrant aid societies to send free-soil settlers, and voters, into Kansas. On their part Missouri slaveholders countered with "clubs" to cross the border to cast votes in crucial elections. Thus were joined pro-slavery and free-soil elements, both in a militant mood, and a civil war ensued in Kansas during the year 1856.

The Kansas-Nebraska Act revived old sectional antagonism which earlier had been quieted by the Compromise of 1850, and, as we well know, the question of slavery and the territories now agitated for the second time was never peacefully settled. As it developed Douglas and the Buchanan administration split over the admission of Kansas as a state when Buchanan, pro-Southern in outlook, championed the pro-slavery Lecompton constitution for statehood which clearly did not reflect the wishes of a majority of the people of the territory.
Douglas had said that he did not care whether slavery was voted up or voted down, but if it were voted down, as it turned out, he was willing to fight to see that the decision was recognized. The dissatisfaction of the South with Douglas was increased by his Freeport Doctrine wherein he maintained that if the territorial government did not protect slavery by positive legislation, slavery could not exist. Slavery, therefore, could not exist without popular approval despite the Dred Scott decision that slaves could be brought into any territory. Then in the following year, 1859, came the fanatical scheme of John Brown to free the slaves by stirring up an insurrection. In the Southland Douglas was unacceptable, and it was certain to the fire-eaters that Republicans were dominated by abolitionists whose agitation encouraged men like Brown. The South sponsored its own Democratic Presidential nominee in 1860; and with this split in the Democratic ranks, a Republican was elected by a plurality of the popular vote. As a consequence the cotton South left the Union. Following the action at Fort Sumter Lincoln issued a call for troops, and as a result of this call other Southern states joined the rebel cause. Although one must recognize a host of causes for the Civil War, there is no denying that in large measure it was a clash over a way of life and an economy based on Negro slave labor— at least to such an
extent that in the mind of many a Northerner the war was being fought for the benefit of Negroes. Now that we have considered briefly the sectional controversy on the national scene, let us return to our consideration of the Kansas-Nebraska Act, and take up the injection of race prejudice into the political campaigns that followed.

After the introduction in Congress of the Kansas-Nebraska Bill, meetings of Whigs and Free Soilers arose spontaneously throughout Ohio where resolutions were passed condemning the measure. And once the bill became law a state-wide meeting was held in Columbus (July 1854) and the Republican party, although not yet using the name, was born. There were but two state offices to be filled that year—a Supreme Court Judge and a vacancy on the Board of Public Works—and in both instances the new party won. By election time the following year a full-fledged organization was in operation, and once again racial considerations were back into the campaigns.

The formation of the Republican party in the state, of course, did not signal the immediate beginnings of attempts to improve by legislation the civil position of

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10 Eugene H. Roseboom, The Civil War Era (Columbus, Ohio State Archaeological and Historical Society, 1944), 281-282.

11 Ibid., 284, 286.

12 Ibid., 285, 295. The anti-Nebraska party also swept the contests for the U. S. House of Representatives.
the free Negro in Ohio. On the other hand, neither did efforts to maintain abridgments on this position begin until after 1856, when the Republicans demonstrated their strength in the election of that year, and when the fighting in Kansas, the Lecompton constitution and other dramatic matters on the national scene raised the flags of alarm. But even before 1857, as we have indicated, the Negro as a Negro was a factor in the campaigns, and during these times, at least, the white citizen of the state was kept quite conscious of his colored neighbor.

The nomination by the Republicans of Salmon P. Chase for governor in 1855 produced a split in their ranks, for some of the conservative members of the 1854 fusion movement found him unacceptable because of his cooperation with Democrats in securing the United States Senatorship in 1849, and because of his known anti-slavery radicalism. As former Whigs, on the other hand, they could not bring themselves to support the Democratic nominee; consequently they put a third party, the nativist Know-Nothings, into the race. The obvious strategy for the Democrats was to maintain and widen this split by running against Chase and to picture him as an antislavery champion. Thus did the Negro come back into politics in

\[13\text{Tbid.}, 304-308.\]
Ohio beginning in 1855. The Cincinnati Enquirer reminded voters that in 1845 Chase had accepted a plaque from grateful Ohio Negroes for his work as an attorney in a fugitive slave case, and that at the time he had spoken favorably for Negro suffrage, and had declared that the exclusion of Negro children from the schools was "a clear infringement on the Constitution." In general the election of Chase was pictured to mean Negro voters, office holders, and Negro equality. And, of course, the dreaded amalgamation would follow. At this date, such statements were no more than scare stuff. As Republicans noted, Democrats had passed the school law of 1853; and there was no move in the legislature to return to the exclusion policy that obtained before 1848. The Republicans swept both the legislature and the governorship, and the next year the struggle was renewed.

The election of 1856 featured the first Republican candidate for President in the history of the country, and the first national campaign where one of the major parties was clearly sectional in its appeal. Of course such dramatic events as the assault on a United States Senator (Sumner), and the bloodshed in Kansas as free soilers struggled with pro-slavery factions to save that area for

14 Reprinted in Ohio Statesman (Columbus), September 21, 1855, 2:3.
liberty, received prominent play. In Ohio Fremont's 20,000 majority in the Western Reserve was sufficient to overcome a 4,500 deficit in the rest of the state.  

It is at this point after two years of agitation on racial matters, that renewed attention was given in the Assembly to the civil status of the free Negro of the state. Bills to insure the "purity of elections", meaning prevention of colored people with less than one-half Negro blood from voting, and, conversely, to propose the repeal of the Constitutional prohibition of Negro suffrage, were introduced in the 1857 legislature. Feeling on the matter was not yet sufficiently serious to bring any of the bills to a vote, but the fact that they were introduced shows there was concern by this date.

In 1857, for the third straight campaign in Ohio, Negroes again figured in the issues. Democrats belabored their Republican opponents whose policies would lead to disunion. The Ohio Statesman warned that under the Republican's "Congo Creed" "niggers" were declared to be superior to whites, and that equality and office holding for the despised black man were parts of their program.

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15 Roseboom, Civil War Era, 319-323.


17 Ohio Statesman, September 5, 1857, 2:1; September 24, 1857, 2:1.
From Cincinnati came the Enquirer's charge that Chase and his followers would bring more Negroes into Ohio where they would compete with white labor.\(^1\) Up on the Reserve the Plain Dealer told of Negroes actually voting, and, of course, this was much more serious than the mere threat of doing so. "Oberlin precinct," it pointed out, "as everybody knows is black with Republicanism, and real black Republicans. The Professors and Preachers belonging to the Institution, generally open the polls with prayer and they have a pious time polling ebony votes."\(^2\) The Negro-threat approach was utilized again by the Democrats in 1859, and once the Civil War began the theme changed to the charge that abolitionism within the Republican party was leading to a permanent disunion of the nation by making it impossible for a reconciliation to be made with the South.\(^3\)

And as Democratic editors penned their alarm over the Negro "threat," legislators at the Assembly more and more turned their attention to the civil status of the colored man in the state.

\(^1\) Cincinnati Enquirer, October 4, 1857, 2:1.

\(^2\) Cleveland Plain Dealer, October 17, 1857, 2:1.

\(^3\) Ohio Statesman, September 13, 1859, 2:1-2; October 4, 1862, 2:1; September 30, 1863, 2:1. See also Roseboom, Civil War Era, 400-402. Of course during the war years the Democrats passed up no opportunity to link abolitionist fanatics with Negroes and thus capitalize on race prejudice.
After the 1857 bills to propose an amendment of the constitution to allow Negro suffrage, the Republicans stayed clear of the suspicion of advocating such a high degree of equality, and during the period from 1858 until 1863 all proposed legislation concerning the free Negro entailed some limitation on his civil status. At that point of Ohio history the Negro was not popular with his white neighbor, and the charge of Negro equality, if believed, could be quite damaging to Republican fortunes. Even such a prominent Republican as the Great Emancipator himself attempted during the 1859 campaign to defend the Republican party against the charge of seeking Negro equality, especially as it entailed suffrage:

I will say, then, that I am not, nor ever have been, in favor of bringing about in any way the social and political equality of the white and black races; that I am not, nor ever have been, in favor of making voters or jurors of negroes, nor of qualifying them to hold office, or intermarry with the white people; and I will say in addition to this that there is a physical difference between the white and black races which I believe will forever forbid the two races living together on terms of social and political equality. And inasmuch as they cannot so live, while they do remain together there must be the position of superior and inferior, and I, as much as any other man, am in favor of having the superior position assigned to the white race. I say upon this occasion I do not perceive that because the white man is to have the superior position, the negro should be denied everything. I do not understand that because I do not want a negro woman for a slave,
I must necessarily want her for a wife. My understanding is that I can just let her alone.  

In 1857 the Democrats captured the Ohio legislature, more, it would seem, because of the recession that set in that year, than because of their position as defenders of white integrity, but the Republican, Chase, captured the governorship for his party by a slim 1,500 majority.  

It was widely believed by Democrats that his margin was largely due to Negroes (as Democrats defined them) voting in the election. When again in 1858 the Democrats suffered a reverse, the following year, on a straight party vote, they passed a law to "preserve the purity" of elections which forbade voting by those with a clear and visible mixture of Negro blood.  

This obviously was in contravention to earlier court decisions where persons less than half Negro were defined as white, but perhaps some backers of the measure saw the possibility of a new interpretation since the Dred Scott decision had ruled the  

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21 Arthur B. Lapsley, ed., The Writings of Abraham Lincoln (New York, Lamb Publishing Co., 1886, 1905-1906, 6 vols.), 5:35-36. This was from a speech made in Columbus, September 16, 1859, where he repeated a position taken earlier during the Lincoln-Douglas debates.  

22 Roseboom, Civil War Era, 328-329.  

Negro not to be a citizen of the United States. In December (1859) the Ohio Supreme Court found the bill unconstitutional, and this disposed of the franchise question until after the war.

A second aspect of legislation at this time affecting the free Negro involved those bills designed to prohibit immigration of Negroes into the state. The activity began in 1858, and such bills appeared in each of the assemblies through 1863. At first they were in response to troubles which arose in the state in the late Fifties over enforcement of the fugitive slave law; then by 1860, after John Brown's raid at Harper's Ferry, it was anticipated that many Negro freemen would flee the border states to the North to escape the wrath of the aroused white citizenry. It was during the war itself, however, that this prospective flood of Negro immigrants most concerned the legislature and the rest of the state, largely as a result of the emancipation policy of the Lincoln administration. In his annual message in December, 1861 Lincoln spoke of the need of colonizing those slaves who were freed as a result of military action, or who might be emancipated by the loyal slave

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24 For an account of the difficulty of enforcing the fugitive slave laws, see Roseboom, *Civil War Era*, 343-347.
states, and to the Ohio Statesman this was ominous. It could be expected, said that journal, that abolitionists, with their influence in the party, would foil the colonization plan and that the Negroes would simply be turned loose. Then the following September the Emancipation Proclamation itself was announced, which was to go into effect in 1863. The trek of freedmen northward seemed certain.

It must be remembered that concern over an influx of Negroes into the state came at a time when the war fortunes of the Union armies were rather discouraging, especially on the Eastern front, and to many people the war was unnecessary and was pushed principally by abolitionist fanaticism. To some people, indeed, the fighting seemed to be no more than a "nigger's war."

The anti-Negro sentiment in the state from time to time broke out of bounds, and race riots followed, as in Cincinnati and Toledo in 1862. With the talk of emancipation Northern labor reacted unfavorably to the anticipated

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26 Ohio Statesman, December 5, 1861, 2:1.

27 Cleveland Leader, July 19, 1862, 1:2; August 8, 1862, 2:2.
competition for jobs, for it just did not seem fair that workers should be drafted to help free a people who would only compete for jobs and lower the wage level. 28 This economic motive joined forces with a very basic prejudice. Undoubtedly the distaste of one state representative was not exceptional when he stated that the Negro is "immeasurably inferior to the white man...degraded and sensuous," and that he had "suffocating odors...more offensive than that of the pole-cat." 29 It was during the heat of the anti-Negro feeling that immediately preceded the war and continued for its first two years that the Assembly, even though controlled by a Republican majority, passed a law forbidding intermarriage between races. 30 In 1861, apparently, it was not expedient to seem to favor amalgamation.


30 Ohio House Journal, 57(1861):81; Ohio Senate Journal, 57(1861):66. It passed the House 50-23, with 22 Republicans voting for the measure, and 23 opposed; in the Senate the vote was 21-8, with 13 Republicans for and 8 opposed. A House bill of this nature the year before was defeated. Ohio House Journal, 56(1860):542.

For party affiliations, see Ohio State Journal, (Columbus), October 27, 1859, 2:3; Miami County Democrat (Piqua), October 2, 1860, 4:2; October 23, 1860, 2:2; Highland News (Hillsboro), October 11, 1860, 2:3.
With the fear of an influx of Negroes into the state a host of petitions were sent to the Assembly and appropriate legislation was introduced. The volume of petitions and legislation varied together. A check of the journals of the two houses of the Assembly shows just a few petitions for exclusion in 1858 and 1859, when an upsurge followed. There were 31 to the 1860 assembly, and 25 in 1861. Then came the flood—210 in 1861 and 178 in 1863.\(^{31}\) Over this same period there were single bills introduced to effect exclusion in each of the assemblies from 1858 through 1861; then in 1862 five bills were introduced, and two more the following year.\(^{32}\) Most of

\(^{31}\)Although there does not seem to have been an organized campaign, in the mode of abolitionists, it is noteworthy that the great number of the petitions came from Hancock, Clermont, Hocking, Franklin, Fairfield, and Delaware Counties which, except for Delaware, had been fairly consistent in voting Democratic. The state auditor, R. W. Tyler, released figures on Negro immigration to Ohio for the two years after March, 1861, but they represented returns from only 57 county auditors, and did not include such important counties as Hamilton, Franklin, and Ross. These 57 reported 1,384 Negro migrants had entered the state during the two-year period. Projecting these figures for the non-reporting counties, he estimated an immigration of 2,000. The most startling increase was in Meigs County which reported 441 immigrants; the 1860 census listed only 291 Negroes for that county in 1860. Cleveland Herald, April 11, 1863, 2:1.

these measures never reached a final vote, although once in 1861 one was carried as far as a vote on engrossment. Thus where we do have votes, they were mostly for postponement or for tabling. Defining a vote to table or to postpone as being "favorable" to Negroes, we find Republicans cast 258 of their 304 votes in favor of Negroes; Democrats cast only 2 in 153. Fusion Democrats split their votes, and in 1862 more were unfavorable than not. As it turned out the Republican majority was sufficient to overcome their dissenters and the solid Democratic minority.

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33 Ohio House Journal, 56(1860):523; 57(1861):450-451; 58(1862):562, 668-669; 59(1862):523-524. On the 1862 measures, Fusion Democrats voted 15 favorable and 22 unfavorable; in 1863, 8 out of 9 voted favorable. For party affiliations, see election returns for 1857, 1859, and 1861, in Ohio Statesman, November 7, 1857, 2:2-3; October 31, 1861, 2:3; Ohio State Journal, October 27, 1859, 2:3. Not counted in these totals were four House members, 2 each in the 1861 and 1863 sessions, whose party affiliation the author was unable to learn.

A word might be said about two Senate measures. In 1858 by a party vote of 16-11, Democrats tabled a resolution to order the Judiciary Committee to report out the bill. Ohio Senate Journal, 54(1858):266. The author has been unable to discover the party strategy for this maneuver. In 1862 the vote was to table a report recommending postponement. On this vote 19 Republicans and 2 Fusion Democrats voted favorably; 7 Democrats and 3 Republicans, negative. Ohio Senate Journal, 58(1862):455-456.

34 The dissenters were principally from Adams, Butler, Sandusky, Scioto, Stark and Tuscarawas Counties.
The political fortunes of the Democrats reached a war-time high with the elections of 1862. Many an Ohioan agreed with their complaints about the floundering Eastern campaign, and about the arbitrary military arrests which to the critics seemed like military subversion of normal civil processes. And when the Emancipation Proclamation was issued late in 1862, it surely seemed no longer a war to preserve the Union, but merely an abolitionist crusade after all. The election was a disastrous defeat for the Union party of Republicans and Fusion Democrats. Their peace-Democratic opponents captured the two state offices up for election (Attorney General, and Supreme Court Justice), and sent 14 of the 19 Congressmen to Washington. The climax came in 1863 when the Democrats nominated Vallandigham for Governor, even though he previously had been convicted of disloyal statements and exiled to the Confederacy. Campaigning on the argument that the Democrats were anti-war, pro-Confederacy, and that they put a convicted traitor at the head of their slate, the Union party swept the gubernatorial contest by 100,000 votes. There was fear of civil war within the state should Vallandigham be elected, but also criticism of the military progress of the Lincoln administration was considerably dulled by the successes of checking Lee at

35Roseboom, Civil War Era, 399-403.
36Ibid., 404-421.
Gettysburg, and of capturing the stronghold of Vicksburg. As a result of the latter battle the Mississippi was entirely in control of Union forces, and by the end of 1863 the Confederates were dislodged from Chattanooga leaving open the passage through the mountains into Georgia. The military tide had clearly turned; the Copperheads were repudiated at home.

It is at this point that legislation to abridge the Negro's civil status came to an end. The same election that brought the defeat of Vallandigham swept an overwhelmingly Republican majority into the Assembly for the 1864-1865 term, and a two-year truce followed. It was during this lull that the Negro section of the school code was somewhat liberalized. By this change in 1864, it will be recalled, only 21 Negro children were needed to form a separate district, and two or more regular school districts could join for this purpose. As was the case in 1853, once again there was no heated debate, no political issue made of the change. Coming as it did in the aftermath of three years of intense controversy over Negro exclusion, this educational measure to make the earlier law more practical proved of scant interest

37 *Ohio Statesman*, December 5, 1863, 1:4; *Ashland Times*, January 21, 1864, 2:1.

to partisan politicians. There was not a dissenting vote in the House; only four in the Senate.\(^{39}\) Important as these provisions for his education may have been for the Negro of that day, much more prominent in his concern, however, was the right of suffrage which he gained as a result of the reconstruction program worked out by the Republicans after the Civil War. And once the franchise was secured, as we shall see, the Negro was thereby elevated to a new position of citizenship and better educational opportunities followed. Let us turn next to the struggle over Negro suffrage.

\(^{39}\)Ohio Senate Journal, 60(1864):221; Ohio House Journal, 60(1864):380. In 1861 a bill to lower the minimum for a school district to 20 Negroes passed the Senate on Republican votes. In the House it was amended by (40) Democrats, with the help of about a third of the Republicans, to forbid Negroes and whites attending the same school. Thus on record opposing amalgamation, the House proceeded to kill the bill with better than half the Democrats joining the Republicans on a negative vote. Ohio Senate Journal, 57(1861):146; Ohio House Journal, 57 (1861):291-292.

In 1868, it will be seen the question of the Negro's place in society was a prominent matter since the proposed Negro suffrage amendment to the state constitution had just been rejected. In this session of the Assembly a bill to forbid Negroes and whites to attend the same school passed the House, after a Republican amendment to allow the districts to vote on mixing the schools failed. Both of the measures were dealt with by a strictly party vote: Democrats to forbid mixing; Republicans against the measure. The measure, however, was postponed in the Senate with no vote recorded. Ohio House Journal, 64 (1868):335, 441, 546-549; Ohio Senate Journal, 64(1868):766; Ohio State Journal, March 28, 1868, 5:1; Ohio Statesman, March 28, 1868, 2:5.
The Negro Entrance into the Political Community

As the war drew to a close all attention turned to the problem of dealing with the former rebel states. An integral part of this matter was the fate of the freedman, i.e., how to aid him in adjusting to his new position in life, and especially what was to be his role in the political control of that area. Beginning in 1866, when President Johnson adopted Lincoln's lenient reconstruction policy, a split developed between the President and Congress, where the supreme test of loyalty, to one faction or to another, was reconstruction of the South. In 1866 a civil rights bill was rammed through Congress over Johnson's veto; to insure the constitutionality of the measure, the Fourteenth Amendment followed. Some Congressmen wanted to include Negro suffrage in the amendment, but the idea was sidetracked to avoid the danger of failure.

Negro suffrage, especially important for Radical Republican control of the South, was required by an act in 1867, it is true, before a rebel state would be considered reconstructed, yet there was always danger that

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41 For an account of Negro suffrage and Reconstruction politics, see Leslie H. Fishel, "Northern
a Southern state, once admitted back into the family of states, might renege, or perhaps that the suffrage provision of the reconstruction act might be found unconstitutional. And to add to the alarm, the election returns of 1868 revealed that Grant would have lagged in the popular vote had it not been for Negro votes in the South. That many Northern states disapproved of Negro suffrage in their own backyards is demonstrated by rejection of the proposal in Connecticut, Minnesota, New Jersey, Ohio, and Wisconsin during the years from 1865 through 1867. Some Republicans, such as Sumner, in advance of their time, had advocated suffrage from the beginning of reconstruction, yet most Radicals came only gradually to the idea of securing this right by incorporating the provision for it into the national Constitution. But after 1868 it did clearly seem a necessity.

In Ohio, as in other Northern states with a fair number of Negroes, Negro suffrage was naturally a partisan issue since the Republicans were expected to pick up the


votes. And since the Radical reconstruction policy was calculated to insure Democratic defeats on the national scene as well, the Fifteenth Amendment was opposed on grounds beyond the question of control merely in the state itself. With this textual footnote about the national scene, let us now return to consideration of agitation for Negro franchise in Ohio; first, by amendment of the state constitution, and second, by the adoption of the Fifteenth Amendment.

In contrast with the war period, the balance of the Sixties brought some positive advances in the status of the Negro. The turn of fortunes began in 1865 as the Assembly repealed the last of the pre-1850 Black Laws, which had made the Negro ineligible for poor relief, and as it repealed the visible admixture law (already invalidated by the state Supreme Court) whereby colored persons less than half Negro had been forbidden the franchise. These were mere preliminary sideshows, of course; the feature attraction for this period was the struggle over the franchise. For this fight the Democrats were united and they could denounce Negro suffrage without fear of party division, but no such unanimity obtained among

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the opposition. While the Radical faction applauded and supported the idea, the more conservative Republicans dragged their feet with a notable lack of enthusiasm. Their candidate for the governorship, for example, instead spoke of colonization of Negroes in a reserve in southeastern United States, and of settling the question of Negro suffrage as a unit, i.e., throughout the whole nation at once.\textsuperscript{44} The Republican state platform of 1865 avoided any clear-cut statement on the matter, and the election of that year did not really settle anything.\textsuperscript{45} Under pressure of Radicals within the Assembly, and of lobbying by "equal rights" leagues on the outside, a resolution to amend the state constitution was in fact introduced in the legislature during the early months of 1866, but since it was realized that a ratification vote could not be taken before the next state election, the matter was postponed until the adjourned session of 1867.

By that time the question could be dodged no longer. Six resolutions in all regarding suffrage were introduced, and for a time it seemed that none of them would succeed.\textsuperscript{46} Curiously most of the difficulty centered

\begin{itemize}
\item \textsuperscript{44} \textit{Ibid.}, 206, 211.
\item \textsuperscript{45} \textit{Ibid.}, 208-209, 219.
\item \textsuperscript{46} \textit{Ibid.}, 219-220; \textit{Ohio Senate Journal}, 63(1867): 240, 250; \textit{Ohio House Journal}, 63(1867):10, 59, 90, 132-133.
\end{itemize}
not so much on whether to enfranchise the Negro, as on what else to include in the proposed amendment. One resolution, for example, would have provided for universal suffrage. The principal concern, however, revolved about the matter of what persons to disfranchise, for Republicans from the southern and western portions of the state held out for the exclusion of former rebels and deserters. According to one writer, these Republicans expected such a disfranchisement provision would obtain support for the measure in former Copperhead areas, and without doubt they hoped to cut down the effect of the anti-Negro vote in Negro sections of the state. The Democratic solidarity, plus the division in the Republican party ranks combined to prevent an early passage in the House, and it was not until the very last days of the session when the deadline neared for approval if it were to appear on the fall ballot that the Senate relented and agreed to the disfranchisement provision. The resolution was carried in both houses by a straight party

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49 Porter, Ohio Politics during the Civil War Period, 238.
vote. Many Republicans wanted to restrict the resolution to a pure proposition of Negro suffrage; instead the party was embarrassed for among the disfranchised deserters were included a great number of Ohioans who had fled from service after the surrender at Appomattox to avoid further duty along the Rio Grande River. By the grace of a special act of Congress, however, those persons who had served faithfully until April 19, 1865, were exempt from the definition of "deserter," and thus the Republicans were spared a reaction on this account in the fall election.

Voters in the fall election of 1867 cast a margin of 38,000 for rejection of the suffrage amendment. On the strength of their campaign position on suffrage, furthermore, the Democrats also carried the legislature, and, as might be expected with this expression of public sentiment, they proceeded to pass a series of anti-Negro laws and resolutions. First, they re-enacted a visible-admixture law; second, Ohio's ratification of the Fourteenth Amendment was rescinded; and third, they rejected the Fifteenth Amendment which had just been proposed by Congress.

Yet decisive as these actions may have seemed,

50 Ibid., 238; Ohio Senate Journal, 63(1867):493; Ohio House Journal, 63(1867):563; for party affiliations, see Ohio Statesman, October 18, 1865, 2:2; Ohio State Journal, November 7, 1865, 2:4; January 2, 1867, 4:3.

51 Porter, Ohio Politics during the Civil War Period, 243.

52 Ibid., 248, 251, 253.
it was but a year after the Democratic Assembly rejected the Fifteenth Amendment in 1869 that supporters of Negro suffrage achieved victory.

Buttressed by the fact that Grant supported the Fifteenth Amendment, during the campaign of 1869 Republicans used the argument that the amendment was necessary to the success of reconstruction in the South. Democrats dwelled less on the question of Negro equality than on the argument that the amendment would deprive the individual states of their right to fix their own suffrage requirements, and thus would centralize too much power in Washington.53 Earlier, during the campaigns of 1865, especially, and 1867, there was a great deal of appeal to race prejudice. Floats of young girls in virginal-white dresses, for example, pleaded with onlookers to save them from Negro equality.54 By 1869, however, this sort of tactic was much less conspicuous, perhaps because, as Republicans claimed, Democrats wished to avoid antagonizing Negroes unduly should they indeed become voters.55 Besides, there were other

53 Robert H. Snavely, The Negro Suffrage Movement in Ohio to 1870... (Ohio State University Master's thesis, 1931), 44, 49; Cincinnati Enquirer, October 6, 1869, 8:3.

54 Snavely, Negro Suffrage Movement, 49; Porter, Ohio Politics during the Civil War Period, 247.

55 Snavely, Negro Suffrage Movement, 49.
issues, of an economic nature, such as whether to redeem bonds in greenbacks, and whether to have a protective or a revenue tariff. In any event, the question of Negro suffrage was not specifically up for a vote, and approval or disapproval was coupled with other considerations in any vote for the several candidates.

The course of the election of 1869 in one county of the state is of special interest. In Hamilton County a group of dissenter Republicans, objecting to graft by the party's county machine, decided not to back the regular nominees for state offices, and joined with Democrats to name a victorious joint slate, half Reform Republicans and half Democrats. As it turned out the election of the Assembly was very close and the Reform Republicans had the balance of power in their hands. In the House the Republicans numbered 58, and of these five were from the Hamilton County Reform faction; there were 54 Democrats. In the Senate the membership was split, with 19 Republicans, and 18 Democrats. One of the Republicans was of the Reform faction. On partisan measures the Reform faction obviously could decide the issue. When the

56 Ohio Statesman, September 9, 1869, 2:3, 3:2-3.
57 Snively, Negro Suffrage Movement, 52-53.
58 Ohio State Journal, October 18, 1869, 2:5; Cincinnati Enquirer, October 14, 1869, 4:3; Cleveland Plain Dealer, November 1, 1869, 2:4.
vote on ratification of the Fifteenth Amendment, a partisanship proposition indeed, was counted, it was found to carry in the House 57-55 and 19-18 in the Senate. Only one Reform Republican (in the House) voted with the Democrats to reject the amendment; otherwise the whole affair was strictly on party lines.\(^{59}\) It seems that during the campaign Democrats had never taken the trouble to find out the position of the Reform faction on suffrage. In the Assembly the latter did not feel obliged to support the Democrats for they had campaigned on the promise of uniting to oppose the graft of the regular machine. It is ironical, therefore, that Republicans elected with the help of Democratic votes provided the margin of victory on a measure so important and so distasteful to the Democratic party.\(^{60}\)

With the adoption of the Fifteenth Amendment to the federal Constitution a new element emerged in Ohio politics, the Negro vote. Hitherto Negro leaders were no more than spokesmen for a group of outsiders; now they were accepted into party family circles, albeit as poor relations. But even as poor relations they were accorded a measure of respect, particularly around election time,

\(^{59}\)Ohio Senate Journal, 66(1870):12, 44; Ohio House Journal, 66(1870):89.

\(^{60}\)Snavely, Negro Suffrage Movement, 57-58.
and in time they were elected to various state offices. Democratic spokesmen began to drop the disparaging "nigger" in favor of "African" or "Negro" brothers. For a long time, however, most Negroes would have nothing to do with the Democratic party. Throughout all the controversy over reconstruction policy the champion of Negro rights had been the Republicans, and, as a result, it was only natural that the GOP claimed the support of an overwhelming number of Negroes, many quite unqualified in their loyalty. As one of their most distinguished leaders expressed his position, "Mr. Langston was not behind the boldest in earnest and decided utterance or action in favor of the distinctive doctrines of that party."  

For both parties this acquisition of power in politics by the Negro presented problems. By 1870 the Republican party was losing its missionary spirit as abolitionists passed from the scene, and party leadership was much more absorbed in economic policy regarding the emerging industrial giants. Besides, there were those in Langston, From Virginia Plantation, 263. Editor H. C. Smith, for his part, hated the Democrats like Carthage hated Rome. Before the Civil War it was "a heartless, barbarous bully, knowing neither pity or mercy. Since the war it is a sneaking, cowardly, blood-smeared assassin." Cleveland Gazette, May 10, 1884, 1:4. For some Democratic support, among Negroes, see August Meier, "The Negro and the Democratic Party, 1875-1915," Phylon, 17(1956):173-191.
the GOP who, as strong as any Democrat, drew the line at "social equality", which meant for practical purposes that they welcomed the Negro vote but not many more contacts beyond that. For the Democrats, of course, the problem of rebuilding after the war bordered on the overwhelming. They had been consistent foes of Negro civil rights, and now were presented with the situation where their foe was in a position to be of trouble. A new position towards the Negro was proposed for the party in Ohio by Vallandigham in May 1871 at the Montgomery County (Dayton) convention when the "New Departure" was announced. The three new amendments to the Constitution were accepted as settled policy, and by implication Democrats accepted Negroes as legitimate citizens and voters. The reverse side of the coin, of course, logically found attempts by Democrats to woo the Negro as a voter. All through the Seventies and Eighties they never tired of reminding Negroes that they were valued by the Republicans merely for their vote, and that in time they would discover how Democratic principles in the realm of economics were more in keeping with their true interest. State Senator Campbell, for example, predicted in a speech that "Sambo will also learn,

62Roseboom, Civil War Era, 475-477.
too, as he progresses in historical knowledge, that this high tariff system originates in that same spirit of avarice which long ago caused New Englanders to drag his ancestors from Africa and sell them into cruel, hopeless slavery. As it turned out, however, it appears that the entering wedge for Democrats to chip into the solid Negro Republican vote was dispute over patronage, rather than the loftier economic policy for the race.

By 1872 dissatisfaction was strong within the Republican party over excesses, as some saw it, of the Radical reconstruction policy, over high tariffs, and over unrestrained use of the spoils system. The protesting group met in Cincinnati that year, nominated publisher Horace Greeley for President, and were joined by Democrats to oppose the bid by Grant for second term. Greeley's long record of criticism of Democrats probably minimized his attraction to the faithful of that party, but as a nominee of the Liberal Republicans, and with such a pure record as an abolitionist, he could be expected to have a powerful appeal to Negroes. It is not surprising, therefore, that the Stalwarts included a plank in their platform stating that complete equality of rights in civil,

63McConnelsville Democrat, August 4, 1871, 3:4.
political, and public matters should be maintained. This was just what Charles Sumner had been working for in his civil rights bill which had been before the Senate in the several sessions since 1870. His bill forbade discrimination in such public places as railroads, theaters, hotels, and cemeteries. The failure to enact a civil rights law in a Republican Congress, especially after the platform position of 1872, coincided with Negro dissatisfaction with lack of patronage, and produced an explosion whereby one of the most influential Negroes in Ohio led a protest movement and eventually left the Republican party to become the leader of Negro Democrats in the state in time to support Cleveland for President and Hoadly for Governor in the Eighties. Even more to the dislike of Negro Republicans, his opposition to the repeal of the colored school section of the code was instrumental in prolonging the separate system from the year 1884 to 1887.

In Columbus, on July 30, 1873, a group of Negroes headed by Peter H. Clark met, and called for a mass meeting of Negroes around the state to be held in

64 Cincinnati Gazette, August 23, 1873, 1:1.
66 Brief biographies of Clark appear in the Cleveland Gazette, March 6, 1886, 1:5-6; September 3, 1887, 1:5. For a statement of Clark's political credo, see Meier, Phylon, 17(1956):175.
Chillicothe (August 22) to draw up a bill of particulars against the Republican party. The outcome of the Chillicothe convention was foreshadowed by the demand of the preliminary meeting at Columbus for a civil rights bill, and the right to be voted for. As might be expected, the main address at Chillicothe was delivered by Clark, himself, wherein the Republican party was called on the Negro carpet to do some explaining. Negroes, Clark asserted, were not eternally indebted to the party. While they had welcomed any force that ended slavery, Clark noted that emancipation in the last analysis was not prompted by humanitarian, but rather by military, considerations. Further, he would prefer to think that Republicans bestowed the right to vote simply because it was a right. As the Cincinnati schoolmaster phrased it, "The virtuous Trojan, when placing the sword of justice in the hands of his servant, enjoined him to use it for him so long as he reigned justly, and against him when he began to reign unjustly. In this spirit, I take it, the Republican party has given us the power to vote." He condemned the inaction on the pledge of 1872 while "Daily

67Xenia Gazette, August 12, 1873, 2:2-3.
68Cincinnati Gazette, August 23, 1873, 1:1-4.
on steamboats, railroads, and at public houses the accommodations granted to the respectably dressed and respectably acting white men, is denied to us, because of our color."

The Negro resented, furthermore, being forgotten when patronage was being dispensed. "In the bestowal of offices by the federal authorities, in all the Northwest colored men are ignored, and, with one exception, no colored man has received an appointment to office." And, Clark continued, in patronage on the state level, the Negro was also ignored. The convention then resolved that they were not eternally obligated to a party "which favors us as a class only in proposition as it is driven by its own necessities," and it called on Negroes to use discrimination in voting, or in not voting at all, in the ensuing state election.

As might be expected the regulars around the state rose up in arms. "...harsh, ungrateful, and uncalled for," wrote the Zanesville Courier; the Ohio State Journal criticized the suggestion that there should be "votes", be they on the basis of color, of nationality, or of sect. The Cincinnati Gazette deplored Clark's concern for office, saying that "Parties are based on principles. These are dearer to honest men than loaves and fishes. Those to whom

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69 Zanesville Courier, August 23, 1873, 1:3; Ohio State Journal, August 25, 1873, 1:2-3.
loaves and fishes are most precious are what may properly be called political bummers." Even so, political bummers could vote, realists were aware, and down on the loaves-and-fishes level the party had begun according recognition to Negroes even before the 1873 upheaval. For example, during the previous year, Colonel Robert Harlan, of Cincinnati, had been placed on the state central committee; and J. Madison Bell, a leader of integration in Toledo, was a delegate to the Philadelphia national convention. To refute Clark's charges about lack of patronage, national Negro leader John M. Langston issued a statement giving an analysis of five hundred colored employees of the federal government. Counter-meetings were formed to reject the Clark protest. To demonstrate the Negro's future in the party, the Republicans put up for candidates to the Ohio House, W. H. Parham in Hamilton County, and James Pindexter in Franklin. As it turned out Parham retired

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70 Cincinnati Gazette, August 25, 1873, 4:1.
71 Lebanon Patriot, April 4, 1872, 2:1.
72 Xenia Gazette, October 21, 1873, 2:1.
73 Meetings at Columbus and Cincinnati rejected the Clark resolutions. Cincinnati Gazette, August 28, 1873, 1:2-3; Cincinnati Commercial, August 26, 1873, 1:1-3. At Xenia a mass meeting endorsed Clark. Xenia Gazette, September 16, 1873, 1:6-7. For the nominations, see Cincinnati Enquirer, September 6, 1873, 4:3; Bellefontaine Examiner, September 5, 1873, 2:2.
from the ticket in favor of a government job, and as critics noted, in Franklin County the party was not calculated to be embarrassed since that county was generally lost to the Republicans anyway. Indeed, Poindexter ran behind his losing ticket; apparently some purists scratched even a sure loser. Thus, while the Clark revolt does not seem to have led to a widespread defection by Negroes from the Republican party in the next decade or so, it did serve notice on GOP leaders that the colored man, even though a newcomer to active participation in the political community, did not intend to have his demands ignored.

We should turn our attention for a moment to the civil rights legislation demanded by Clark since it later plays a part in our story. After the Clark protest a petition was circulated among Ohio Negroes, and a personal delegation visited Grant to lobby for Sumner's bill. But if the debates in the Congressional Record are an accurate indication, the measure was demanded more by Southern than by Northern Negroes, and seemed designed primarily to keep Negro loyalty, and to prevent intimidation of them, in the

74 *Cincinnati Enquirer*, September 19, 1873, 4:1; September 25, 4:1; *Zanesville Signal*, September 5, 1873, 2:1.

75 *Ohio State Journal*, October 17, 1873, 4:3-4.
South. Indeed, one Southern Representative accused the Radicals of wishing to plant the seeds of discord so that troops could be kept in the South and Radical control of that area prolonged. Whatever the reason the Radicals could not tolerate further delay for they were sitting in a Lame Duck session. After an amendment to exclude public schools from the measure— to satisfy conservatives in the party and to avoid the possibility of wrecking what public education there existed in the South— Congress passed the measure in early 1875. By its terms discrimination was forbidden in the "enjoyment of the accommodations, advantages, facilities, and privileges" of hotels, public conveyances, and theaters. Offenders were subject to forfeiture of $500 damages to the aggrieved, and to a fine of up to $500 and a jail sentence of up to a year. That the measure was intended above all as a reconstruction law is indicated by the much larger fine provided, up to $5,000, for refusal of states to admit persons as jurors on the basis of race. The Civil Rights Bill proved to

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76 Congressional Record, 3(1874-1875):passim. For example, see the comments of Representative John R. Lynch, of Mississippi, pp. 943-947.

77 Ibid., 3(1874-1875):954.

78 Ibid., 3(1874-1875):997.

be the last triumph of the Radicals; with the election of Hayes as President the remainder of federal troops were removed from the South, and before the end of the century whites were firmly in control.

Legislation for Colored Schools in the Seventies

Now we must backtrack a moment to consider the development of legislation for Negro education during the Seventies, which education in the following decade merged with considerations of civil rights to result finally in the repeal of the separate school section of the general code. From the point of view of the Ohio Negroes at the beginning of the Seventies, the adoption of the Fifteenth Amendment, of course, did not complete the quest for equality. With such a triumph as the franchise it is only natural they felt the hour for final and complete victory had finally arrived. So it was that at a state convention held in 1871 they called further for the end of all laws making a distinction on account of color (prohibition of inter-racial marriages and exclusion from the militia), and for changes in the school law which would give Negroes equal privileges with whites. They did not specifically call for mixed schools,

80Ohio State Journal, January 19, 1871, 2:5-6.
but as we have seen from the experience of Toledo in the preceding chapter, under limitations of the typical school budget, "equal privileges" meant, practically, mixing of the schools. The whole matter came up in the Assembly that year (1871) when the school laws were to be codified. As the codification bill came out of committee, the law of 1864 was omitted (which, it will be recalled, provided that separate schools were to be organized whenever there were 20 or more Negro children in a district).\textsuperscript{81} As a Democratic reporter phrased it, this "cat in the meal-tub" was met at the threshold by a determined Democratic minority, and several attempts were made to restore the law of 1864.\textsuperscript{82} They felt that omission of specific authorization for separate schools would mean that forced mixing of Negroes with whites in the classroom would follow.\textsuperscript{83} According to Republicans the clause in the code granting authority to boards of education to establish districts would empower them if they chose, to set up colored schools.\textsuperscript{84} Action taken on the measure strictly

\begin{footnotes}
\item[81]Ohio House Journal, 67(1871):918; Cincinnati Gazette, April 25, 1871, 1:3.
\item[82]Ohio House Journal, 67(1871):918-925; Cincinnati Enquirer, April 26, 1871, 3:2.
\item[83]Cincinnati Enquirer, April 25, 1871, 1:2.
\item[84]Fayette County Herald, (Washington Court House), September 28, 1871, 2:5-6.
\end{footnotes}
followed party lines, and in the final stage the Republicans were unable to muster a constitutional majority.\(^{85}\) (Thus the act was delayed until the following Assembly [1872-1873] when the act of 1864 was indeed incorporated in the new code, and without a recorded vote being taken on the action.)\(^{86}\)

From this distance it would seem the Republicans merely wished to remove a provision pointing up a racial distinction and perhaps wanted to make sure that a school of some sort would be provided, although if so, this laudable second purpose received scant attention in their defense of the bill. That they did not intend to do away with separate schools, as Democrats charged, is indicated by the hurried withdrawal by one of their members of a proposed amendment specifically forbidding any segregation in the schools.\(^{87}\)

This was 1871, and some Democrats still felt there was some political advantage to be gained in the amalgamation scare. Readers in Sidney were told:

> The next move, we opine, will be the passage of a law making it a penal or fineable offence for a white girl to refuse the attentions of the Fifteenth

\(^{85}\)Ohio House Journal, 67(1871):939. See note 58 for party affiliations references.

\(^{86}\)Ohio Educational Monthly, 22(1873):227. An amendment to forbid Negroes and whites to attend the same schools failed in the 1872 House, by an overwhelming 55-14. Ten Democrats joined the 45 Republicans in opposing the amendment. Ohio House Journal, 68(1872):644-645. For party affiliations, see Ohio State Journal, October 25, 1871, 2:1; Putnam County Sentinel (Ottawa), September 14, 1871, 2:1.

\(^{87}\)Register and People's Advocate (Washington Court House), October 5, 1871, 1:4.
Amendmenters, when they make overtures looking towards the marital relation; and vice versa, when an ebony colored lady takes a fancy to the son of a Caucasian, a Radical law may soon be looked for, or at least a move made by their leaders, to have a law enacted making it obligatory on him not to refuse to hold dalliance with her on account of "race, color or previous condition."  

The Cincinnati Enquirer wrote that forced association in the schools "is the last step, we are told, in the path of progress: 'emancipation,' 'enfranchisement,' and 'social equality.'" Its editor correctly predicted the matter would enter into the fall campaign, although he made no serious attempt to make it an issue in Cincinnati. The question of mixing the schools was given brief attention in Franklin and Belmont Counties, and was the entire issue in Fayette County. Perhaps even in these places the whole matter would not have been given so much publicity if there had not first occurred the squabble in Greene County (Xenia) where it was demonstrated that conservative Republicans had little stomach for anything as drastic as mixing the schools.

In a convention on July 13 (1871) a group of Greene County Negro Republicans went beyond the state convention of Negroes held during the previous January by

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88 Shelby County Democrat (Sidney), May 12, 1871, 2:3.
89 Cincinnati Enquirer, April 27, 1871, 4:3.
90 St. Clairsville Gazette, September 28, 1871, 2:6; Ohio Statesman, October 6, 1871, 2:1-2; October 9, 1871, 1:1-2.
demanding an end to the separate school law, and a committee
was appointed to ask (primary) candidates for the House
where they stood on the matter. There was little doubt
what the "correct" position was held to be; Bishop Shorter
of Wilberforce declared that he would not vote for a can­
didate who would not favor repeal, that he was tired of wait­
ing and wanted an end to the law "double quick."91 As can
be imagined Democrats who as yet counted very few Negroes
among their faithful, rejoiced in the discomfort of their
opponents, for as one writer noted, "No man can be elected
in Greene county who will give such a pledge."92 Both
Republican papers in Xenia cautioned patience by Negroes
in their quest for full equality.93 The words of the
Torchlight probably expressed the distress of conservative
Republicans in western Ohio:

We do not propose to discuss the right or wrong
of the social distinction between the two races,
but merely to assert that the school question is
grounded purely upon such distinction, and does
not concern, in [the] least, the civil or govern­
mental rights of the colored man. We would regret
the abolition, at this time, of the law providing
for separate schools for white and colored children
as inimical to the best interests of the colored
population and fraught with pernicious consequences.

91Xenia Torchlight, July 20, 1871, 2:4.
92Ibid., August 10, 1871, 3:4.
93Xenia Gazette, August 5, 1871, 1:3; Xenia Torch­
Notwithstanding the rather indiscreet utterances of Bishop Shorten, we think that... the time has not yet come, for the complete wiping away of all social distinctions between the white and black races. We think it is better to abide the same fullness of time rather than, by needless and foolish irritation, to stimulate afresh all the old venom of caste and social inequality.94

Both House nominees in the Republican primary professed to be in favor of retaining the separate schools, although the incumbent, John Little, failed to satisfy several voters that he was very staunch in his position, since he had voted against a Democratic amendment which would have incorporated the act of 1864 in the code.95 He had a close call in the primary, and in the fall election he ran slightly behind the ticket.96

In Fayette County the unreconstructed editor of the Democratic journal in Washington Court House took up the torch against the Republican member of the House, M. J. Williams, for his vote on the "nigger bill," and for over a month before the election made it the principal issue in the campaign.97 It was a glorious battle, but

94Xenia Torchlight, July 27, 1871, 2:2.

95Ibid., August 3, 1871, 2:1, 2-4; August 5, 1871, 2:2.

96In the primary his margin was 1,787 to 1,726; in the general election 2,803 to 1,491. The governor's margin was 1,518. Ibid., August 17, 1871, 2:3; October 18, 1871, 2:4-5.

97See file of the Register and People's Advocate for September and early October.
when it was all over we cannot be sure how the mixing-the-schools issue affected the campaign, for the bill of 1871, as we have seen, did not specifically end separate schools. But beyond that, we cannot even be sure whether the bill of 1871 decided the election, for halfway through the campaign the Democrats dumped their nominee for going back on a pledge to stay sober. The Republicans won, but Williams did run about a hundred votes behind his party.

The action in 1871 seems to have been no more than an overflow from the previous half decade of agitation for general political rights that culminated in the Fifteenth Amendment. After this date the question of education for Negroes did not enter into partisan politics again until 1878. When Clark drew up his list of particulars, for example, the bulk of the complaint was about patronage and the lack of civil rights; the attention given to inadequate school facilities was confined to a mere "whereas", and he proposed no prescription as a remedy. There was a fair amount of complaint about oversized districts and the lack of graded facilities, it will be remembered from the previous chapter, but the remedy for these was sought not at the Assembly in the state capital, but with

98 Ibid., September 28, 1871, 2:2.
99 Ibid., October 19, 1871, 2:5-6.
local boards of education and in the courts. And since this was the case one is led to conclude that the matter of total absence of facilities did not seem to be a serious concern. While as a generalization this is true, we cannot overlook the fact that there was a slight stirring of activity for a provision in the school law to guarantee some education for all children. Still the attention given, as we have said, was slight.

In both 1872 and 1874 bills were introduced providing for admission of Negroes into the regular schools if separate schools were not provided. The 1872 bill never came to a vote, and the one in 1874 lost by a vote largely along party lines. Even the latter bill seems to have commended little interest, except perhaps to avoid a vote, since less than half the membership of the House cast a ballot. There followed bills during the next three years to amend the colored education section of the school

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101 Ohio House Journal, 68(1872):340; 70(1874):614. The vote was 24-29. Voting for the bill were 21 Republicans and 3 Democrats; against, 26 Democrats and 3 Republicans. For party affiliations see, Ohio State Journal, October 22, 1873, 1:3; Columbus Dispatch, October 21, 1873, 1:2, Dayton Journal, October 17, 1873, 4:4.
law, which never even got out of committee.\textsuperscript{102} In all probability they were the same as the bills of 1874 and 1872, but this is not certain since all we know about them is their title. Questions of religion in education or prohibition might command attention during this period, but Negro education was absent from agitation at the state capitol. Then after a period of seven years during which both sides seemed satisfied to maintain the status quo, the law of 1878 was passed, and by a Democratic Assembly, at that. By that time it was clear that the Democrat of 1878 was not the same Democrat he was a decade earlier.

The "New Departure," accepting the colored men into the political community, seems to have indicated a softening of the previously inflexible attitude of Democrats opposing Negro rights. They did attempt to capitalize on prejudice in the 1871 election it is true, yet only a few journals in that campaign played on that theme. Again in 1872, 10 out of 24 Democrats joined with Republicans in voting against an amendment forbidding mixing in the schools.\textsuperscript{103} By 1878 the Democrats, it turned out, had softened their anti-Negro habit, to the extent

\textsuperscript{102}Ohio House Journal, 71(1875):252, 312; 73(1877):740, 744; Ohio Senate Journal, 72(1876):348.

\textsuperscript{103}See note 86.
that they were not above approving a bill they had rejected four years earlier, when it seemed they might capitalize on Negro discontent with the (national) Republican administration. (It will be recalled that Negroes opposed the ending of reconstruction by Hayes.) Let us now look at the passage of the Act of 1878.

In 1877 the Democrats won the state election as a result, it would seem of policies of the national administration. The Cleveland Leader viewed it as a repudiation of the Southern policy of Hayes; the Columbus Dispatch attributed the defeat to demoralization in Republican ranks as a result of Hayes' civil service policy, and to dissatisfaction over some of his appointments.104 The Cincinnati Enquirer reported that several Negro Democratic clubs were organized as a result of Hayes' ending of reconstruction, which Negroes considered to mean, in effect, the restoration of white supremacy in Dixie.105 Perhaps it was to cast Democrats in their traditional role of being anti-Negro, and thus win back some of these defecters, that Republican Representative J. M. Dalzell introduced a bill to end the color line in Ohio's schools.106 His bill was

104 Cleveland Leader, October 12, 1877, 1:3; Columbus Dispatch, October 11, 1877, 2:1-2.
105 Cincinnati Enquirer, September 7, 1877, 8:6; September 8, 1877, 1:3; September 11, 1877, 5:4.
postponed with no vote recorded; and his amendment, to accomplish the same thing, to the Democratic school bill lost by a party vote of 47-36. To be sure that Negroes of Ohio would not miss what he and the Republican party was doing for them, Dalzell sent a letter to the editor of the Columbus Dispatch calling attention to his activity. According to the Representative, "It is no political after-thought [of the election] with me, and it is on the line of true Republican policy." Dalzell could be suspected of suddenly getting religion, and the editors of the Dispatch were so unkind as to point it out in an adjoining column. If it were a matter of life-long principle, they asked, would it be impertinent to ask him why he did not propose the measure when the Republicans were in a majority in the Legislature? "Why does he wait until there is an overwhelming Democratic preponderance in the General Assembly, and when there is hardly a possibility of the measure becoming a law?"

Dalzell's "politicking" did prove of some use, however. Very probably as a counter-move to remove the

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107Ibid., 74(1878):647, 670. Four Democrats voted for Dalzell's amendment. For party affiliations, see Cincinnati Enquirer, October 19, 1877, 2:6; Ohio State Journal, October 2, 1877, 2:4.

108Columbus Dispatch, February 11, 1878, 2:3.
impression that they were anti-Negro, Democrats passed
the school law of 1878 which dropped the requirement of
a separate district when there were 20 Negro children in
a district; it merely gave school boards permission to
establish separate schools if they desired, and coupled
with this the requirement that a free education be pro­
vided to all youth of the state.109 Besides being a move
to counter the strategy of Dalzell, the measure also may
have been introduced as a logical corollary to the com­
pulsory education act passed the year before.

The activity in 1878 is interesting for another
reason than the legislation passed. It marks the first
instance it would seem where colored teachers, as a vested
interest, protested to this, the first, proposal in the
legislature that separate schools be ended. The state was
presented with a battle of letters to the editor between
James Poindexter and J. S. Tyler of Columbus, calling for
an end of the system of separate schools on one side, and
Solomon Day, of Dayton, and James S. Waring, of Columbus,
veteran teachers both, on the other. Solomon Day was
against the bill frankly because it would mean the end

109Laws of Ohio, 75(1878):513. In the House, 47
Democrats and 16 Republicans voted for the bill; 10 were
opposed. Ohio House Journal, 74(1878):670. In the Senate,
the vote in favor were 22 Democrats; opposed 1 Democrat and
of his position, along with those of other Negro teachers. In his letters Poindexter complained that Negro schools were inferior both in accommodations and teachers. In addition Poindexter and his followers organized a mass meeting where mixed schools were called for. According to the Columbus Dispatch it was a "sort of jug-handed affair—all on one side" where opposing opinions were not tolerated, and no sympathy was shown to the teachers. In a resolution the argument that separate schools should be maintained to provide jobs for Negro teachers was pictured as equivalent to a government subsidy for a given profession, and it was declared that if the teachers couldn't find work in schools, they should try something else. The result of this rather heavy, if not unnecessary, abuse on the teachers was the enmity of the Waring family for Poindexter that cropped up even a decade later.

Despite this brief flurry of interest outside of the legislative halls, the passage of the Act of 1878 was

110 Ohio State Journal, February 9, 1878, 2:3-4.
111 Ibid., February 7, 1878, 2:3-4; February 19, 1878, 2:3-4; Columbus Dispatch, February 18, 1878, 3:4-5.
112 Columbus Dispatch, February 12, 1878, 2:1.
113 Ohio State Journal, February 12, 1878, 4:3.
114 Ibid., February 18, 1878, 2:3-4; February 20, 1878, 4:6; Cleveland Gazette, July 1, 1889, 2:7.
followed by a six-year period of absolute quiet, insofar
as Negro education legislation is concerned. Not a
petition was sent to the House, and not a bill was intro-
duced to change the pattern of segregation that existed in
the schools. This disposition by both parties to accept
the pattern is even more remarkable when it is remembered
that Cincinnati and Cleveland each sent a Negro member to
the Assembly during this period. Then, as we shall
see, this legislative tranquility was rudely broken when
the United States Supreme Court ruled the Civil Rights Act
of 1875 to be unconstitutional.

While there was calm in the Assembly, forces were
at work in the localities which in time challenged the
adequacy of the separate school system. Especially im-
portant was the steady migration of Negroes into the state,
particularly the cities, which served to put pressure on
the school boards to provide expanded facilities. Some

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115 Especially noted by the author in his check of
petitions were those presented by Negro members John P.
Green, of Cuyahoga, and George Williams, of Hamilton. Also
noted were petitions presented by other Cuyahoga County
representatives, and by those from Clark, Franklin, and
Greene counties, where lived some of the more prominent
Negro agitators.

116 Census figures show 63,213 free colored persons
in the state, 2.37% of the total population, in 1870; in
1880 there were 79,900, 2.5% of the population. Demands
for more schools, and for graded schools, were noted in
the previous chapter for such communities as Zanesville,
Xenia, Columbus and Springfield.
communities, such as Columbus and Marietta, did not await a state mandate, but quietly decided to integrate. On the other hand, the events in Springfield demonstrate what trouble a good-sized town could experience in trying to maintain the separate system in face of this expanding population. 117

The pressure to integrate the schools, brought about by the increase in Negro population in the period from 1878 to 1884 came at a time when there were indications of a lessening of hostility to integration, even though the Springfield experience shows the hostility was far from

117 In 1878-1879 the Negroes of the city tangled with the Board of Education over the matter of more facilities, and even threatened a boycott of the existing school. A couple more schools were granted them but even with these increased facilities, classes were not as convenient to Negroes as they were to whites. Agitation was resumed at the beginning of the 1881-1882 school year when Reverend J. W. Gazaway attempted to send his daughter, Eva, to the nearest (a white) school, where she was denied admittance. In light of the unfavorable decisions in the state courts a suit for damages was filed in the Federal District Court in Cincinnati on December 16, 1881. It ended up before the same Judge Baxter of the Buntin case, and, as in the Buntin case, he charged the jury to return a verdict for the defendant, the Springfield Board of Education. The extra mile she was forced to walk to school did not entitle her to relief. There was talk of repeal to the Supreme Court when the action of the state legislature, in repealing section 4008 allowing separate schools, obviated the need for such an appeal. Springfield Republic, August 29, 1878, 4:1; October 1, 1878, 1:6; November 12, 1878, 1:6; December 10, 1878, 1:6; December 24, 1878, 1:5; November 5, 1881, 2:3; November 4, 1882, 4:1-2; November 8, 1883, 8:1; Cincinnati Commercial, December 17, 1881, 4:4.
absent. In 1885 Senator Ely (Cuyahoge) referred to a change in public opinion favoring racial equality.\textsuperscript{118} It is interesting that while the editors of the \textit{Columbus Dispatch} in 1878 cautioned Negros of the city that the time had not yet come for integration, in 1881 the same editors condemned the separate schools as a monstrosity.\textsuperscript{119} The successful example of integration in Columbus was noted by editor H. C. Smith of the \textit{Cleveland Gazette} as a talking point for the practicality of integration.\textsuperscript{120} It may be that the larger cities of the state, except perhaps Cincinnati, eventually would have abandoned their separate systems in the interest of economy; but in light of the resistance to integration to be described in the following chapter, it seems unlikely that the smaller towns, where one school was physically sufficient for the Negros living there, would have allowed much mixing had not it been for the Arnett Law of 1887.

\textbf{The End of the Color Line}

The comparative ease with which the separate school law was repealed once the sympathetic party was in power

\textsuperscript{118} \textit{Cincinnati Enquirer}, February 20, 1885, 2:1.
\textsuperscript{119} \textit{Columbus Dispatch}, February 9, 1878, 2:2; May 4, 1881, 2:1-2.
\textsuperscript{120} \textit{Cleveland Gazette}, February 16, 1884, 2:1.
suggests that the time may have been ripe for that action even earlier than the mid-Eighties. Yet it is interesting to note that prior to 1884 the Assembly was quite free from requests for such a move, and that Negroes confined their agitation to the localities, with the boards of education, or to the courts. It was not until a civil rights crisis, or what seemed to be a crisis, took place that it occurred to them to turn to what now seems the obvious source of relief, the state legislature, which had authorized the pattern of segregation in the first place.

The Civil Rights Act, it will be remembered, was passed by Congress in 1875 to prevent discrimination in the use of inns, public conveyances, and theaters. Eight years later, in 1883, by an eight to one decision, the Supreme Court ruled that the restrictions imposed in the Fourteenth Amendment enjoined the states not to abridge the rights of Negroes, and that the Amendment did not vest authority in the federal government to guarantee the rights by positive legislation. In other words, the extent of its authority was to make sure that the states, by legislation, did not abridge certain rights of citizenship. It was understood, however, that the states had the right to pass positive legislation.

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legislation, guaranteeing these rights.

When the decision was announced real alarm broke out in the Negro camp. One was reported to have said "As it stands now we feel as though we have been disfranchised." In Ohio and around the country were voiced forebodings of disaster of some sort or another. In Washington Frederick Douglass termed it a disheartening step backwards; John P. Green, Ohio Negro legislator, saw in it a plot by the national administration Republicans to please Southern leaders. Around the state Equal Rights Leagues were organized by Negroes to secure what were considered their threatened rights. Others counseled calmness. Federal District Attorney Channing Richards reassuringly pointed out that such rights were already secured under common law in Ohio, and that besides there had been but one case under the invalidated federal law, and that had resulted in an acquittal. At a meeting of Negroes in Cincinnati, Peter H. Clark attempted to allay their fears, and in his speech

122Springfield Republic, October 18, 1883, 8:1-2.
123Cincinnati Enquirer, October 17, 1883, 1:8; Cleveland Gazette, October 20, 1883, 2:5.
124Cleveland Gazette, March 1, 1884, 2:2.
125Cincinnati Commercial Gazette, October 17, 1883, 1:7.
pointed to the states as the medium for the protection of their rights.\(^{126}\)

Since the civil rights law had operated without serious opposition in the state, since a politically active minority group was quite aroused, and since it is always politically popular to be against sin, there was a veritable rush to the hopper to introduce civil rights legislation. In the House (1884) four bills were introduced, and two in the Senate.\(^{127}\) As it turned out, a Senate bill became law, was subsequently amended by another law a couple of months later, and as the final legislation read racial discrimination was prohibited in inns, public conveyances, restaurants, and places of amusement. The damages to the aggrieved, and the fine for a violation were each set at $100, and in addition, the offender was subject to a jail sentence of up to thirty days.\(^{128}\)

With the excitement over civil rights, attention of Negroes quite naturally turned to other aspects of

\(^{126}\)Cincinnati Enquirer, October 23, 1883, 4:5.

\(^{127}\)Ohio House Journal, 80(1884):42, 43, 58; Ohio Senate Journal, 80(1884):8, 28.

\(^{128}\)Laws of Ohio, 81(1884):15-16, 90.
their status in society. By an act in 1878 the Negro had been admitted to militia companies, but there still remained on the books laws forbidding inter-racial marriages, and of course there also was the school law of 1878, which was now section 4008 of the general code.\(^{129}\) Reviving an old term, Negro leaders called these racial laws "Black Laws," and a demand arose for their repeal. The enactment of the civil rights laws disturbed very few around the state, for, as John M. Langston and others had noted, these rights already were guaranteed by common law.\(^{130}\) But this was not the case with the "Black Laws," and there was a measure of resistance to their repeal. The fight for repeal may be divided into two phases. During the first, under a Democratic Assembly in 1884 and 1885, there was near success, but the action fell short of the goal when it became bogged down in a mixture of prejudice, politics, and division among the Negro spokesmen themselves. In the second phase, in 1886 and 1887, the measure passed when the Republicans controlled the Assembly, and Democratic divisions were of no moment. The only problem then seems to have been who would get the glory.

\(^{129}\)Ibid., 75(1878):1031.

\(^{130}\)Cincinnati Enquirer, October 17, 1883, 1:8.
During the first phase some of the leaders for Negro rights were content with half a loaf, and did not attempt to repeal the Black Laws in their entirety. In the first year, 1884, a bill to repeal all of the Black Laws died in a House Committee, and principal attention was given to the measure of Representative John Littler, of Clark County, which called for repeal of section 4008. With no vote recorded, his bill was amended to allow separate schools if a majority of the Negroes of a district requested it. Apparently this amendment was intended to placate the opposition of Negro teachers, led principally by Peter H. Clark and others from Cincinnati. The amended bill was approved by 50-32 vote, but this fell three short of the needed absolute majority. All Republicans voting were favorable, and they were joined by a dozen Democrats. And obviously a good number did not choose to vote. Republican Negrodom understandably


132Ibid., 80(1884): 678.

133Dayton Journal, April 10, 1884, 2:5; Cleveland Gazette, April 19, 1884, 2:3.


135For party affiliations of the 1884-1885 General Assembly, see Ohio Secretary of State, Annual Report, 1883, 72.
was furious with Clark, and no words were sufficient to condemn this colored Judas.\footnote{Cleveland Gazette, April 12, 1884, 2:2; April 19, 1884, 2:3.}

In 1884 action, of course, merely represented round one, and in 1885 the struggle was resumed, with the pressure intensified. Chances of success mounted when the Democratic Governor, George Hoadly, threw in his lot for repeal of the laws, especially section 4008, which he considered a relic of slavery, and which meant inferior education for many Negro children.\footnote{He repeated this plea in his outgoing message in 1886. Champion City Times (Springfield), October 15, 1887, 1:5-6.} In this session contests were waged in both houses of the Assembly. In the Senate, George F. Ely (Cuyahoga) sponsored a bill calling for repeal of all the Black Laws which was postponed by the Democrats in a party vote of 21-9.\footnote{Ohio Senate Journal, 81(1885):41, 201.} Since part of the opposition would not accept repeal of the marriage ban, another bill followed to eliminate only section 4008.\footnote{Ibid., 81(1885):203; Cincinnati Enquirer, February 20, 1885, 2:1.} Even though this second measure was approved (13-10), like Littler's bill, it fell short of the needed constitutional majority (of 17).\footnote{Ohio Senate Journal, 81(1885):568. Voting favorable were five Democrats and eight Republicans; negative, ten Democrats.}
House Littler introduced another bill to repeal 4008, with a proviso to allow a separate school if Negroes of the district petitioned for it.\(^\text{141}\) Democratic Representative J. R. Thompson (Hamilton County) added an amendment to call for unrestricted repeal (the same as Littler's original bill the year before,) probably the wise measure since it would remove the question of whether or not to have a separate school from the realm of partisan politics within the Negro community.\(^\text{142}\) Thompson put pressure on his colleagues to pass the amended Littler bill, lest the opponents receive credit for what would be inevitable the next time they captured the Assembly.\(^\text{143}\) Littler's amended bill cleared the House by a vote of 59-13, but failed in the Senate.\(^\text{144}\) In all the votes of 1885 all negative ones were Democratic; and no geographical pattern emerged in the voting.


\(^{142}\) *Cleveland Leader*, March 14, 1885, 1:2.

\(^{143}\) *Cincinnati Commercial Gazette*, March 14, 1885, 2:7.

\(^{144}\) *Ohio House Journal*, 81(1885):454; *Ohio Senate Journal*, 81(1885):736. The Senate vote was 10 favorable, and 12 opposed. The party breakdown on the vote: House, favorable, 27 Democrats and 32 Republicans, and negative, 13 Democrats; Senate, favorable, 4 Democrats and 6 Republicans, and negative, 12 Democrats.
Attention to repeal of the Black Laws, as we have said, was more intense in 1885, and it was during this session that most of the debate recorded took place in the Assembly. Some of the opposition among the Democrats undoubtedly stemmed from nothing more than prejudice, or estimates of prejudice in the home constituency.\textsuperscript{145} It undoubtedly did not appear worth the risk, furthermore, when it seemed that Republicans got all the Negro votes no matter what the Democrats did.\textsuperscript{146} But surely one of the reservations on supporting repeal was that the Democrats did not want to advance the fortunes of Negro Republicans at the expense of Negro Democratic teachers who opposed the bills. We might elaborate on this a bit further.

Without doubt it is true that some of the agitation for repeal stemmed from resentment over class distinctions. For example, editor H. C. Smith of the (Negro) Cleveland Gazette called for repeal of these laws as emblems of second class citizenship even before the civil rights

\textsuperscript{145}Cincinnati Commercial Gazette, February 20, 1885, 5:2.

\textsuperscript{146}Ohio State Journal, March 14, 1885, 2:4. A Gallipolis editor growled, "All their so-called disaffection with Republicans just before an election is put on to extort something from them. A few dollars easily satisfy the leaders, and they all crawl under the Republican belly." Gallipolis Bulletin, November 22, 1887, 2:1.
scare brought it to the attention of other Negro political leaders. Yet it would seem that a desire for political advantage was a more compelling motivation. It will be remembered that all during the period from 1878 to 1884 not one petition was sent to the House calling for repeal of the segregation law; nor did the Negro legislators introduce bills to this effect. The same James Poindexter who had flooded the local papers in 1878 with criticism of teachers Day and Waring was conspicuously silent when the Board of Education of Columbus was considering mixing in 1881. And even where the separate schools were condemned, the primary complaint was that the facilities were inferior, not that they were separate facilities pointing up class distinctions. Quite well could Senator W. H. Reed ask why the Republicans were in such a hurry when they had waited over twenty years to ask for repeal, and for repeal at a time when Democrats controlled the Assembly. And even more pointedly, Senator John O'Neil could wonder if much of the agitation was not being carried

147 *Cleveland Gazette*, September 15, 1883, 2:1.

148 After the Arnett bill passed the House, a Negro journal reporter praised the work of Arnett and Brown in contrast to that of Green and Williams "who sat like wooden men during their terms with everything favorable yet accomplished nothing." *Ibid.*, March 13, 1886, 1:3-4. See also note 115.

149 *Cleveland Plain Dealer*, April 24, 1885, 5:3.
on by men seeking prominence among their own race.\textsuperscript{150}

This same point was made by Negro Principal Ira Collins of Hamilton:

This question has been agitated by some would-be leaders and a few disappointed office-seekers among the colored people. They are trying to make both political parties in the Legislature believe that the future success of each in this State depends upon wiping out a few supposed obnoxious sections to the colored people.

These political tricksters are preparing themselves for the time when they suppose the political tide will come in. Then they hope to point to something they have successfully urged in favor of the race and thus float to some fat office. They are attempting to use the Legislature to promote their own political advancement.\textsuperscript{151}

There seems to be an uncomfortable amount of truth in Collins' charge. The sincerity of the agitators for repeal would be less subject to doubt had not they seemed so eager to vanquish a teacher of their own race in the opponent's political camp (Peter H. Clark), and if they had not been so silent in the previous half decade, only to raise their voices in political protest when there seemed to have developed a bandwagon from which they could achieve notice.

The transition to the second stage of the drive for repeal of the Black Laws, of course, was the election

\textsuperscript{150}\textit{Cincinnati Enquirer}, February 20, 1885, 2:1.

\textsuperscript{151}\textit{Cincinnati Commercial Gazette}, February 6, 1885, 3:2.
of 1885. Since the Governor was the chief elective office in odd-year contests, his record ordinarily would come in for review. But Hoadly had a good record on racial matters, with his recommendation of repeal of the Black Laws, and his nomination of a prominent Negro from the political opposition, James Poindexter, as Trustee to Ohio University at Athens. Indeed, his opponent, Joseph Foraker, seemed less eligible since he had defended the Springfield School Board in the Gazaway case. This apparently served to minimize the Black Laws issue in the campaign. A check of partisan papers, and of the militant Negro Cleveland Gazette indicates the election did not turn on the action of the previous Assembly on segregation. The Zanesville Signal blamed the Democratic defeat on the lack of federal patronage which sapped the enthusiasm of the rank and file; the Steubenville Gazette credited the Republican victory to a reaction by the voters to the favoritism shown by the Democratic Assembly to the interests of Standard Oil. Of more interest to our narrative is that three Negro Representatives were elected to the

152 Xenia Democrat-News, April 18, 1885, 2:1.

153 Cleveland Gazette, July 11, 1885, 2:1-2. For the Gazaway case, see note 117.

154 Zanesville Signal, October 15, 1885, 2:2; Columbus Dispatch, October 16, 1885, 2:5.
House: Benjamin Arnett, from Greene County; Jeremiah Brown, from Cuyahoga; and, after a contested election, Colonel Robert Harlan, from Hamilton County. After the near-miss in 1885, and with the tangible injustice of a Negro fined and imprisoned in Toledo for marrying a white woman, there existed a challenge and an opportunity that no Negro legislator could pass up. Since the Republicans controlled the Assembly, there was no doubt about ending the Black Laws; the only question was who would be the Lord High Executioner.

Of the sponsors of legislation in 1884 and 1885 Senator Ely returned to the Assembly to re-introduce another bill to repeal the Black Laws, on January 12, 1886. But, apparently, in great haste to be the hero, Representative Arnett introduced an identical measure in the House the day before. Cleveland Gazette editor H. C. Smith was disgusted. "For Mr. Arnett to steal Senator Ely's thunder; for him to embody in a bill the same provisions of Senator Ely and offer it as his bill was very

155Clermont Sun (Batavia), March 4, 1884, 4:1.
156For party affiliations of the 1886-1887 General Assembly, see Ohio Secretary of State, Annual Report, 1885, 69-70.
157Ohio Senate Journal, 82(1886):44.
discourteous..."158 To add to the burned fingers of Arnett, a home town paper (Xenia) accused Arnett of duplicity, saying that he had given his word to a representative of the paper that he would not agitate the separate school question.159 Thus when Arnett requested his bill to be discharged from its regular committee to him, a committee of one, he seemed to be yielding to the pressure of the paper, and he was condemned by members of his own race for having no backbone.160 It is reported that as far away as Chicago they had learned about his conduct, and that a Negro audience walked out of a chapel where he was scheduled to speak.161 Finally about a month later, apparently after party leaders decided to push the matter first in the House, Arnett reported back his bill and on March 10, 1886, it passed by a vote of 59-25.162

158Ohio House Journal, 82(1886):65; Cleveland Gazette, February 20, 1887, 1:7.
159Cleveland Gazette, January 23, 1886, 4:2.
161Ibid., February 27, 1886, 2:4.
162Ohio House Journal, 82(1886):342. According to the Gazette reporter, Ely wished to embarrass the Democratic majority in its profession to be a friend of the Negro. Cleveland Gazette, February 20, 1886, 1:7. By May 8, four contested seats from Hamilton County were awarded to the Republicans, and the Democrats lost Senate control. Perhaps the Republicans wanted Senate action first, before they had a majority there. Ohio Senate Journal, 82(1886):520.
Only one Republican, Watson D. Johnston, of Huron, voted negative; five Democrats voted positive with the Republicans. This time, in contrast to 1885 when they controlled the Assembly, no Democrats south of the National Road were among the five voting for the measure. By the time the bill reached the Senate, there were but a few days remaining until adjournment. Nineteen votes were needed for the necessary constitutional majority, but of the 21 present at a Republican caucus, three were opposed to the bill.\(^{163}\) Apparently not wanting to count on Democratic help, Ely had the bill committed to himself as a committee of one, to be brought out during the second session in 1887.

Even without the final enactment into law, the action of the House was somewhat of a joyful triumph to its sponsors. Arnett and Brown delivered speeches to admiring colored galleries; and when it was over the David Jenkins Club of Columbus feted the three colored legislators with a banquet.\(^{164}\) But still there was work to be done. A Republican school board fired Peter H. Clark,

\(^{163}\)Cleveland Gazette, October 9, 1886, 1:3.

and the principal leader of the opposition thereby was removed from a position of vested interest. It is reported, indeed, that he wrote a letter to the Senate urging passage of the Arnett bill. That summer a convention of Negroes in eastern Ohio met in Alliance to draw up a petition to urge passage of the bill. Then once the legislature was back in session, Negroes from around the state descended on Columbus to direct the Senate along the path of justice. Reverend Gazaway even came from Indianapolis to join the Springfield delegation.

On February 16, 1887, the great day arrived, when by a vote of 24-7 the Arnett bill was passed the Senate, and the last of the Black Laws were repealed. All the negative votes were Democrats, and four of them voted positive with the Republicans. When the vote was announced

...such a shout went up in that chamber as has never been heard therein since the vote was taken on the ratification of the Fifteenth Amendment. Strong men clasped each others hands and offered mutual congratulations, while their eyes were

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165 Cleveland Gazette, May 15, 1886, 1:4; June 19, 1886, 2:4.
166 Ibid., February 26, 1887, 1:5.
167 Ibid., August 7, 1886, 2:2; August 14, 1886, 1:4; August 20, 1886, 1:7.
168 Champion City Times, February 15, 1887, 4:1.
filled with tears of gratitude to God for leading the members of the Senate in the right path. It was a sight once seen, never to be forgotten. 170

After the victory, triumphs followed into the next month throughout the state. Celebrations were held in Urbana, Marysville, Delaware, Columbus, among other places, and especially in Springfield, where probably the jolliest of the jollifications was held. 171 At the "Wig-wam," 1,800 were reported to have gathered to hear speeches by the venerable Poindexter, Senator Ely, and of course the man of the hour, Benjamin Arnett, author of the Arnett Bill wiping out the last of the Black Laws. So successful was the celebration that a local editor predicted it would become an annual affair. 172 Then on his return home to Xenia, Arnett was presented with a gold-headed cane by his admiring fellow-Republicans. 173

On February 22 the measure was signed by the Speaker of the House and the President of the Senate, and

170 Circleville Union-Herald, February 26, 1887, 1:3-4.

171 Cleveland Gazette, February 26, 1887, 2:2; March 12, 1887, 1:3-4, 2:7; March 19, 1887, 1:3; Xenia Democrat-News, March 5, 1887, 3:3.

172 Champion City Times, March 1, 1887, 4:2-3.

173 Cleveland Gazette, April 9, 1887, 3:3.
with the simple sentence "...sections 4008, 6987 and 6988 of the Revised Statutes of Ohio be and the same are hereby repealed" compulsory segregation was ended in the Buckeye state. A Democratic reported incorrectly prophesied, "We suppose there will now be peace." 

174 Laws of Ohio, 84(1887):34.

175 Steubenville Gazette, February 25, 1887, 1:5.
CHAPTER VII

IMMEDIATE REACTION TO THE ARNETT LAW

At the time of the passage of the Arnett law, a Xenia Negro wrote to the Cleveland Gazette that the legislation was being received in that town as a "mighty big pill."\(^1\) A local editorial that the school system of the town was about to be wrecked seemed to bear him out:

\[\ldots\text{no matter what sentimental reasons there may have been for it; no matter how much great Columbian orators may have orated upon the rights of man, the equality of all men under the law, it is profoundly ridiculous for a set of legislators to pass any law that does not either confer positive benefits, or remove obstacles in the way of a positive benefit, merely at the mandate of sentiment or glittering generalities, without regard to the practical applications that are to ensue.} \ldots\]

What then is to be lost by the abolition of the separate school system in the city of Xenia? We answer, everything nearly. We shall lose at least one half of the white attendance. We shall lose the children of all parents who have means enough to educate their children at private academies. We shall lose efficiency in instruction. \ldots\text{There may be a secession of the white race and there may be inaugurated a social conflict that will crush our public school system as between an upper and nether millstone -- and all this for the gratification of a sentiment that is bottomed on nothing, not even common sense.}^2

\(^1\)Cleveland Gazette, February 26, 1887, 2:5.

\(^2\)Xenia Republican, February 22, 1887, 2:1-2.

Naturally this sort of comment delighted Democrats. Later in the year a Steubenville editor wrote, "The Greene County Republicans who thought they loved the colored brother so well that their hearts bled for him,
And a year later up on the Western Reserve came a purist's cry:

Who is narrow? Who is sentimental? Is it the man who is opposed to bringing the Negro into an unnaturally intimate contact with the white; or is it the man who can see nothing but jealousy in such opposition. ...It is not prejudice which forbids a complete extinction of the color line; 'tis Nature's protest against a mongrel race. 3

While there were protests such as these, and while other critics reminded Negroes (probably for votes, and to get support for maintaining separate schools) that they would lose the income from teaching and a profession for their brighter youngsters, it would seem that the observation of the Columbus Dispatch that passage of the Arnett Law was accomplished "without as much as a slight ripple upon the surface of public thought," was not, on the whole, an understatement. The ease of its passage seemed especially noteworthy, for, as the editors pointed out,

have found out it was all a mistake. They loved the colored brother who was not permitted to go to school with the white children of the South. They loved the colored brother -- far away from them, and now the Greene County Republicans are up in arms against the admission of the colored children to the white schools. The colored children are good enough to attend the Southern white schools, but not good enough to sit with the children of Greene County Republicans. Steubenville Gazette, September 30, 1887, 4:2.

it was "Less than twenty years ago the people of Ohio voted not to strike the word white from the Constitution." Except for 1885 the legislative debate on the proposal was not especially vigorous, and there were few with much interest in the entire proceedings at the time of passage, outside of Negro agitator leaders. It is significant, perhaps, that of the editorial opinion around the state on the law, it was in Xenia and Batavia that protest was most consistently registered. It was from these two areas that most of the serious opposition to integration arose.

In response to an inquiry from school authorities at Circleville the Attorney General ruled that separate schools could be continued for the balance of the school year in progress at the time the Arnett Law was passed for it would hardly have been the intention of the Assembly that the law should interfere with existing contracts. But while existing schools would not be required to close, plainly there was no authority, he believed, to continue them during the ensuing (1887-1888) academic year. To the

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4Columbus Dispatch, February 18, 1887, 2:1; Clermont Sun (Batavia), May 18, 1887, 4:3; Jackson Herald, September 15, 1887, 4:2; Xenia Democrat-News, March 12, 1887, 2:1.

5Champion City Times (Springfield), March 2, 1887, 1:4.
legally unsophisticated this seemed to be what the law said, and therefore the primary question for the Negro teacher, the patrons of the schools, and the defender of white integrity was whether the law would be enforced.

The summer of 1887 passed rather uneventfully, and outside of a half-dozen places over the state, the integration question did not make much news. We will look at four really disturbed communities a bit more in detail presently, but first let us consider the adjustment picture in general around the state, for there were dozens of school districts where the situation had to be faced.

Reaction to the Arnett Law in Various Communities

At Bainbridge in Ross County, and at Bellefontaine, Negroes simply were excluded from the white schools, and apparently the school boards got away with it. In other towns there were mutterings of discontent by white patrons over integration, with talk of withdrawals and boycotts. Examples of this were Bellaire, Lebanon, Newark, Washington

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6Ibid., October 25, 1887, 1:3; Cleveland Gazette, September 29, 1888, 2:1-2. Editor H. C. Smith was incensed with the action of the Board at Bainbridge. Bring a suit, if necessary, he urged, and "teach the trash that they can not and shall not withhold from us a single right the Constitution of the United States and the law of Ohio grants us as law-abiding American citizens. FIGHT THEM!"
Court House, St. Clairsville, and Martins Ferry. In the last mentioned town it was thought advisable for the process of registration to have the Negroes come together and be escorted to school to avoid incidents. At College Hill, Ripley, Xenia, Yellow Springs, Oxford, and Felicity, court action was necessary before compulsory racial segregation was ended, and what segregation remained was voluntary or residential. On the other hand, the most probably as the result of a great deal of "missionary" work by interested Negro teachers, there were communities where the separate schools were left open and were voluntarily attended. In London, Sidney, Urbana, Wilmington, and most important, in Cincinnati, Negroes could, and did, attend the white schools, but Negro schools were also maintained with the understanding that attendance there was to be optional. At Circleville, Jackson, and Troy the schools

7Cincinnati Enquirer, September 12, 1887, 2:7; Cleveland Gazette, September 17, 1887, 4:4; October 29, 1887, 2:1-2; Ohio State Journal (Columbus), September 12, 1887, 1:1-2; Steubenville Gazette, September 9, 1887, 7:3.

8Steubenville Gazette, September 9, 1887, 7:3.

9Champion City Times, November 30, 1887, 1:6; Xenia Democrat-News, December 10, 1887, 3:3; Xenia Gazette, December 23, 1887, 1:6; 10 Wkly. Law Bul. 173; Clermont Sun, April 10, 1889, 8:2.

10Champaign Democrat (Urbana), September 22, 1887, 3:2; Cincinnati Enquirer, September 13, 1887, 4:8; Cleveland Gazette, September 24, 1887, 3:4; November 5, 1887, 2:5; London Enterprise, October 19, 1887, 2:2; Shelby County Democrat (Sidney), September 16, 1887, 5:3.
were mixed peacefully, it is reported, while at Hillsboro, Avondale, and Gallipolis, the old pattern of unmixed schools was continued, and in the first years of integration, at least, the question does not seem to have been of any moment.\textsuperscript{11} In Chillicothe the town was gerrymandered so that the separate school was preserved by residential segregation.\textsuperscript{12} In Georgetown and Hamilton the separate school was retained on request of colored citizens.\textsuperscript{13}

Thus there seems to have been the examples of integration without any trouble, reluctant and forced integration, voluntary segregation, and compulsory segregation. We will turn our attention to instances of forced integration presently, but first let us look at the reaction in a few specific towns and cities.

At Rendville, in Perry County, the majority of the school board was controlled by Negroes so mixing

\begin{itemize}
\item \textsuperscript{11}Circleville Democrat and Watchman, September 23, 1887, 3:1; Cleveland Gazette, March 10, 1888, 2:3; Hillsborough Gazette, September 10, 1887, 5:5; Jackson Journal, October 5, 1887, 3:3; Ohio State Journal, September 12, 1887, 1:2.
\item \textsuperscript{12}Jackson Herald, October 27, 1887, 3:2.
\item \textsuperscript{13}Portsmouth Tribune, September 14, 1887, 3:1; Xenia Democrat-News, August 20, 1887, 3:2; Stephen D. Cone, Biographical and Historical Sketches...of Hamilton ... (Hamilton, O., Republican Publishing Co., 2 vols., 1896, 1901), 1:84.
\end{itemize}
proceeded without opposition. In Washington Court House, and probably in many other towns as well, the two races sat apart in the classroom during the period of adjustment. In Jeffersonville, in Fayette County, the school authorities provided a separate school, but it was left deserted when all the Negroes left it to attend the one for whites. According to a contemporary newspaper account:

Every morning except Saturday and Sunday the colored schoolteacher repairs to his schoolhouse, opens up and is ready for business, but no one comes, and the teacher spends all day at the school-house reading. He says he proposes to keep this up all winter, and as the School Board employed him for the fall and winter terms, of course he can compel them to pay up.

In Portsmouth, where Negroes had been admitted to the town high school previous to the Arnett law, the separate (elementary) school was defended with vigor by Negroes against Negroes. After an African Methodist minister had urged his congregation to send their children to the white school, a Negro mass meeting in protest was called by "A number of the most prominent colored men." The minister was denounced for his action, the school was defended as good, and it was

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14 *Ohio State Journal*, September 12, 1887, 1:2.
15 *Fayette Republican* (Washington Court House), September 9, 1887, 2:2.
16 *Cincinnati Enquirer*, September 22, 1887, 1:8.
noted that in the advanced grades the children had the opportunity to continue their education at the high school without any discrimination. At Sabina, in Clinton County, Negroes attempted to enter the white school three times during the first week of school, were denied, and threatened a suit. A delegation of Negroes protested, of all things, that "no 'nigger' should teach their children." The separate school then continued when another teacher was hired.

The larger cities did not encounter the trouble experienced by some of the towns and villages, undoubtedly because the colored children could be distributed among the several schools where the ratio of Negroes to whites would not be so noticeable. In Springfield the Board of Education did not renew the contracts of the Negro teachers, and Negro children were ordered to attend the schools of their regular districts. There is some indication, however, that Negroes were seated apart in the classrooms.

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17Ohio State Journal, September 12, 1887, 1:1.  
18Ibid., September 13, 1887, 1:2.  
19Wilmington Journal, September 21, 1887, 1:2.  
20Champion City Times, September 6, 1887, 1:7; Xenia Democrat-News, June 4, 1887, 3:1.  
21Champion City Times, September 27, 1887, 3:2.  
As the Times wrote, many white parents in Springfield were displeased with the forced mixing in the classroom. Ibid., September 6, 1887, 1:7.
In Dayton a separate school was opened for the 1887-1888 school year on the strength of a poll of Negroes the previous spring which indicated enough interest in one to justify hiring a teacher. But on the opening day of the school year only 16 students appeared, compared with an enrollment of 150 for the previous year. The separate school was discontinued at the end of the month of September, and the colored teacher, Louisa Troy, was given a position in one of the other schools, since, as one account put it, there was no question of her ability as a teacher.

At Zanesville the transition was not so smooth as in Dayton. As in Dayton and Cincinnati, the Board decided to try voluntary segregation since Negroes there had indicated that they would support a separate school, apparently to keep jobs for Negro teachers. But proponents of the separate schools, as in Dayton, clearly did

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22Dayton Journal, September 13, 1887, 4:3. The Dayton School Board Minutes do not directly mention the closing of District Ten school. The janitor was transferred to the District Seven School on September 29, and the following year (April, 1888) we may read about a request by a C. W. Dickens to lease the school, to use as a lodge. Minutes, 1886-1890, 228, 286. In 1888 Miss Troy was listed as employed for the District Seven School. Dayton Board of Education, Annual Report, 1888-1889, 148.

23Zanesville Signal, September 12, 1887, 4:3; September 14, 1887, 4:4.
not speak for the entire Negro community, and on the opening week of school enough colored children enrolled at the white schools that indignant parents (of white students), over twenty in one ward alone, withdrew their children. Most of them returned by the end of the month, however. Although the colored teachers were hired by the month only, the separate school was continued until the end of the year, when it was discontinued for lack of attendance. The Negroes apparently preferred the convenience of the white schools.

Of all the cities in the state, Cincinnati had the largest Negro population, probably had the best teachers, and had a long tradition of a separate school system. And until the turn of the century, it was Ohio's number one city, so success or failure there would seriously affect the adjustment called for by the Arnett Law. As a large city Cincinnati had an advantage over smaller communities in that the school authorities could distribute the Negroes among the several schools, as we have noted, and thus the impact on color-conscious patrons would not be so great. And mixing in the schools was not entirely new in

24 Ibid., September 14, 1887, 4:4.
25 Ibid., September 27, 1887, 4:4.
26 Ibid., September 12, 1887, 4:3; June 19, 1888, 1:7.
Cincinnati since there had been attendance by Negroes in the Normal School, in white district schools in outlying areas, and in one or two instances in the white high schools.\(^\text{27}\)

Since the law would not go into effect until the following autumn after passage there was a half year to make the necessary plans for adjustment. Apparently Cincinnati initially was preparing for the same course as Springfield adopted, that is, not rehire the Negro teachers and distribute the colored students among the several schools of the city. This is suggested by the fact that in an interview a week after the passage of the Arnett Bill, Superintendent E. E. White, the former Ohio Commissioner of Schools, told a reporter that he did not see how the Board could hire Negro teachers for the coming year.\(^\text{28}\)

Just what role the Negro teachers, who did not need to be reminded that the thirty of them stood to lose about $27,000 in salaries, had in stirring up support for continuation of the separate school is uncertain.\(^\text{29}\) But we do know, from the report of the President of the School Board, that the agitation for the continuation of the

\(^{27}\text{Cincinnati Board of Education, Annual Report, 1886-1887, 67.}\)

\(^{28}\text{Cincinnati Enquirer, February 28, 1887, 4:4.}\)

\(^{29}\text{Xenia Republican, March 22, 1887, 2:1.}\)
schools did indeed come from the Negroes themselves. As Superintendent White noted, many of the students were genuinely attached to their teachers. In response to their requests, Superintendent White formally proposed to the Board the retention of the separate schools on a temporary and voluntary basis, except for the Negro Gaines High School which he suggested should be discontinued. It would be temporary in that after a period of transition, he expected Negroes would abandon the old schools when the superiority of more convenient and more completely graded schools became realized. In any event attendance at the separate schools was to be voluntary and open to both races, but no longer were they to be called "colored;" rather the designation was to be "branch schools." There would be seven of these in the city, and in practical operation it meant that they would be maintained as long as there were enough students to make them economically justifiable. And while the "branch schools" were technically open to both races, of course it was obvious to all that only Negroes were expected to attend them. Thus the

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31 Ibid., 1886-1887, 99.
32 Ibid., 1886-1887, 98-100.
segregation was voluntary and of course since no one should feel aggrieved, such a procedure would not be apt to draw a law suit.\textsuperscript{33}\ It is clear that the Superintendent hoped his plan would give the Board time to plan the disposition of the real estate involved in the former separate system, that it would do away with the need of a sudden rupture of students from their familiar surroundings, and no doubt he anticipated that it would make more gradual the enrollment of Negroes in the formerly all-white schools.

His plan was adopted, with one change, that the Gaines High School was continued, as its patrons requested.\textsuperscript{34} As it turned out, Negroes of the city were not precipitous about leaving the old system as long as their right to attend mixed schools was acknowledged.\textsuperscript{35} Superintendent White reported to the Board of Education that most of the Negro youth attended their old schools at first, and both he and newspapers of the time reported a comparatively

\textsuperscript{33}In Clermont County, in 1890, a Common Pleas judge ruled that voluntary segregation was permissible. The issue arose when the School Board Treasurer of Felicity refused to honor a draft for the salary of the Negro school teacher, presumably on the grounds such a position was not legal. \textit{Clermont Sun}, December 10, 1890, 1:5.


\textsuperscript{35}\textit{Cincinnati Commercial Gazette}, September 18, 1887, 16:3.
peaceful transition. According to the estimates, between ten and twenty Negroes showed up at formerly-white schools the first week of school, and although there were a few withdrawals by white parents in protest, there seems to have been no more than that. A local reporter told of the transition at one of the previously all-white schools:

Their appearance in the rooms attracted the attention of all the white pupils, but there was no stir. The facilities of the school enabled the teachers to assign the little strangers to sections not apart from the others, but by themselves, and in a day or two they showed as great aptitude for the lessons as the more numerous white pupils. On the play-ground they kept by themselves a little at first, but the natural jollity of the "darkie" soon cropped out, and by its catching spirit soon leveled all distinction there, so that now no more is made regarding them than if there were no color between them.

A month after the opening of school the Superintendent reported about 120 Negroes in the mixed schools; the following year the number was 300; and it rose to 800 by the year 1889-1890 when the Gaines High School was discontinued.

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37Cincinnati Times-Star, September 13, 1887, 5:4.

38Cincinnati Commercial Gazette, October 16, 1887, 1:2.

39Ibid., October 16, 1887, 1:2; Cincinnati Board of Education, Annual Report, 1889-1890, 71-72.
In the beginning of the Nineties there were four branch schools still in operation, and there were still some open at the turn of the century.\footnote{Cincinnati Board of Education, Annual Report, 1891-1892, 288-302; 1899-1900, 100-113.}

**Forced Integration, 1887-1888**

While it would seem that Cincinnati made the adjustment to mixed schools rather quietly, there were other communities, smaller towns as we have indicated, where the boards of education refused to mix the schools, and as a result there was some agitation, recourse to the courts, or perhaps both. In some communities, there was little show of temper or extreme agitation, and a comparatively quiet court test was made; in other considerable ill will was created, ill will to the extent that it attracted national attention. We have already mentioned some of the towns above. In College Hill and Oxford in Butler County; Xenia and Yellow Springs, in Greene; Ripley, in Brown County; and a year later, Felicity, in Clermont County, the Common Pleas judges all ruled that compulsory segregation violated the Arnett Law, and this position was affirmed by the state Supreme Court.\footnote{See note nine.} In 1887 at Yellow
Springs and Oxford, relations were especially strained, and similarly, tempers flared the following year at Felicity and New Richmond, although in the latter instance there was no court case compelling admission. Before we turn to the question of law argued in the courts, let us look at the more extreme aspects of the integration adjustment in 1887, at Yellow Springs and Oxford, where the school authorities allowed themselves to be influenced, it seems with very little resistance, by the more intemperate elements of the community.

At this time both Yellow Springs and Oxford were small college towns with populations, by the 1890 census, of 1,375 and 1,922, respectively. According to contemporary estimates, Negroes comprised approximately a third of the school age population at the time of the integration question, in the autumn of 1887. In both communities the initial intention of the Boards seems to have been to carry out the mandate of the Arnett Law, but then they were swept along by a determined public opinion which was aroused against integration and manifested in such an uncompromising way that Negroes wasted little time in attempting to compromise, but instead sought relief directly

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42 Champion City Times, September 22, 1887, 1:3; Cincinnati Commercial Gazette, December 6, 1887, 1:3-4.
through the courts. And in light of the anxiety, if not
hysteria, of 1883 when the federal Civil Rights Bill of
1875 was invalidated by the Supreme Court, it is clear
that the abstract proposition of civil rights was quite
an emotional matter with many Negroes. First we shall
look at Yellow Springs; then Oxford.

When school opened in September, 1887, a member of
the Board of Education in Yellow Springs professed sur­
prise at the Negro protest to the maintenance of a sep­
parate school.\textsuperscript{43} Yet, there is clear evidence that during
the summer months when the hiring of new teachers was
under way, the Board, or at least most of the members,
had doubts about the continuance of separate schools, for
they hired teachers for the Negro school by the month for
the coming school year.\textsuperscript{44} Subsequently, Negro meetings
expressed sentiment for mixing, despite the Board's de­
clared willingness to repair the colored school, yet, prob­
ably with the hope that the Negro leaders would change
their minds, the Board proceeded to have the school papered
and new desks installed.\textsuperscript{45} In this atmosphere of

\textsuperscript{43}\textit{Champion City Times}, September 22, 1887, 1:3.

\textsuperscript{44}\textit{Xenia Republican}, June 28, 1887, 2:2; July 19,
1887, 3:5.

\textsuperscript{45}\textit{Ibid.}, July 19, 1887, 3:5; \textit{Xenia Democrat-News},
July 23, 1887, 3:1; September 3, 1887, 2:3; September 10,
1887, 3:5.
uncertainty school opened in Yellow Springs on Monday, September 12, when a "great many" spectators gathered at the white school building "for the purpose of seeing some fun..." According to the Enquirer report many Negroes quietly entered the (white) building and the Superintendent set about classifying them into separate rooms.46 There seem to have been about 60 to 75 whites at the white school building, plus 15 to 20 Negroes; about 25 Negroes enrolled as usual at the colored school; and the rest of the village youth stayed away to see how the integration would proceed.47 At this point the "fever heat" excitement referred to by the Enquirer reporter broke loose.48 The following Friday the Board met to consider a petition from some sixty citizens of the village, "several of whom were colored." It stated:

We the undersigned citizens, of Yellow Springs, O., feeling that our schools were never in a better condition than they were during the last school year; that we had an efficient corps of teachers and have the same teachers yet, and willing to abide by their gradation and assist the school board and teachers if necessary to leave their classes, grades, rooms and teachers as they have been before, believing that this will result in the most good to all those having children to educate. If this cannot be done, we demand that the school board shall close the schools.

46 Cincinnati Enquirer, September 14, 1887, 2:4.
47 Xenia Democrat-News, September 17, 1887, 2:4.
48 Cincinnati Enquirer, September 14, 1887, 2:4.
In accordance with this petition it was decided to close the schools indefinitely. In the meantime the breach between the two races widened. Led by a William S. Tolbert and the local Baptist Negro minister, and advised by a Springfield attorney, W. S. Newberry, the Negroes demonstrated a determination to assert their right to attend the white school.\(^4^9\) One Negro spoke of the matter of inferior facilities, but manifestly the important consideration was the abstract right of attending the white school.\(^5^0\) According to the minister, "It is not because we do not think the children will get a good education under colored teachers, but it is the principle of the thing." On the other side, Board member Charles Ridgeway felt the colored school patrons had no legitimate complaint. They originally had been given the choice of a site for the school, and at their request colored teachers had been substituted for the whites.\(^5^1\)

The schools remained closed for a week and a half, and then were opened on Thursday, September 29. During this time no compromise could be worked out. Negroes insisted on the right to attend the white schools,\(^4^9\)\(^5^0\)\(^5^1\)

\(^{4^9}\)Champion City Times, September 22, 1887, 1:3.

\(^{5^0}\)Ibid., October 4, 1887, 1:7.

\(^{5^1}\)Ibid., September 22, 1887, 1:3.
for as one said, "we have a perfect right to send our children where we please and intend to assert the right."\(^{52}\) For their part the whites organized a boycott system whereby they resolved not to hire Negro labor.\(^{53}\) A white barber was imported with the promise of white patronage.\(^{54}\)

When the schools did re-open, colored children again entered the white school building, but they were refused recitation.\(^{55}\) As bait to continue the old system a new staff of Negro teachers were hired, but this was rejected by the Negroes who went ahead with the plans to make a court issue of the policy of the Board.\(^{56}\) Funds were solicited from an out-of-town source (Springfield) and with this aid Springfield attorneys were hired to assert the Negro's legal rights.\(^{57}\) A petition for a writ of mandamus to order admission of Negroes was filed in Common Pleas court at Xenia, and in action on this Judge Hawes ruled they must be admitted, just as he did with a

\(^{52}\)Ibid., October 4, 1887, 1:7.

\(^{53}\)Ibid., September 22, 1887, 1:3.

\(^{54}\)Ibid., September 22, 1887, 1:3; October 10, 1887, 3:1.

\(^{55}\)Ibid., October 4, 1887, 1:7.

\(^{56}\)Ibid., October 12, 1887, 3:2; October 17, 1887, 3:1.

\(^{57}\)Ibid., October 11, 1887, 1:6; October 26, 1887, 1:2.
similar case against the School Board in Xenia. During the winter the matter still was not settled for there were two cases from Butler County (College Hill and Oxford) on the docket of the state Supreme Court, which were not decided until the end of February; then at that time the Supreme Court upheld the ruling of lower courts that segregation could not be made mandatory. A second possibility for victory by the Board had been ended when during the previous month (January, 1888) the state House of Representatives postponed a measure to revive section 4008. From available sources it does not appear that Negroes tried to enter the school for whites during the winter term; then for the spring term the three Negro teachers were discharged, and Negroes admitted to the white school. The following summer the colored school building was sold, and the proceeds used to expand the (formerly) white building. Thus Yellow Springs integrated its public school. Meanwhile in nearby Butler County there was trouble over mixing in the town of Oxford.

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58 Xenia Gazette, December 23, 1887, 1:6.
60 Ohio House Journal, 84(1888):52.
61 Xenia Republican, January 17, 1888, 2:2; Xenia Democrat-News, March 31, 1888, 2:3.
There were similarities to the experience at Yellow Springs in the course of reaction to integration at Oxford. As the school year approached, a poll was held of the colored population of the town to determine their opinion on mixing, and by a vote of forty to one they favored mixing the schools. Accordingly, a Cincinnati reporter tells us, a new school house "sufficient to accommodate every pupil in the place for years to come," was erected—although in court later, it was argued that all pupils of the community could not be housed in the one structure. On Monday, September 5, school opened in Oxford, and about eighty, of the customary hundred, Negro children applied for admission to the white school. To many whites of the town this proved to be an intolerable development, and because of the resulting howl, the old Negro school was re-opened the following day, and the former colored teacher was sent to conduct classes. But not more than a dozen students enrolled in his class.

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63 Cincinnati Commercial Gazette, September 17, 1887, 7:5.
64 Champion City Times, September 7, 1887, 1:2.
65 Cincinnati Commercial Gazette, September 17, 1887, 7:5.
66 Champion City Times, September 7, 1887, 1:2. The Commercial Gazette reported "half a dozen scholars daily." Cincinnati Commercial Gazette, September 17, 1887, 7:5.
By Thursday of the following week, September 15, hostile white reaction had mounted to the point that an indignation meeting was held in the Town Hall demanding that the School Board compel a return of the Negro children to the separate school. It then adjourned to the following Tuesday night.\textsuperscript{67} It may be, as a Columbus editor commented, that the responsibility for the friction lay with the Boards at Oxford and Yellow Springs, and that if they had honestly tried to carry out the law there would not have been any trouble; but the hearts of these Board members clearly did not lie in opposing the will of either the petitioners in Yellow Springs or the mass meeting at Oxford.\textsuperscript{68} On Monday, the 19th, the Board met to consider the demand of the mass meeting of the week before, and passed the following resolution:

Whereas, At a meeting of the citizens of Oxford, held at the Town Hall on Thursday evening, September 15, 1887, officered by F. J. Cone, as Chairman, and Dr. C. D. Magie as Secretary, it was almost unanimously resolved to instruct the Board of Education to withdraw the colored children from the south building and send them to the north building; and

Whereas, Thomas McCullough [banker] publicly agreed to stand between the Board and the law, and save it harmless; therefore be it

Resolved, That in compliance with the above

\textsuperscript{67}Cincinnati Commercial Gazette, September 17, 1887, 7:5.

\textsuperscript{68}Columbus Dispatch, September 23, 1887, 2:1.
request the Superintendent be and is hereby instructed to assign the colored children to the north building tomorrow (Tuesday) morning, September 20, 1887.\textsuperscript{69}

It is reported that a band serenaded its approval of the Board for this action.\textsuperscript{70}

When the adjourned meeting met the following (Tuesday) evening there was jubilation over the action of the Board. When one ex-banker averred that he "wouldn't allow a nigger in town" he was "cheered and applauded until it seemed that the house would fall."\textsuperscript{71}

In light of the action of the Board it was clear to the Negroes that they must seek court action if they wanted integration in the near future. A committee was formed to go to Hamilton, the county seat, to hire legal talent.\textsuperscript{72} Ironically, it was in Hamilton, it will be recalled, that Negroes had requested the continuation of their separate school. It may have been true, as a Cincinnati reporter wrote, that there were second thoughts in Oxford about whether the whole object could have been accomplished with less inciting of "ruffianism or producing

\textsuperscript{69}\textit{Cincinnati Commercial Gazette}, September 21, 1887, 1:4.

\textsuperscript{70}\textit{Cincinnati Times-Star}, September 21, 1887, 3:5.

\textsuperscript{71}\textit{Cincinnati Commercial Gazette}, September 21, 1887, 1:4.

\textsuperscript{72}\textit{Ibid.}, September 23, 1887, 5:1.
a race prejudice," but with a forty to one ratio in the vote at the pre-school election on mixing, it does not seem that voluntary segregation would have worked in Oxford.73 During the course of the winter, the Oxford case made its way up to the state Supreme Court where, as we have seen, it was ruled that segregated schools, per se, were no longer legal.74 In response to this decision, on March 12, 1888, Negroes were admitted to the white school.75

While it seems that both Yellow Springs and Oxford made the adjustment to the new circumstances without further trouble, if absence of reports of violence is evidence, there were somewhat extreme statements of protest made while the issue was being decided that show the situation at the opening of the school year was taken quite seriously by some people. At the meeting of September 15 a reporter present said the behavior of the crowd made him feel he must be in South Carolina or Mississippi.76

73Ibid., October 17, 1887, 2:5.
75Cleveland Gazette, April 7, 1888, 1:1.
76Cincinnati Commercial Gazette, September 21, 1887, 1:4.
later when the decision of the lower court was announced in December, an earlier boycott was revived, and these defiant words were spoken by a Board member:

We’ll lock up the school-house first before we’ll let the niggers go there. I tell you it will never do in this town where there are so many colored people. ...What they want is not the school-house, but social equality. There is more than one way to get around this and we can make it mighty unpleasant for them. There was a meeting held some time ago, and it was resolved that if the colored people insisted on going to that building, if the Court decided in their favor, to boycott them, and not them only, but any one who employed them or had anything to do with them. And we’ll do it, too. I for one will never submit to it. The Board will carry it up to the Supreme Court, and if that won’t do, we’ll lock the doors and keep all out. There’ll be trouble yet over this matter, for the people will never submit to such an outrage. We know better than any court what is best for Oxford.77

Thus was integration accomplished in the face of stubborn opposition in two small communities in the year 1887. Peace in the schools under the Arnett Law still was not achieved, for trouble broke out the next year in Clermont County at New Richmond and Felicity. But first let us turn to pertinent judicial and political activities in 1887.

The whole question before the courts on the school integration controversy centered on just what the Arnett Law accomplished. That it ended the ban on inter-racial

77Ibid., December 6, 1887, 1:3-4.
marriages no one doubted. But what it accomplished in the field of education, some people felt, was open to debate. Anti-integration forces in Xenia, for example, argued that the law merely served to smooth out the code, that it represented the repeal of a supererogation. Under section 4013 of the code, it was claimed, the school boards had the power to arrange districts in a manner calculated to promote the educational interests of the community, and in some places separate schools might be considered to do just that -- promote the educational interests of the community. It was argued, further, that the repeal was a mere sentimental gesture to the colored citizen which ended the use of the word "colored" in the statutes. As early as April, on the other hand, the Attorney General of the state had taken the position held later by integration forces, that there would have been no purpose for the repeal of section 4008 if the legislature had not intended that compulsory segregation be ended.

It is clear that there was a good deal of emotion involved in the desire to end the color line in state statutes, but

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78 *Cincinnati Commercial Gazette*, December 7, 1887, 2:6; *Cleveland Gazette*, December 17, 1887, 1:7.

79 *Xenia Republican*, October 4, 1887, 2:1.

80 *Cleveland Gazette*, April 23, 1887, 1:5.
there seems no doubt that the Arnett Law also was intended to end the separate schools. This was the position taken in the lower courts, and was affirmed by the state Supreme Court, i.e., when a specific power is repealed by a specific act, the power cannot be subsumed under another, general, power. Specifically it was held that with the repeal of section 4008, compulsory segregated schools were abolished, and could not be effected under section 4013 which allowed boards general districting power. 81

Political Reaction to the Arnett Law

With positive rebellion in some portions of the state to integration, and with lukewarm acceptance in others, it was only natural that politicians of the state brought the matter into the campaign in areas where they saw some possibility of picking up a few votes, and it was only natural that foes of integration, either white segregationists, or out-of-job Negro teachers, favored restoring conditions as they had been before the passage of the Arnett Law. As a word of caution, however, it should be pointed out that the matter of mixing the schools was seriously agitated in but a comparatively few communities, and in places of rather small population at that. In that

81Champion City Times, December 21, 1887, 1:4.
day of mighty captains of industry, monopoly, bosses, and prohibition propaganda, the campaign of 1887 was fought out, according to a Republican paper which summarized the issues, largely on the grounds of tariff, election frauds in the cities, prohibition, and the federal (Cleveland) administration. Neither of the parties mentioned the Arnett Law in their state platforms, which is perhaps not too surprising since they were drawn up in the summer before controversy on the measure had broken out. There were a scattering of counties where the Democrats did, however, attempt to make something of an issue of the matter, but once the election was over, political agitation on mixing of schools ceased. The author of the

82 Jackson Journal, October 12, 1887, 4:2.
83 Xenia Democrat-News, July 30, 1887, 1:3-6; August 6, 1887, 1:3-5.
84 A check of party papers showed attempts to make a varying degrees of political capital on the Arnett law in at least twelve southern and western counties, and in Muskingum in the eastern part of the state. The counties were: Champaign, Clark, Clermont, Clinton, Fayette, Highland, Jackson, Logan, Madison, Muskingum, Pike, Ross, and Warren. Champaign Democrat (Urbana), September 22, 1887, 2:2; Cleveland Gazette, October 29, 1887, 1:5; Champion City Times, November 4, 1887, 1:5; Clermont Sun, September and October, 1887, passim; Wilmington Journal, October 19, 1887, 4:2; Fayette Republican (Washington Court House), September 30, 1887, 2:2; Hillsborough Gazette, October and early November, 1887, passim; Jackson Herald, July through October, 1887, passim; Bellefontaine Examiner, October 7, 1887, 2:2; October 21, 1887, 3:2; London Enterprise, October 19, 1887, 2:2; Zanesville Signal, October and early November, 1887, passim; Waverly Watchman, October 20,
measure, Benjamin Arnett, did not run again, ostensibly because of business matters. While Greene was solid Republican, and the party was not in danger there, apparently Fayette County was not so safe, for its Representative was opposed for renomination because of his vote on the Arnett Law. In the election he ran behind his ticket, but did manage to win the contest.

It seems that the only race for a legislative seat where votes on the Arnett Law may have cost the seat of the incumbent was in Muskingum County (Zanesville) where the Democratic Representatives carried the district by a larger majority than did the party's nominee for

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1887, 2:3; October 27, 1887, 2:2; Lebanon Patriot, October 13, 1887, 2:1-3.

The most excitement, at least among the editors, seems to have been in Clermont, Jackson and Muskingum Counties. In Ross County, the Democratic county convention passed the following resolution: "...the action of the late Republican Legislature in taking away from school Boards the discretion to organize separate schools for colored children, closes the avenue of employment to colored teachers, unnecessarily arouses antagonism, and forces our common schools into a contest between races; is detrimental to the educational advancement of both white and colored children and commends itself only to the demagogue. We condemn it without qualification, and favor re-enacting the old law, or one similar in character, under which School Boards may have the discretion to establish separate schools." Jackson Herald, October 27, 1887, 3:3.

85 Xenia Gazette, March 11, 1887, 2:4.

86 Cleveland Gazette, April 23, 1887, 1:5.

87 Fayette Republican, November 11, 1887, 2:3.
Governor, which is interesting since usually more votes were cast at the Gubernatorial contest than in those for the legislature.\footnote{Zanesville Courier, November 11, 1887, 4:3; Zanesville Signal, November 12, 1887, 1:3-6.} One Zanesville newspaper commented that the Arnett Law cost the Republicans "many a vote."\footnote{Zanesville Times Recorder, quoted in Zanesville Signal, November 11, 1887, 2:1.} The Democratic organ there did not speculate; the veteran Republican paper spoke broadly about factional differences.\footnote{Zanesville Courier, November 11, 1887, 2:3-4.}

Another indication that the integration problem was a factor in the 1887 elections in Muskingum County is that one of the representatives from that county introduced a bill in the next Assembly (1888) to restore Section 4008 to the general code, and once again to legalize separate schools.\footnote{Ohio House Journal, 84(1888):52.} He had support for the idea. As we have seen, some Oxford residents who balked at integration, were stalling to see what action the legislature might take.\footnote{Cincinnati Commercial Gazette, December 6, 1887, 1:3-4.} One member of the Springfield Board of Education had introduced a resolution to that body calling for a petition to the Assembly for re-institution of
Section 4008. Furthermore, one of the more prominent school men of the state, Superintendent John Hancock of Chillicothe, a former abolitionist and not a reconstructed Copperhead, criticized the Arnett Law for stirring up racial prejudice, and for doing a wrong to Negro teachers. As he stated, it was doing a practical injustice to serve a theoretical justice.

In the Ohio House in January, 1888, Representative John C. McGregor, of Muskingum County, introduced a bill to re-enact section 4008, where it was killed by a party vote. Fifty-three Republicans were joined by 2 northwestern Ohio Democrats to postpone the bill indefinitely; 30 Democrats were opposed. By 1889, Ohio was generally at peace over the mixing problem, except for Clermont County, and McGregor's bill, re-introduced for that session, was swamped by a vote of 61-11. All favorable votes were Democratic; but 18 Democrats opposed the bill.

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93Champion City Times, October 25, 1887, 1:5.

94Ohio Educational Monthly, 37(1888):59-60. His letter was dated December 24, 1887.

95Ohio House Journal, 84(1888):52. For party affiliations, see Ohio Secretary of State, Annual Report, 1887, 74-77.

The Black Laws corpse was buried without as much as a vote by the 1890 House when a third bill, again by McGregor, did not even clear its committee. McGregor's third bill differed from his earlier two, in that he adopted Littler's proposal of 1885 that separate colored schools would not be instituted unless and until a majority of the Negroes of the district petitioned for it. According to a Negro legislator, McGregor did not even insist on the bill, and this third time around, at least, had introduced it at the behest of a former Negro teacher of Zanesville.

In light of the little danger of its passage it is curious that it was this third bill of McGregor, not his first two, which stirred up the biggest alarm among Negro Republicans in the state. Possibly they needed something to talk about since the Democrats had won the election of 1889; perhaps they saw the hand of a Negro (Democrat) teacher behind the measure; or perhaps Representative Green

97Ibid., 86(1890):408.

98Cleveland Gazette, March 22, 1890, 2:2. Whether the 1889 bill would have provided for separate schools on petition is not quite certain. Representative Jeremiah Brown reported it would have; the title of the bill, on the other hand, described it as re-enacting Section 4008. Ibid., February 2, 1889, 2:2; Ohio House Journal, 85(1889): 150.

99Cleveland Gazette, April 5, 1890, 2:3-4. Lobbyists for the measure from Xenia were also mentioned. Ibid., March 9, 1890, 2:2.
wanted to recoup grace for his inactivity on segregation matters when he was in the Assembly in the early Eighties. Remonstrances against the measure came from at least 22 cities and towns of the state and at a condemnation meeting in Columbus, Reverend Mr. Poindexter rather intemperately exclaimed that "if he were in a position of power, and a colored man advocating separate schools were brought in before him he would order him shot, unless it were proved that he was a fool." The bill died in committee, however, and the "crisis" passed.

Opposition to Integration in Clermont County

Some of the trouble stirred up in a handful of communities during the first year that the Arnett Law went

100 John P. Green, Facts Stranger than Fiction Seventy-five Years of a Busy Life...(Cleveland, Riehl Printing Co., 1920), 178-180. Writing three decades after repeal, Green's memory is a bit faulty at times; for example, he said repeal was effected by a Democratic Assembly and Governor Hoadly. Hoadly, of course, was defeated by Foraker in 1885. Still some of his statements are interesting. He attributes inaction on repeal of the Black Laws in the late Seventies to the "lily white" faction of the Republican party. Also, his account continued, he sought petition support for repeal when he was a legislator, but none was forthcoming, which seems to strengthen this author's conclusion that concern for repeal of the Black Laws was largely absent until the Civil Rights decisions of 1883.

101 Cleveland Gazette, March 15, 1890, 2:4; April 5, 1890, 2:3-4.
into effect has been described above. But outside of these local storms, it would seem from the absence of petitions to the legislature, and from the minor part played by the matter in elections, that the state as a whole accepted the "inevitable" with a fair measure of equanimity. But before we can close this chapter on the immediate reaction to the Arnett Law, we must look at the trouble that arose during the second year of integration in Clermont County, at Felicity and at New Richmond.

In 1890 New Richmond had a population of 2,379; Felicity, 739. These two communities also had the highest concentration of Negroes in the county. According to contemporary estimate there were about 700 whites and 200 Negroes of school age in the former community; in Felicity the Negroes were reported to be about a third of the population. In certain respects there was a parallel in the way these two places dealt with integration in the first school year after the Arnett law, 1887-1888; and in both Negro children were threatened by segregation forces when the adjustment broke down during the second year, 1888-1889. Finally, in both places the solutions ultimately

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102 Cincinnati Enquirer, September 25, 1887, 1:4.
103 Cincinnati Enquirer, December 6, 1888, 1:1; Cleveland Gazette, April 6, 1889, 2:5-6.
achieved entailed a retention of separate schools, although they were not formally given that name. First let us look at the less dramatic of the two cases, New Richmond.

In the autumn of 1887, as was the custom, two schools opened their doors in New Richmond, the Number 1 for whites, and Number 2 for Negroes. This year, however, a number of Negroes, estimated at from 20 to 30, appeared at Building Number 1 for admission, but were refused on the grounds that there was not enough room for them. The Negroes were stalled momentarily, but at the next meeting of the Board of Education a delegation of them came to discuss the situation. According to a local paper the delegation was not very specific about what they wanted, but they did complain that their students did not seem to advance, and it seemed they did not like their teacher.\textsuperscript{104} In a letter to the editor of a Negro paper, a New Richmond Negro some months later complained that Negroes never seemed to graduate from a high school level course in New Richmond, and this indeed, seems to have been the essence of the discontent, for a compromise which was worked out called for admission of six Negro girls to the high school.

\textsuperscript{104}From the New Richmond News, quoted in Clermont Sun, September 14, 1887, 8:1.
class of Building Number 1 for the balance of that school year. According to the same Negro source, the girls were set off in a room by themselves in the building. Then at the beginning of the following school year (1888-1889) Negroes were again taken into the high school of Building Number 1 for a couple of days, following which a high school class was set up for them in Building Number 2. Meanwhile under the influence of Negro agitator George Ringgold, a group of 12 children below the high school level appeared the first week at Building Number 1, despite a warning by the School Board that public opinion in New Richmond would not sanction mixing of the schools, even though it was their undoubted legal right to demand admission. On the opening day, September 12, the Superintendent admitted them into the classrooms, but no one heard their recitations, and on the second day the same procedure was repeated. Then on the third day came an incident of near-violence when they were met at the entrance of the school yard by a crowd of young men and boys who told them "to scamper home as quickly as they could and not return again." In response to this action, Ringgold entered a suit for $5,000 damages in the Federal District

105Ibid., September 14, 1887, 8:1; Cleveland Gazette, February 9, 1889, 2:5.
106Cleveland Gazette, February 9, 1889, 2:5.
Court in Cincinnati, apparently on the grounds his
daughter Velma had been deprived of an education.\textsuperscript{107}

In the court cases that arose from school troubles
in New Richmond, and at Felicity as we shall see, it seems
that the purpose of the Negroes was less to achieve
\textit{equality in education} than to strike back at those who
were holding them in a position which to the more sensi-
tive spelled inferiority. In New Richmond the agitators
wanted their "rights" but were not certain just what this
meant; but more indicative is that in neither community
was the first court action to secure a writ of mandamus
such as had settled the whole matter in other school dis-
tricts the year before. The first step involved retribu-
tion for threats of violence; damages in New Richmond, and
criminal prosecution for assault and battery at Felicity.
Ringgold won his case, was awarded court costs plus one
cent in April 1889, but he did not push the matter fur-
ther.\textsuperscript{108} Some 30 Negroes were admitted to Building Num-
ber 1 in September of 1889, but the following fall, 1890,
so many applied for admission that the school was closed
for lack of room, even though many whites were reported

\textsuperscript{107}Cincinnati Enquirer, December 6, 1888, 1:1-2;
Cleveland Gazette, October 6, 1888, 1:1-2.

\textsuperscript{108}Clermont Sun, April 24, 1889, 3:3.
to have withdrawn to private schools. Commissioner Hancock was invited to New Richmond to survey the situation, and, the compromise worked out was the same adjustment made in 1887, the first year after the Arnett Law, when the more advanced Negroes were permitted to attend Building Number 1. By 1890, therefore, New Richmond had a building where only Negroes attended; and a second, where Negroes were admitted to the upper level.

The situation in Felicity was even more sensational than at neighboring New Richmond. In February, 1887 the white population of Felicity had expressed dissatisfaction over the passage of the Arnett Law, and probably influenced by this feeling, the School Board of the town decided to continue the old system and hired as teacher for the colored school the former principal of the Circleville school, A. G. Hubbard, vouched for as he was by recommendations, including even one from former President Hayes. September 12 the schools of Felicity opened for business, and 15 to 20 colored children came to the white school, entered, and selected seats. A crowd of

109 *Cincinnati Enquirer*, September 20, 1889, 4:2; *Clermont Sun*, September 24, 1890, 8:2.


111 *Clermont Sun*, February 23, 1887, 1:4; August 17, 1887, 1:3.
people gathered on the school grounds to watch. On the second day a still larger crowd gathered, and the Board dismissed the school for the day. That afternoon the Board met with leading colored men of the town, and it was agreed that an additional colored teacher would be hired, and the school graded. This was done, but the Negroes, it is curious to learn, specified that the additional teacher should be a white. The only casualty of the opening days of the 1887-1888 academic year seems to have been a bruised Negro who was shoved around in trying to enter the school on the morning of the second day of the term, although one paper reported that a boycott of Negroes had been instituted, and some Negroes were fired from their jobs. But the following spring the upper grades were discontinued in the colored school, in the interest of economy, and, of course, the scene was set for renewed trouble when school opened in the autumn of 1888.

While some Negroes had been willing to compromise, and to settle for a graded school, there were certain agitators among the colored population who did not look

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112 Ibid., September 21, 1887, 8:2.

113 Cincinnati Enquirer, December 8, 1888, 9:4.

114 Clermont Sun, September 21, 1887, 8:2; Cincinnati Enquirer, September 25, 1887, 1:4.
kindly on the maintenance of any sort of separate school. For example, upon coming to Felicity teacher Hubbard was warned away by certain Negroes who did not intend to be deprived of their "rights." To make their point rather graphic they left a bundle of switches at the door of his residence.¹¹⁵ And on their part there were many whites who were willing to answer any Negro challenge. With the opening of the school year in the fall of 1888, the bad blood that had been developing broke out when three times Negroes attempted to enter the white school, and three times they were repulsed.¹¹⁶ According to a Batavia paper the Negroes actually were more intent on getting grounds for damages than in getting into the school.¹¹⁷ This observation gains credence for the interested Negro patrons did not go to a Common Pleas court for a writ of mandamus to compel the Board to admit the students (there were six who sought admission), but rather entered criminal charges for inciting a riot, for assault, and for assault and battery against twelve men of Felicity.¹¹⁸ The case gained a good amount of notoriety, bringing Cincinnati reporters to the scene, and even one from as far

¹¹⁵*Cincinnati Enquirer,* December 8, 1888, 9:4.
¹¹⁷*Clermont Sun,* September 12, 1888, 1:4.
away as Atlanta.\textsuperscript{119} The amount of actual violence is open
to question, as is often the case in excited moments, but
in any event three of the twelve defendants were charged
with battery. The Board was quite unwilling to compromise
at this stage, claiming that it was the work of agitators
and that Negroes were very slight contributors to school
taxes -- therefore presumably had no reason to complain
about facilities -- and implying that there would be
moral problems if mixing were to obtain. Specifically
referred to was the fact that many of the older Negro
girls were nursing babies.\textsuperscript{120} If we can believe excitable
H. C. Smith of the \textit{Cleveland Gazette}, Negroes in the town
barricaded their doors and stood guard with shotguns dur-
ing the night.\textsuperscript{121} A Cincinnati reporter told of the church
door of a Negro minister being nailed shut after he had
condemned agitators of his race. Negro help was reported
to have been discharged, and houses of the agitators were
stoned.\textsuperscript{122} According to one account, the interest in the

\textsuperscript{119}Ibid., December 12, 1888, 4:1; January 23,
1889, 1:2.

\textsuperscript{120}\textit{Cincinnati Enquirer}, December 8, 1888, 9:4.

\textsuperscript{121}\textit{Cleveland Gazette}, December 8, 1888, 2:5. Ac-
cording to the \textit{Gazette} account, "The place is a volcano,
and if there are not half a dozen murders in the next few
days it will be wonderful. The colored men will see to
it that they are not the ones murdered, either."

\textsuperscript{122}\textit{Cincinnati Enquirer}, December 8, 1888, 9:4.
riot and assault cases was so high in Felicity that 120 made the trip to the county seat, Batavia, to watch proceedings when they opened after Christmas, 1888. The jury in the cases acquitted the first two defendants, accused of inciting riot and of assault and battery, and with this the state discontinued the proceedings against the other ten. After this defeat the Negro lawyer then obtained a writ of mandamus from the Common Pleas court, and admission was ordered, but not in time to secure the admission of Negroes during the school term then in session. Ten Negroes did enter the white school the following year, 1889-1890, and for the rest of the colored children a separate school was maintained, which was called the "fifth room" since there were four rooms in the white school building. At the opening of the 1890-1891 school year no Negro school children applied for admission to the white school.

The interested Negroes had gained their point that they could enter the white school, if they wanted and if they dared, but only after a regrettable half year of bad

123 Clermont Sun, January 2, 1889, 8:3.
124 Cincinnati Enquirer, January 9, 1889, 4:4; Clermont Sun, January 9, 1889, 1:6.
125 Clermont Sun, April 10, 1889, 8:2.
126 Ibid., December 10, 1890, 1:5.
race relations which a Batavia paper said left such a legacy of ill feeling that it was at the bottom of a shooting of a white by a Negro in the spring of 1890.\footnote{Ibid., April 9, 1890, 1:2.} It is understandable that Negroes of Felicity objected to their children being barred from the white school, and struck back through criminal action when they felt that there had sufficient provocation. On the other hand, for long term race relations in the village, it might have been the wiser course to have selected one student for a test, and then sought the sure-fire writ of mandamus compelling admission. With the ruling of the Supreme Court in the College Hill decision the year before, a Common Pleas Judge had no alternative but to issue it. As it turned out the whites were intolerant and abusive, and the Negroes were vindictive; all of which we can suppose did little to promote the interests of education of either race in the locality.
SUMMARY AND CONCLUSION

At the beginning of the period covered by this study (1829), the Negro had just been excluded by law from the recently created tax-supported public schools. And, as we have seen, he suffered other disabilities as well. The constitution formed at the beginning of the century excluded the Negro from the franchise, and the so-called "Black Laws" passed a few years later restricted his free immigration into the state and prohibited his testimony in cases where a white was a party. It is true that the immigration law was not always rigorously enforced and that the Supreme Court of the state interpreted the restrictions rather narrowly by ruling they applied only to those who were less than one-half white. Yet, despite the fact that these disabilities may not have been applied with the fullest possible severity, there were some people in the state who would not accept the legitimacy of any sort of restriction because a man was colored, and tirelessly, it seems, they agitated for removal of these limitations on Negro citizenship.

At the time our study opens there was little agitation by whites to remove the restrictions on the Negro, except perhaps for occasional petitions to the legislature.
But a serious challenge was not long in coming, and it came with the arrival of a militant abolitionism to the state in the early Thirties, which was centered first at Cincinnati by Theodore Weld and his followers, and which soon spread to other parts of the states, especially to the Western Reserve where it took firm root. Even though the primary interest of these reformers was the abolition of slavery, they were also interested in the improvement of the free Negro in the North, for if the colored man could be elevated it would serve to refute the contentions of pro-slavery forces that the Negro was inherently inferior to whites. But in addition to this motivation to work for the elevation of the Negro, these abolitionists were prompted by humanitarian considerations as well. To them the elevation of the Negro was simply a decent and Christian sort of work. Thus during the late Thirties when the humanitarian impulse was still strong there was a great interest by abolitionists in a widespread program of reform, a program which urged temperance upon the Negro, emphasized the virtue of rural, over urban living, and, especially important to this study, encouraged the establishment of private schools for Negroes.

Besides occupying themselves with a variety of benevolent enterprises, the abolitionists also bombarded the General Assembly with petitions calling for repeal of the Black Laws and for an end to the exclusion of Negroes from
the public schools, measures which they felt interfered with their program of elevating the colored man. With this petition campaign began the first period of intense political agitation, a period during which education and other civil rights were coupled together in the abolitionist's program for reform. For some time, however, abolitionist pressure was not sufficient to overcome a combination of Democratic and conservative Whig opposition. It was not until about 1845 that the solid wall of opposition began to weaken. At that time the antislavery position in the state was strengthened by the fear of some people that the South was becoming too expansionist in its demands for additional slave territory. This fear was coupled with the resentment of many regular Democrats over the way the Polk administration dispensed patronage, and over its apparent readiness to sacrifice the interests of the Northwest to those of the South. Because of these dissatisfactions the previously solid Democratic opposition to any law beneficial to Negroes weakened sufficiently to allow passage of the education act of 1848 which ended the policy of total exclusion of Negroes from the public schools. Then the following year that party struck a bargain with antislavery Free Soilers to repeal the Black Laws in return for support in capturing two contested House seats. This action in 1849 ended the immigration restriction and allowed Negroes to testify in any court case, no matter who might be the parties.
By the school act of 1848 the Negro was permitted to attend the regular schools in districts where there were less than twenty colored children, provided no white patron voiced an objection. In those districts where there were twenty or more Negro children the colored population was permitted to form a school district and to tax themselves to support a school, but such a school was not to receive support from state school funds or from local taxes raised on whites. Then by the new school act which accompanied the repeal of the Black Laws the following year, the financial support was broadened to include state funds in addition to local taxes raised on Negroes.

The history of the color line in Ohio public schools thus may be divided into two periods: before 1848, when the Negro was excluded from the public schools; and after that year when a system of partial segregation existed. As it turned out, few schools were actually established under the laws of 1848 and 1849, and it would be more in keeping with fact to date the beginning of the public colored school system in the state with the law of 1853, which put both white and Negro schools under the same administration (except in Cincinnati) and gave both races access, on the basis of enumeration, to the various state and local school revenues. Once this gain was made in education there was no serious disposition to return to the old policy of exclusion,
and the only question which occasionally did arise was whether the Negro should attend any classes with whites.

From 1854 to 1870 agitation over civil rights for Negroes involved freedom to immigrate to Ohio and the right to vote; colored schools as an issue dropped into the background. In the late fifties, as Negro public schools were being quietly established in various communities in the state, the sectional controversy over slavery was resumed and with the resumption of the controversy the matter of race relations in Ohio once again came into prominence. As the argument between antislavery and proslavery factions grew more intense, it was expected that many free Negroes in the South, and fugitive slaves as well, would flee northward to escape the fury of the fire-eaters. In the eyes of many in that day, such a possibility was frightening and something had to be done to meet the threatening deluge of colored people. As a result there arose a demand to reenact the immigration restriction which had been one of the Black Laws repealed in 1849. This demand became much more intense once the war broke out and Lincoln issued the Emancipation Proclamation. Although the dominant Republican strength was sufficient to withstand the pressure of these demands, the anti-Negro feeling was powerful enough to secure the passage of a law prohibiting
interracial marriages, a law which remained on the books until 1887.

During the course of the struggle to exclude the colored people from the state, the principal foes of Negro rights were the Peace-Democrats. Their power came to a climax in 1862, and then waned the following year after the defeat of their candidate, Vallandigham, in the gubernatorial race. This defeat, coupled with the successes of Union arms at the Battles of Gettysburg and Vicksburg served to still the agitation to enlarge the restrictions on the Negro. Once the war was over the Negro was able to resume his climb toward a status of full citizenship.

Shortly after the defeat of the Confederacy agitation over the Negro's civil rights was resumed, with the issue being whether to grant him the right to vote. First there was an attempt to accomplish this goal by amending the state constitution; but the effort failed when the white voters of the state rejected the proposal. Then the Republicans, claiming as they did that Negro suffrage was essential to the success of their reconstruction program for the South, proposed the Fifteenth Amendment to the states, and this time the voters of Ohio had no opportunity to reject the proposal, for it was a matter for the state legislatures to grant or withhold approval. As we have seen, a Republican Assembly in 1870 approved the proposed amendment by a party
vote, with every Democrat opposing and all but one of the Republicans approving the resolution for ratification. Yet, while the white voters of the state specifically rejected such an amendment to the constitution in 1867, and while the Democrats had vigorously opposed the proposal after the war, once the step was taken the citizenry seems to have acquiesced, and, on their part, the Democrats accepted the action as settled policy.

The year 1870, during which came the climax of a series of three amendments to the Constitution in a half decade, proved to be the beginning of a new era for the Negro. For while considerable prejudice remained to vex the Negro, he could find consolation in the knowledge that he had achieved a new position in society where he was a recognized member of the political community, eligible to vote, to hold office, and to have equal access to public facilities. In this new era the magic word was "equality," and separate schools often were considerably less than equal to those for whites. To advocates of civil equality this presented a challenge.

In considering the attitude of the colored man towards his separate schools we may divide the period of segregation into two phases. In the first phase, before the adoption of the Fifteenth Amendment, there seems to have been little disposition on the part of either friend or foe of Negro
rights to disturb the status quo. There were a few attempts in the Assembly to pass measures to forbid mixing the schools, it is true, but these proposals did not seem to command much support. And, Negro leaders, for their part, made no noticeable demands for integration of the schools. Perhaps a few of their more prominent national leaders, such as Frederick Douglass, might condemn separate schools as symbols of inferiority, but in Ohio itself Negro leaders did not seem to have been especially disturbed by such thoughts.\footnote{Frederick Foner, ed., The Life and Writings of Frederick Douglass (New York, International Publishers, 1950-1955, 4 vols.), 4:289.}

It is probable that they were much more concerned about securing the franchise and holding what educational gains they already had achieved. But there is some evidence that it was not entirely a matter of being preoccupied with other issues; it seems quite likely that the level of sensitivity to being considered a people apart was not as yet high enough for them to resent separate schools just because they were separate. We know that in 1869 Columbus Negro leaders, among the most vigorous in the state, did not urge an end to the colored schools; to the contrary, they wanted a law such as Cincinnati had, where Negroes managed the colored schools.\footnote{Ohio Senate Journal, 65(1869):94, 107, 183, 207, 254, 267.}

The second phase of the period of segregated schools began in 1870 with the ratification of the Fifteenth
Amendment. By this time the whites of Ohio apparently had heard enough of Negro rights and were much more absorbed in the exciting accomplishments in railroading and industry. There were a few counties in the election of 1873 where Democrats tried to make political capital by claiming that Republicans aimed at mixing the schools, but outside of this instance there was little attempt to use racial prejudice to gain votes until the election of 1887. And even in these two campaigns the appeal was local and was not a position taken by either party throughout the state. But if white politicians were comparatively indifferent to Negro rights (except perhaps for a wave now and then of the "bloody shirt") the colored leaders had not ceased to be concerned about the status of their race, and of course, they began to explore the implications of their new position in society as it was spelled out by the Constitution.

After 1870 the attention to politics by Negro leaders in Ohio was focused primarily on achieving a civil rights measure from Congress, and on mundane matters of patronage. As a political issue, the condition of the colored schools, or of having colored schools at all, seems to have been of little moment. Thus only in 1871, and again in 1878, were there any calls for the Assembly to mix the schools. The first instance seems to have been merely an overflow of the enthusiasm generated by the agitation for the franchise; and
in the second instance, it was a matter of a (white) Republican playing politics. But despite the general absence of such agitation in politics at the state Capitol, we cannot conclude that the Negro was unconcerned about the quality of the education for his children. While it is true that during the Seventies he did not demand mixing for the sake of mixing, or that he did not make it a political issue, there were times in a number of localities when Negroes demanded mixing of the schools in order to achieve the fuller opportunity afforded by the graded schools, and to end the discrimination involved in oversized colored districts.

These demands by Negroes for equal educational opportunity took the form of mass meetings and subsequent petitions to the school boards or perhaps court cases where it was claimed that oversized districts constituted a violation of the Fourteenth Amendment. But as it turned out the Amendment did not afford as much protection as the Negro was probably led to believe when it was first adopted. In both state and federal courts judges ruled that oversized districts, and a farther distance for Negro children to walk to school, did not constitute sufficient discrimination to be an infringement on the rights of citizenship guaranteed by that famous amendment. As long as there was a state law authorizing colored schools, school boards were within their power in sending Negroes to inconvenient separate
schools. It was only after a period of better than a decade that the Negro came to realize that if relief from educational discrimination were to be obtained it must be secured at the state legislature which had drawn up the school code in the first place.

Meanwhile during the course of the same decade of the Seventies that Negroes struggled for better schools white public opinion in the state had a chance to adjust to closer political contacts with Negroes—both as voters and as office holders—and by the Eighties, when the demand arose for the Assembly to end the authority for school boards to maintain separate schools, the thought of the mixing of races in the classroom that would result in many districts did not seem so intolerable to whites as it had in 1871.

As we have seen, even before the final fight was waged in the Assembly over desegregation, some school boards in the state already had mixed their schools. One noteworthy example was Columbus. In 1881, after experiencing difficulty in maintaining an adequate separate colored school system in the face of demands for increased facilities for the expanding white population, the Board decided to mix the schools. It is not certain just what effect the Columbus decision had outside of the city itself, but the successful example there provided a talking point for those who agitated for an end to the educational color line a few years later.
The event which precipitated the demand to end the remaining color line laws in the Eighties—the school law and the ban on interracial marriages—was the decision of the U. S. Supreme Court in 1883 that the existing Civil Rights Act (of 1875) was unconstitutional since there was no authority in the Fourteenth Amendment for Congress to provide such guarantees. The states, it was understood, could pass laws to protect its colored citizens, however. The anxiety stirred up by the loss of the guarantees which the law of 1875 seemed to afford brought about a demand by colored leaders for a state civil rights law; and in their concern they also turned their attention to their general civil status as Negroes. After such a look, in addition to the civil rights law, they also called for an end to the remaining color line laws, not entirely because they were oppressive, but because they set Negroes off as a class apart, in a position implying inferiority to whites.

The sudden call for the Assembly to end these color distinctions in law occurred at a time when the Democrats had just won the state elections of 1883. By 1883, however, Democrats were no longer a party which was anti-Negro simply as a matter of principle; indeed, they claimed the loyalty of one of the most prominent Negroes in the state, the Cincinnati schoolmaster, Peter H. Clark. The desired civil rights legislation was speedily passed (1884), but largely
because of the lobbying of colored teachers led by Clark, bills to repeal the colored school law (Section 4008 of the Ohio code) failed. In the following Assembly (1886-1887), however, a Republican majority repealed Section 4008 and at the same time also repealed the ban on interracial marriages.

In general there was relative calmness at the news of this action by the Assembly. But, as we have seen, there was some fuss—in some places it was quite sensational—stirred up in western and southern Ohio before this new fact of life was recognized and accepted. In the several court cases that arose over the repeal of Section 4008, the Common Pleas courts consistently held that there was no authority for keeping separate colored schools once the specific section which had permitted such an action was repealed. It was, therefore, unlawful to force attendance of Negroes at such schools. And since the state Supreme Court upheld the lower courts, this position school boards were obliged to accept.

Before we close this study a postscript might be added. In two respects a price had to be paid by the Negroes for their educational equality, as pro-segregationists had warned. First, Negro children in mixed schools were subject from time to time to slights on account of their color. Examples of this were not hard to find, and they were undoubtedly matched by several others that never broke into
print. For example, one account tells of parents of whites in Springfield who refused to have their children sit next to Negroes in the classroom; in rural Clark county one school provided separate drinking cups for the two races; and when the first Negro, a girl, graduated from the normally all-white (west-end) high school in Xenia, the twenty-one year old alumni society for the school suspended its annual celebration rather than have her sit at the traditional banquet table with whites.3

A second casualty of integration, it seems fairly certain, was a good number of Negro school teachers who lost their positions, but more research will be needed to determine just to what extent they suffered. Where separate schools remained, of course, there were opportunities for employment. For example, the former Ironton teacher found a job in Ashland, Kentucky; a former Loving school teacher (Columbus) was employed in Chillicothe; and the Circleville principal became the teacher of the separate school in Felicity.4 But in mixed schools it seems likely that most teachers were dismissed, as in Springfield, Troy, Circleville,


4Portsmouth Times, October 22, 1887, 3:2; Cleveland Gazette, August 31, 1889, 1:2; Clermont Sun, August 17, 1887, 1:3.
There were some outstanding exceptions, however, and a few Negroes did teach in mixed school systems where they had white pupils in their classes. This was the situation in Dayton with Louisa Troy; Cincinnati continued to employ its Negro specialist in penmanship; and editor H. C. Smith of the Cleveland Gazette reported Negroes teaching in the schools of that city where whites were enrolled in their classes. Also, later in Columbus (1889), perhaps because Poindexter was on the Board of Education, two Negro women who were graduated from the city's Normal School were placed in the city system. A third found a job in the Cadiz separate school. And at least one of these Columbus teachers had white pupils in her classes. Yet the weight of the evidence is that these instances were exceptional, and further research probably would show that the majority of Negro teachers employed in the state worked

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5 Xenia Democrat-News, June 4, 1887, 3:1; July 2, 1887, 3:4; Circleville Democrat and Watchman, June 10, 1887, 3:3; Cleveland Gazette, May 21, 1887, 2:6; June 25, 1887, 1:2.

6 Dayton Board of Education, Annual Report, 1888-1889, 148; Cleveland Gazette, September 17, 1887, 1:3; September 24, 1892, 2:2.

7 Cleveland Gazette, August 10, 1889, 2:1-2.

8 Ibid., August 3, 1889, 2:7; August 31, 1889, 1:2.

9 Ibid., February 1, 1890, 1:6. Some of the whites in her class, it seems, withdrew in protest.
in classes attended entirely by Negroes. At least this is suggested by a survey of seven Ohio cities a half century later (1940) which showed that Toledo and Cleveland employed Negroes to teach classes where white pupils attended; Akron employed no Negro teachers; and in Cincinnati, Columbus, Dayton, and Hillsboro, Negroes and whites did not teach in the same building, nor did Negroes teach white pupils.\(^{10}\)

We have now traced the struggle of the Ohio Negro for equality of educational facilities to the point where the color line was ended in the school laws of the state, and by 1890 the courts had upheld the position that Negro schools, per se, could not be maintained by school authorities. As we have seen this policy was not received gracefully in some localities, and in others it was circumvented by mutual consent. There might be "branch schools" or "fifth rooms," or other facilities where it was widely known that only Negroes attended. But as far as the law was concerned these were not officially colored schools; and this position is indicated by the fact that after the passage of the Arnett Law the Commissioner's reports dropped statistics on these schools. This is not to say, of course, that Negro schools did not continue, and further research will be necessary to determine how long Negroes did, in fact, voluntarily attend

these unofficial separate schools. Undoubtedly much more important in maintaining the existence of separate schools was the fact that basing school districts on geographical location was legal, and that in many geographical locations Negroes predominated. Chillicothe and Xenia continued their separate schools on this basis, and, of course, such schools inevitably came about in the larger cities where colored people congregated and Negro residential areas emerged.¹¹

So it was that educational segregation on account of race was made illegal, and segregation by consent, or by residence, became the pattern where in fact Negro schools existed. The colored child could not be grouped in a Negro school, per se, yet he could be in a school where there were only Negroes. And such was his fate.

# APPENDIX

MEMBERS OF THE OHIO GENERAL ASSEMBLY

FOR TABLES 2 AND 3*

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<thead>
<tr>
<th>1836-1837 Senate</th>
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<td>Crouse, David (D): Ross, Pike, Jackson</td>
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<td>Upson, Daniel (W): Portage</td>
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<td>McLaughlin, William (D): Richland</td>
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*In each grouping the members have been arranged in descending order of the density of Negroes (ratio to whites) in their constituencies. The "W" represents Whig party affiliation; "D", Democratic; "Ind.," Independent.
1836-1837 Senate (cont.)
Sprague, Peres (D): Coshocton, Holmes, Knox
Wellhouse, George (D): Wayne
Granger, Ralph (W): Ashtabula, Geauga

1837-1838 House
Hughes, James (W): Jackson, Pike, Ross
Ott, Daniel (W): Jackson, Pike, Ross
Clark, John (W): Gallia, Lawrence
Carpenter, A. F. (W): Hamilton
Given, James (W): Hamilton
Farar, James (D): Hamilton
Neil, Robert (W): Franklin
Kelly, Alfred (W): Franklin
Collings, George (W): Clinton, Highland
Crew, James (D): Logan
Green, Isaac H. (D): Belmont
Gaston, Ephraim (D): Belmont
McNary, Samuel (D): Jefferson
Morgan, Edward L. (W): Champaign
Perkins, Isaac S. (W): Greene
Kendall, William (W): Adams, Brown, Scioto
Barrere W. (W): Adams, Brown, Scioto
Thurlow, William B. (W): Pickaway
Harrison, Batteal (W): Fayette, Madison
Dunlevy, Anthony H. (W): Warren
Chambers, David (W): Muskingum
McCune, Joseph (W): Muskingum
Curtis, Walter (W): Washington
Thruston, Robert A. (W): Montgomery
Anthony, Charles (W): Clark
Cannon, Thomas (D): Columbiana
Roller, Jacob (D): Columbiana
Smith, George (D): Columbiana
Bell, Hiram (W): Darke, Mercer, Miami
Greybill, John (D): Fairfield, Hocking
Medill, William (D): Fairfield, Hocking
Mathias, Jacob (D): Butler
Van Hook, William B. (D): Butler
Cook, James (D): Allen, Hardin, Paulding, Putnam, Shelby, Van Wert
Gruber, John (D): Harrison
Parish, Isaac (D): Guernsey
Buchanan, Thomas J. (D): Clermont
Hostetter, Jacob (D): Stark
Johnson, Matthew (D): Stark
Foote, John A. (W): Cuyahoga
Johnson, Leverett (W): Cuyahoga
Quinn, John (W): Preble
Clark, Philo (W): Huron
Smucker, Isaac (D): Licking
Stewart, John (D): Licking
Fowler, Stephen (D): Crawford, Marion, Union
### 1837-1838 House (cont.)
- Gurry, Otway (W); Crawford, Marion, Union
- Treat, Samuel (W); Sandusky, Seneca
- Garney, Elijah (W); Delaware
- Hubbard, Eber W. (D); Lorain
- McKee, Ezra (D); Morgan
- Carlin, Perlee (D); Hancock, Henry, Lucas, Williams, Wood
- Allen, George N. (W); Tuscarawas
- Johnson, William (W); Carroll
- Jones, David (W); Athens, Meigs
- Treavitt, William (D); Perry
- Tracy, Marvin (D); Knox
- Bronson, Tracy (W); Trumbull
- Woodruff, John C. (W); Trumbull
- Matthews, James (D); Coshocton
- Day, Solomon (W); Portage
- Wetmore, William (W); Portage
- Lee, Robert (D); Richland
- Peppard, William (D); Wayne
- Thornhill, French W. (D); Coshocton, Holmes
- Coddington, John (W); Medina
- Fitch, Oramel H. (W); Ashtabula
- Leonard, Marvin (W); Ashtabula
- Witten, Peter (D); Monroe
- Ford, Seabury (W); Geauga
- Richmond, Thomas (W); Geauga
- Hoagland, James (D); Holmes

### 1837-1838 Senate
- Van Meter, John (W); Jackson, Pike, Ross
- Gerard, John H. (D); Hamilton
- Oliver, William (W); Hamilton
- Morris, Isaiah (W); Clinton, Highland
- Greene, John L. (W); Franklin, Pickaway
- Shannon, Thomas (D); Belmont
- Rogers, James (W); Athens, Gallia, Lawrence, Meigs
- Stokely, Samuel (W); Jefferson
- James, John H. (W); Champaign, Clark, Logan
- White, Charles (W); Adams, Brown, Scioto
- Arbuckle, John (W); Fayette, Greene, Madison
- Thomas, William I. (W); Darke, Mercer, Miami
- Smith, George J. (W); Warren
- Cox, Samuel (W); Muskingum
- Steele, James (W); Montgomery
- Spangler, Samuel (D); Fairfield, Hocking
- Thompson, James (D); Carroll, Columbiana
- Vance, Elijah (D); Butler, Preble
- Hawkins, William (D); Morgan, Perry, Washington
- Utter, Douty (D); Clermont
- Starkweather, David S. (D); Stark
- Bates, Curtis (D); Allen, Hancock, Hardin, Henry, Lucas
- Paulding, Putnam, Shelby, Van Wert, Williams, Wood
1837-1838 Senate (cont.)
Vincent, Thomas C. (D): Harrison, Tuscarawas
Fuller, Simeon (W): Cuyahoga
Walton, William C. (D): Guernsey, Monroe
Campbell, John K. (W): Huron
Gault, William W. (D): Licking
Gorton, Hezekiah (W): Crawford, Delaware, Marion, Union
Owen, David E. (D): Sandusky, Seneca
Moore, James (W): Lorain, Medina
King, Leicester (W): Trumbull
Upson, Daniel (W): Portage
McLaughlin, William (D): Richland
Sprague, Peres (D): Coshocton, Holmes, Knox
Wellhouse, George (D): Wayne
Wade, Benjamin (W): Ashtabula, Geauga

1838-1839 House
Hegler, Abraham (W): Jackson, Pike, Ross
Hughes, James (W): Jackson, Pike, Ross
Ripley, David (W): Gallia, Lawrence
Brown, Isaac (D): Hamilton
Faran, James J. (D): Hamilton
Andrews, John W. (D): Franklin
Kilbourne, James (W): Franklin
Patterson, Thomas (D): Clinton, Highland
Casad, Anthony (W): Logan
West, Henry (D): Belmont
McNary, Samuel (D): Jefferson
Corwin, Moses B. (W): Champaign
Kyle, Joseph (W): Greene
Blair, John H. (D): Adams, Brown, Scioto
Leedom, Joseph (D): Adams, Brown, Scioto
Winship, Thomas (D): Pickaway
Creighton, William H. (W): Fayette, Madison
Hunt, John (W): Warren
Goddard, Charles (W): Muskingum
Chambers, David (W): Muskingum
Curtis, Walter (W): Washington
Smith, Edwin (D): Montgomery
Lowe, Peter P. (D): Montgomery
Waddle, Alexander (W): Clark
Jenkins, John M. (D): Columbiana
Roller, Jacob (D): Columbiana
Smith, George (D): Columbiana
Briggs, John (W): Darke, Mercer, Miami
Hamilton, Justin (W): Darke, Mercer, Miami
Brough, John (D): Fairfield, Hocking
Millikin, Robert B. (D): Butler
Van Hook, William B. (D): Butler
Rea, Joseph (D): Harrison
Martin, Joel F. (D): Guernsey
1838-1839 House (cont.)
Buchanan, Thomas J. (D): Clermont
Johnson, Matthew (D): Stark
Welch, James (D): Stark
Johnson, Leverett (W): Cuyahoga
Lloyd, William E. (W): Cuyahoga
Hendricks, George D. (W): Preble
Branch, Walter (W): Huron
Camp, John G. (W): Huron
Smucker, Isaac (D): Licking
Flood, George H. (D): Licking
Campbell, John (D): Crawford, Marion, Union
Fowler, Stephen (D): Crawford, Marion, Union
Welch, John (D): Sandusky, Seneca
Patterson, Andrew H. (D): Delaware
Andrews, William (W): Lorain
Hanna, John E. (D): Morgan
Taylor, William (W): Hancock, Henry, Lucas, Williams, Wood
Everhard, John (W): Tuscarawas
Donnelly, Andrew (W): Athens, Meigs
Forbes, James (D): Carroll
Trevitt, William (D): Perry
Elliott, James (D): Knox
Howe, Thomas (W): Trumbull
Bronson, Tracy (W): Trumbull
Burns, Joseph (D): Coshocton
Garrett, Elisha (W): Portage
Kirkum, George (W): Portage
Comings, James (D): Richland
Gamble, Hugh (D): Richland
Skinner, R. J. (D): Allen, Hardin, Paulding, Putnam, Van Wert
Peppard, William (D): Wayne
Witten, Peter (D): Monroe
Coddin, John (W): Medina
Chester, Erastus (E): Ashtabula
Fitch, O. H. (W): Ashtabula
Atzel, Silas (W): Geauga
Ford, Seabury (W): Geauga
Hoagland, James (D): Holmes

1842-1843 House
Smith, John A. (W): Highland
Byington, Legrand (D): Hocking, Jackson, Pike, Ross
Johnson, Elihu (D): Hocking, Jackson, Pike, Ross
Nelson, William (D): Hocking, Jackson, Pike, Ross
Campbell, Hiram (W): Gallia, Lawrence, Scioto
Brown, Israel (D): Hamilton
Gordon, Archibald (D): Hamilton
Wakefield, William (D): Hamilton
Chenowith, Joseph (W): Franklin
Pilcher, Thomas (D): Belmont
1842-1843 House (cont.)

Robinson, Robert (W): Adams, Fayette, Highland
Curry, Otway (W): Logan, Union
McCrea, W. B. (W): Champaign
Fudge, John (W): Greene
Ross, Thomas (W): Brown, Clermont, Clinton
Fisher, David (W): Brown, Clermont, Clinton
Rees, Moses (D): Brown Clermont, Clinton
White, John D. (D): Brown, Clermont, Clinton
Olds, Edson B. (D): Pickaway
Counts, Jacob (W): Darke, Mercer, Miami, Shelby
McClure, John (W): Darke, Mercer, Miami, Shelby
Probasco, John (W): Warren
Bowen, Charles (W): Muskingum
Chambers, David (W): Muskingum
Woodbridge, George M. (W): Washington
Atkinson, Isaac (W): Carroll, Jefferson
Dike, Nathaniel (W): Carroll, Jefferson
Schench, Robert (W): Montgomery
Houseman, Isaac (W): Clark, Madison
Gallagher, John A. (W): Clark, Madison
Martin, John (D): Columbiana
Reid, John (D): Columbiana
Chaney, John (D): Fairfield
McClung, William (D): Fairfield
King, James B. (D): Butler
McFarland, J. B. (D): Butler
Gruber, John (D): Harrison
Douglass, William (D): Guernsey
Atherson, Samuel (W): Erie, Huron
Kilgore, James (D): Stark
Martin, Rudolphus (D): Stark
Kelly, Thomas M. (W): Cuyahoga
Larsh, Newton (W): Preble
Green, Isaac (D): Licking
Humphries, Phelps (D): Licking
Baird, George W. (D): Hancock, Ottawa, Sandusky, Seneca, Wood
Brish, Henry C. (D): Hancock, Ottawa, Sandusky, Seneca, Wood
Clark, John C. (D): Morgan
Ackley, J. B. (W): Athens, Meigs
James, Isaac E. (D): Crawford, Delaware, Marion
Sharp, George W. (D): Crawford, Delaware, Marion
Kelley, Daniel (D): Perry
Steedman, James B. (D): Allen, Hardin, Henry, Lucas,
    Paulding, Putnam, Van Wert, Williams
Mudgett, Gilman C. (D): Allen, Hardin, Henry, Lucas,
    Paulding, Putnam, Van Wert, Williams
McNulty, C. J. (D): Knox
Spindler, Nicholas (D): Knox
Warner, Richard (D): Lorain, Medina
Seward, Amos (W): Summit
1842-1843 House (cont.)
Baldwin, Jacob (W): Trumbull
Webb, Nathan (W): Trumbull
Meredith, Jesse, (D): Coshocton
McConnell, David (D): Holmes, Tuscarawas
Earl, Thomas (W): Portage
Pardel, Samuel H. (W): Portage
Fuller, Simeon (W): Lake
Cahill, Richard (D): Richland
Henderson, James P. (D): Richland
Wilford, Joseph (D): Wayne
Larwill, John (D): Wayne
Tuttle, Jonathen (W): Ashtabula
Okey, Cornelius (D): Monroe
Converse, John P. (W): Geauga

1844-1845 House
Coombs, Joseph J. (W): Gallia, Jackson
Brown, Ezekiel, (D): Highland
Kaler, Joseph (W): Hocking, Ross
Brown, Israel (D): Hamilton
Reemelin, Charles (D): Hamilton
Ewing, James H. (D): Hamilton
Flinn, Jacob (D): Hamilton
Henkle, John F. (W): Hardin, Logan
Higgins, John J. (D): Brown
McCready, Charles (W): Franklin, Madison
Ridgway, Joseph (W): Franklin, Madison
Cowen, Benjamin S. (W): Belmont
Tallman, Peter (W): Belmont
Dobbins, Robert (W): Clinton, Fayette
Bean, Ira A. (W): Champaign, Union
Harris, Ezekiel (W): Jefferson
Drake, Elias F. (W): Greene
Britton, Joseph M. (D): Adams, Pike
Hostetler, Isaac (D): Darke, Shelby
Oldfield, William (W): Lawrence, Scioto
Van Meter, John E. (W): Pickaway
Noble, Edward (W): Warren
Johns, Davis (W): Muskingum
Cutler, William (W): Washington
Spear, Isaac (D): Allen, Mercer, Van Wert
Gunekel, Henry S. (W): Montgomery
McKinney, William J. (W): Montgomery
Gallagher, John M. (W): Clark
Filson, Robert (D): Columbiana
Foust, Andrew (D): Fairfield
Swartz, David H. (D): Fairfield
Morris, David H. (W): Miami
Anderson, Fergus (D): Butler
MoMakin, Mark C. (D): Butler
Lemmon, Jacob (W): Harrison
1844-1845 House (cont.)

Skinner, William (W): Guernsey
Roudebush, William (D): Clermont
Summers, Benjamin (W): Erie, Huron
Miller, George (D): Stark
Kingsbury, Guy M. (D): Stark
Meredith, Jesse (D): Coshocton, Guernsey
Harvey, David (W): Cuyahoga
Woolsey, John W. (W): Cuyahoga
Barnett, David (W): Preble
O'Bannon, Presley N. (D): Licking
Bell, John (D): Sandusky
Huntington, Elijah (W): Hancock, Lucas, Ottawa, Wood
Cronise, Henry (D): Seneca
Shaw, James B. (W): Delaware, Marion
Johnson, Nathan (W): Lorain
Chandler, Daniel (W): Morgan
Bennett, Alden I. (W): Tuscarawas
Downing, Columbia (W): Athens, Meigs
McEldeery, Tobert (W): Carroll
Brown, James (D): Perry
Ankeny, George (D): Knox
McFarland, James (D): Knox
Kirkum, Abel (W): Summit
Barnes, Buel (W): Trumbull
Williams, Heslip (D): Coshocton
Paine, Robert F. (W): Portage
Hetrick, Isaac (D): Richland
Myers, John C. (D): Richland
Kimball, Abel (W): Lake
Brown, John (W): Wayne
Archbold, Edward (D): Monroe
Dodd, Ezra S. (D): Henry, Paulding, Putnam, Williams
Moulton, Earl (W): Medina
Randall, Brewster (W): Ashtabula
Caldwell, Samuel (D): Crawford
Ford, Seabury (W): Geauga
Guiberson, Edwin R. (D): Holmes

1844-1845 Senate
Crouse, John (W): Hocking, Jackson, Pike, Ross
Gregory, Moses (W) Gallia, Lawrence, Scioto
Disney, David (D): Hamilton
Jones, Oliver (D): Hamilton
Barrere, John M. (W): Adams, Highland
Kelly, Alfred (W): Clark, Franklin, Madison
Gabriel, John (W): Champaign, Logan, Union
Baldwin, William H. (D): Brown, Clermont, Clinton
Loudon, James (D): Brown, Clermont, Clinton
Miller, Robert (D): Belmont, Harrison
1844-1845 Senate (cont.)
O'Ferrail, John (W): Darke, Miami, Shelby
Hastings, John (W): Harrison, Jefferson
Chambers, David (W): Muskingum
Anderson, Charles (W): Montgomery, Warren
Chaney, John (D): Fairfield, Pickaway
Eckley, Ephriam R. (W): Carroll, Jefferson
Aten, Charles M. (D): Columbiana
King, James B. (D): Butler, Preble
Johnson, Aaron (D): Morgan, Perry, Washington
Osborne, John R. (W): Erie, Huron
Groff, Daniel (W): Stark
Armstrong, William (D): Guernsey, Monroe
Warner, Willard (D): Licking
O'Neil, Charles (W): Hancock, Lucas, Ottawa, Wood
Powell, Thomas (W): Delaware, Marion
Kelly, Moses (W): Cuyahoga, Geauga
Wood, Amos E. (D): Crawford, Sandusky, Seneca
Van Vorhes, Abraham (W): Athens, Meigs
Watters, John W. (D): Allen, Hardin, Henry, Lucas, Paulding
Putnam, Van Wert, Williams
Coddington, John (W): Lorain, Medina
Wetmore, William (W): Portage, Summit
Quinby, Samuel (W): Trumbull
Bartley, Thomas (W): Richland
Koch, Jacob B. (D): Holmes, Knox
Cox, Levi (W): Wayne
Perkins, William L. (W): Ashtabula, Lake

1845-1846 House
Owen, Martin (W): Gallia, Jackson
Gibson, James (W): Hocking, Ross
Trimble, William (D): Highland
Fitzgerald, Edward (W): Franklin, Madison
Ridgway, Joseph Jr. (W): Franklin, Madison
Higgins, John J. (D): Brown
Drake, E. F. (W): Greene
Evans, Stephen (W): Clinton, Fayette
Johnston, Stephen (W): Miami
Noble, Edward (W): Warren
Gallagher, Thomas J. (D): Hamilton
Flinn, Jacob (D): Hamilton
Reemelin, Charles (D): Hamilton
McMaken, John (D): Hamilton
Allen, James (W): Jefferson
Cockerill, Daniel (D): Adams, Pike
Cowan, Benjamin (W): Belmont
Canby, Richard S. (W): Hardin, Logan
Olds, Edson B. (D): Pickaway
Richey, William (W): Champaign, Union
Thomas, Ezekiel (W): Darke, Shelby
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<td>Boyd, Henry</td>
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<td>Barnes, Buell</td>
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<td>Smith, William H.</td>
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<td>Knap, Horace</td>
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<td>Wayne</td>
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<td>Phelps, Alfred</td>
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<td>Geauga</td>
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<td>Sharp, John</td>
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<td>Holmes</td>
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1845-1846 Senate
Madeira, John (W): Hocking, Ross
Goombs, Joseph J. (W): Gallia, Jackson, Lawrence, Scioto
Martin, Burnham (W): Clinton, Fayette, Greene
Reid, Tilbury (D): Adams, Highland, Pike
Kelly, Alfred (W): Clark, Franklin, Madison
Ewing, James H. (D): Hamilton
Jones, Oliver (D): Hamilton
Utter, Dowty (D): Brown, Clermont
O'Ferral, John (W): Darke, Miami, Shelby
Bean, Ira A. (W): Champaign, Hardin, Logan, Union
Hastings, John (W): Harrison, Jefferson
Godard, Charles B. (W): Muskingum
Chaney, John (D): Fairfield, Pickaway
Machall, Benjamin (D): Belmont, Monroe
Anderson, Charles (W): Montgomery, Warren
Edgerton, Alfred P. (D): Allen, Defiance, Henry, Mercer,
Paulding, Putnam, Van Wert, Williams
King, James B. (D): Butler, Preble
Harte, Rufus E. (D): Morgan, Perry, Washington
Coddin, John (W): Lorain, Medina
Ford, Seabury (W): Cuyahoga, Geauga
Martin, John (D): Columbiana
Osborn, John R. (W): Erie, Huron
Powell, Thomas W. (W): Delaware, Marion
Welch, John (W): Athens, Meigs
O'Neil, Charles (E): Hancock, Lucas, Ottawa, Wood
Groff, Daniel (W): Stark
Thornhill, French W. (D): Coshocton, Guernsey
Wood, Amos E. (D): Crawford, Sandusky, Seneca
Wetmore, William (W): Portage, Summit
Warner, Willard (D): Licking
Eckley, Ephraim R. (W): Carroll, Tuscarawas
Newman, Joseph (D): Richland
Quinby, Samuel (W): Trumbull
Perkins, William L. (W): Ashtabula, Lake
Koch, Jacob (D): Holmes, Knox
Cox, Levi (W): Wayne

1846-1847 House
Poor, Alexander (W): Gallia, Jackson
Kaler, Joseph (W): Hocking, Ross
Trimble, William H. (W): Highland
Clark, Jeremiah (W): Franklin, Madison
Noble, John (W): Franklin, Madison
Ellison, Andrew (D): Brown
Kiler, John (W): Greene
Conway, Franklin (W): Clinton, Fayette
Porter, Joseph (W): Miami
Wilson, Robert (W): Warren
Converse, W. F. (D): Hamilton
Warren, John B. (D): Hamilton
1846-1847 House (cont.)
McMaken, John (D): Hamilton
Smith, William S. (D): Hamilton
McGrew, Finley B. (W): Jefferson
Bloomhuff, J. P. (D): Adams, Pike
Hogue, William (W): Belmont
Kerr, John C. (W): Belmont
Lawrence, William (W): Hardin, Logan
Tallman, George (W): Pickaway
Richey, William (W): Champaign, Union
Purviance, John S. (D): Darke, Shelby
Hines, F. J. (D): Allen, Mercer, Van Wert
Turley, John A. (W): Lawrence, Scioto
Williams, Samuel B. (W): Clark
Russell, Samuel A. (W): Harrison
Trimble, John (W): Muskingum
Dial, David (D): Clermont
Cutler, William P. (W): Washington
Clark, John (D): Butler
Berry, Thomas G. (D): Butler
Park, Elah (W): Lorain
Lyle, David (D): Fairfield
Shaw, Salmon (D): Fairfield
Backus, Franklin (W): Cuyahoga
Breck, Theodore (W): Cuyahoga
Hibberd, James F. (W): Montgomery
Brown, Thomas (W): Montgomery
Noble, Warren C. (D): Seneca
Kennon, Newell (D): Guernsey
Curtis, Joseph C. (W): Erie, Huron
Vallandigham, Clement L. (D): Columbiana
Fisher, Timothy B. (W): Delaware, Marion
Horton, H. S. (W): Athens, Meigs
Johnson, Alexander (W): Summit
McMahan, John (D): Hancock, Lucas, Ottawa, Wood
Harsh, George (W): Stark
Cock, John S. (D): Stark
McMahan, James (D): Coshocton, Guernsey
Whitridge, L. W. (W): Preble
Coe, Matthew M. (D): Sandusky
Smith, Jonathan (D): Licking
White, John (W): Morgan
Beatty, John (W): Carroll
Bennett, Allen I. (W): Tuscarawas
Moore, Isaac (W): Lake
Russell, Luther (D): Portage
Yost, Joel (D): Monroe
Donnenworth, George (D): Crawford, Wyandot
Abernathy, Alexander (D): Richland
Musgrave, Joseph (D): Richland
Truesdale, Joseph (W): Trumbull
McFarland, James (D): Knox
### 1846-1847 House (cont.)

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### 1846-1847 Senate

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<td>Hancock, Lucas, Ottawa, Wood</td>
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<td>Welch, John</td>
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<td>Thornhill, French W.</td>
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<td>Cronise, Henry</td>
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<td>Lewis, Ashel H.</td>
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<td>Winegarner, Samuel</td>
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<td>Eckley, Ephraim R.</td>
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<td>Carroll, Tuscarawas</td>
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<td>Newman, Joseph</td>
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<td>Beaver, John T.</td>
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<td>Perkins, William L.</td>
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<td>Ashtabula, Lake</td>
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<td>Spindler, Nicholas</td>
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<td>Willford, Joseph</td>
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1847-1848 House
Holcomb, Anselm T. (W): Gallia, Jackson
Greene, Joseph A. (W): Hocking, Ross
Trimble, William H. (W): Highland
Perry, Aaron F. (W): Franklin, Madison
Taylor, George (W): Franklin, Madison
Smith, James H. (D): Brown
Drake, Elias F. (W): Greene
Carothers, James (W): Clinton, Fayette
Weston, W. A. (W): Miami
Wilson, Robert (W): Warren
Armstrong, E. L. (D): Hamilton
Smith, William S. (D): Hamilton
Warren, John B. (D): Hamilton
Converse, W. F. (D): Hamilton
McKeny, James (D): Jefferson
Corwine, Amos (D): Adams, Pike
Pennington, Miller (W): Belmont
Kennedy, James C. (D): Brown, Clermont
Lawrence, William (W): Hardin, Logan
Huston, Thomas (W): Pickaway
Phillips, J. C. (W): Champaign, Union
Conklin, Jacob S. (W): Darke, Shelby
Elliott, Cyrenus (D): Allen, Mercer, Van Wert
Nigh, Elias (W): Lawrence, Scioto
Anthony, Charles (W): Clark
Russell, Samuel A. (W): Harrison
Randall, Abel S. (W): Muskingum
Culbertson, A.S.B. (W): Muskingum
Norris, Stephen S. (D): Clermont
Barker, George W. (W): Washington
Clark, John (D): Butler
Park, Elah (W): Lorain
Lyle, David (D): Fairfield
Shaw, Salmon (D): Fairfield
Breck, Theodore (W): Cuyahoga
Dodds, Thomas (W): Montgomery
Haynes, D. A. (W): Montgomery
Noble, Warren P. (D): Seneca
Morrow, William (D): Guernsey
Atherton, Samuel (W): Erie, Huron
Williams, Joseph F. (D): Columbiana
Patton, James (D): Columbiana
McWright, Albert (D): Delaware, Marion
McLean, Robert (W): Athens, Meigs
Voris, Peter (W): Summit
Potter, Ener D. (D): Hancock, Lucas, Ottawa, Wood
Cook, John S. (D): Stark
Hawkins, Joseph S. (W): Preble
Seward, Amos (W): Portage, Summit
Coe, Matthew M. (D): Sandusky
1847-1848 House (cont.)
Fristoe, Robert (D): Licking
Robinson, Israel (W): Morgan
Bain, John (W): Morgan
Hardesty, George (W): Carroll
Brainerd, Ezra (W): Tuscarawas
Kimball, Abel (W): Lake
Coolman, William (D): Portage
Johnston, William (D): Monroe
Brackley, Michael (D): Crawford, Wyandot
Brewer, Daniel (D): Richland
Musgrave, Joseph (D): Richland
Harrington, John (W): Trumbull
Truesdale, Joseph (W): Trumbull
Cotton, Emmett W. (D): Knox
Williams, Joseph (D): Coshocton
Farrington, Stephen F. (W): Ashtabula
Lidey, John (D): Perry
Blake, Harrison G. (W): Medina
Landis, Nathan M. (D): Defiance, Henry, Paulding, Putnam
Williams
Totten, Michael (D): Wayne
Matthews, Anson (W): Geauga
Vorhes, Jacob (D): Holmes

1847-1848 Senate
Claypool, Wesley (W): Hocking, Ross
Kendall, William (W): Gallia, Jackson, Lawrence, Scioto
Corwin, Franklin (W): Clinton, Fayette, Greene
Emrie, Jonas R. (D): Adams, Highland, Pike
Stutson, Jennett (W): Clark, Franklin, Madison
Ewing, James H. (D): Hamilton
Reemelin, Charles (D): Hamilton
Evans, Benjamin (D): Brown, Clermont
Wilson, William W. (W): Darke, Miami, Shelby
Judy, Joshua (W): Champaign, Hardin, Logan, Union
Hastings, John (W): Jefferson, Harrison
Goddard, Charles B. (W): Muskingum
Olds, Edson B. (D): Fairfield, Pickaway
Archbold, Edward (D): Belmont, Monroe
Hopkins, John (W): Montgomery, Warren
Scott, Sabrit (D): Allen, Defiance, Henry, Paulding, Putnam,
Mercer, Van Wert, Williams
King, James B. (D): Butler, Preble
Haines, Isaac (W): Morgan, Perry, Washington
Johnson, Nathan P. (W): Lorain, Medina
Backus, Franklin T. (W): Cuyahoga, Geauga
Hamilton, Thomas (W): Erie, Huron
Blocksom, Fisher, A. (D): Columbiana
Eaton, James (W): Delaware, Marion
Wheeler, Jesse (D): Hancock, Lucas, Ottawa, Wood
1847-1848 Senate (cont.)

Horton, Horace (W): Athens, Meigs
Graham, John (D): Stark
Ankeny, Peter B. (D): Coshocton, Guernsey
Cronise, Henry (D): Crawford, Sandusky, Seneca, Wyandot
Lewis, Ashel H. (W): Portage, Summit
Winegarner, Samuel (D): Licking
Bennett, Alden J. (W): Carroll, Tuscarawas
Burns, Barnabus (D): Richland
Beaver, John T. (W): Trumbull
Randall, Brewster (W): Ashtabula, Lake
Spindler, Nicholas (D): Holmes, Knox
Byers, Andrew H. (D): Wayne

1848-1849 House

Bundy, H. S. (W): Gallia, Jackson
Foster, John (W): Pickaway, Ross
Olds, Chauncy N. (W): Pickaway, Ross
Dalzell, James (D): Franklin
Jones, Alanson, (W): Clinton
Smith, James H. (D): Brown
Smart, Hugh (D): Fayette, Highland
Howard, Roswell F. (W): Greene
Gregory, David (W): Delaware, Franklin
Holcomb, Anselm T. (W): Athens, Gallia, Jackson, Meigs
Julian, Tanzy (W): Miami
Dodds, John A. (W): Warren
Armstrong, E. L. (D): Hamilton
Long, Alexander (D): Hamilton
Pierce, A. N. (D): Hamilton
Pugh, George E. (D): Hamilton
Roedter, Henry (D): Hamilton
Scott, Andrew (W): Jefferson
Cockerill, Daniel (D): Adams, Pike
Pennington, Miller (W): Belmont
Watt, Samuel (W): Hardin, Logan
Monfort, Luther (D): Darke, Shelby
Bigger, Samuel (W): Belmont, Guernsey
Phillips, Jesse C. (W): Champaign, Clark, Madison
Smith, Henry W. (W): Champaign, Clark, Madison
Mott, Samuel R. (D): Auglaize, Allen, Mercer
Hambleton, Joshua (W): Lawrence, Scioto
Hammond, John (W): Harrison
Randall, Abel (W): Muskingum
Norris, Stephen F. (D): Clermont
Woodford, Seth (W): Washington
Ringwood, Joseph D. (D): Butler
Townshend, Norton S. (Ind.): Lorain
Keller, Daniel (D): Fairfield
Potter, Freeborn (D): Henry, Lucas
1848-1849 House (cont.)

Johnson, Leverett (W): Cuyahoga
Larimer, Isaac (D): Fairfield, Hocking, Perry
Giddings, Luther (W): Montgomery
Thompson, Abram (W): Delaware
Copeland, Josiah C. (W): Marion, Union
Breslin, John G. (D): Seneca
Morrow, William (D): Guernsey
Green, Reid (W): Montgomery, Preble
King, David (D): Columbiana
Heber, George (W): Erie, Huron
McCune, Samuel (W): Summit
Will, Joseph K. (W): Athens, Meigs
Leiter, Benjamin F. (D): Stark
Moore, James (D): Mahoning
Dresbach, David (D): Hocking, Perry
Marsh, Felix (W): Preble
Truman, Robert B. (D): Licking
Durbin, William (D): Morgan
Brainerd, Ezra (W): Carroll, Tuscarawas
Hardesty, George (W): Carroll, Tuscarawas
Whitely, M. C. (D): Hancock, Wyandot
Van Doren, Isaac (D): Ottawa, Sandusky, Wood
Morris, James R. (D): Monroe
Rockwell, David L. (W): Portage
Morse, John F. (Ind.): Ashtabula, Lake
Chaffee, N. L. (W): Ashtabula, Lake
Burt, James M. (D): Coshocton
Brewer, Daniel (D): Crawford, Richland
Myers, Samuel (D): Crawford, Richland
Lee, Isaac (W): Geauga, Trumbull
Riddle, Albert G. (W): Geauga, Trumbull
Van Buskirk, Lawrence (D): Holmes, Knox
Vorhes, Jacob (D): Holmes, Knox
Johnson, James C. (D): Medina
Franks, Abraham Jr. (D): Ashland, Wayne
Miller, Jacob (D): Ashland, Wayne
Edson, Charles F. (D): Defiance, Paulding, Putnam, Van Wert, Williams

1848-1849 Senate
Claypool, Wesley (W): Hocking, Ross
Kendall, William (W): Gallia, Jackson, Lawrence, Scioto
Corwin, Franklin (W): Clinton, Fayette, Greene
Emrie, Jonas R. (D): Adams, Highland, Pike
Dennison, William J. (W): Delaware, Franklin
Dubbs, John B. (D): Hamilton
Ewing, James H. (D): Hamilton
Evans, Benjamin (D): Brown, Clermont
Conklin, Jacob S. (W): Darke, Miami, Shelby
Judy, Joshua (W): Champaign, Hardin, Logan, Union
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<td>Senate (cont.)</td>
<td>Lewis, Pickney (W): Harrison, Jefferson</td>
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<td>Vinal, Harvey (W): Champaign, Clark, Madison</td>
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<td>Archbold, Edward (D): Belmont, Monroe</td>
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<td>Chase, Valantine (D): Butler</td>
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<td>Scott, Saibirt (D): Allen, Defiance, Henry, Mercer, Paulding, Putnam, Van Wert, Williams</td>
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<td>Whitman, Henry C. (D): Fairfield, Hocking, Perry</td>
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<td>Worcester, Samuel T. (W): Erie, Huron</td>
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<td>Myers, James (D): Henry, Lucas, Ottawa, Sandusky, Wood</td>
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<td>Swift, Lucien (D): Portage, Summit</td>
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<td>Byers, Andrew H. (D): Ashland, Wayne</td>
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BIBLIOGRAPHY

Manuscript Material

Athens. Board of Education. Minutes, 1862-1888.
Columbus. Board of Education. Minutes, 1852-1888.
Dayton. Board of Education. Minutes, 1842-1888.
Toledo. Board of Education. Minutes, 1849-1873.

Government Documents

Chase, Salmon (ed.). Statutes of Ohio...1788 to 1833 Inclusive.
Ohio. Laws of Ohio, 1803-1887.
Ohio. Local Laws of Ohio, 1819-1851.
Ohio. Ohio Executive Documents, 1835-1887.
Ohio Senate Journal, 1803, 1828-1890.
Ohio. Secretary of State. Annual Report, 1883-1887.
_____. Annual Report...on Common Schools..., 1846-1851.
U.S. Congressional Record, Vol. III.
_____. Population, Fourth through Eleventh Censuses.

Law Cases
Board of Education of College Hill v. Ohio. 45 Oh.S.R. 556.
Gray v. Ohio. 4 Ohio R. 353.
Jeffries v. Ankeny. 11 Ohio R. 373.
State v. Board of Education of Cincinnati. 1 Wkly. Law Bul. 139.
State v. City of Cincinnati. 19 Ohio R. 178.
State v. McCann. 1 Oh. S.R. 198.
State v. Woodlawn School District. 3 O.L. Abs. 308.
Van Camp v. Board of Education of Logan. 9 Oh. S.R. 407.

Newspapers
American Union (Steubenville), 1841.
Annals of Cleveland (see: U.S. Works Progress Administration in Ohio).
Anti-Slavery Bugle (Salem), 1845-1861.
Ashland Times, 1863, 1864.
Ashtabula Sentinel (Jefferson), 1851, 1885-1886.
Athens Messenger, 1873.
Belmont Chronicle (St. Clairsville), 1832, 1836-1842, 1887.
Bellefontaine Examiner, 1873, 1887.
Bellefontaine Republican, 1887.
Cadiz Republican, 1887.
Cadiz Sentinel, 1887.
Champaign Democrat (Urbana), 1887.
Champion City Times (Springfield), 1887.
Chillicothe Advertiser, 1888.
Cincinnati Chronicle, 1849.
Cincinnati Chronicle and Literary Gazette, 1829.
Cincinnati Commercial, 1873-1881.
Cincinnati Commercial Gazette, 1883-1891.
Cincinnati Enquirer, 1847-1891.
Cincinnati Gazette, 1839-1878.
Cincinnati Herald, 1846-1848.
Cincinnati Republican and Commercial Register, 1833.
Cincinnati Times-Star, 1887-1891.
Circleville Democrat and Watchman, 1887-1890.
Circleville Democratic Herald, 1887.
Circleville Union Herald, 1885-1887.
Clermont Sun (Batavia), 1884-1890.
Cleveland Gazette, 1883-1892.
Cleveland Herald, 1845, 1863.
Cleveland Leader, 1859-1860, 1887.
Cleveland Plain Dealer, 1849-1887.
Columbus Dispatch, 1873-1888.
Columbus Times and Ohio Statesman, 1881-1882.
Coshocton Age, 1869.
Dayton Democrat, 1885-1887.
Dayton Herald, 1871.
Dayton Journal, 1865-1887.
Delaware Gazette, 1871.
Fayette County Herald (Washington Court House), 1871.
Fayette Republican (Washington Court House), 1887-1890.
Gallipolis Bulletin, 1881-1891.
Gallipolis Journal, 1851, 1867, 1887.
Gallipolis Tribune, 1891.
Greenville Democrat, 1887.
Herald and Philanthropist (Cincinnati), 1843-1846.
Highland News (Hillsboro), 1860.
Hillsborough Gazette, 1887.
Hocking Sentinel (Logan), 1871-1872.
Jackson Herald, 1887.
Jackson Journal, 1887.
Jackson Standard, 1887.
Lancaster Gazette, 1881-1887.
Lebanon Patriot, 1871-1872, 1883, 1887.
Logan Republican, 1881.
London Enterprise, 1887.
McConnelsville Democrat, 1871.
Marietta Register, 1883.
Marietta Times, 1883.
Miami County Democrat (Piqua), 1860.
National Historian (St. Clairsville), 1832.
Ohio Eagle (Lancaster), 1851, 1881-1887.
Ohio Free Press (Xenia), 1838-1839.
Ohio Repository (Canton), 1829-1847.
Ohio Standard (Columbus), 1848-1849.
Ohio State Journal (Columbus), 1828-1890.
Ohio Statesman (Columbus), 1842-1875.
Painesville Telegraph, 1829.
Paulding County Gazette (Paulding), 1887.
Philanthropist (Cincinnati), 1836-1843.
Philanthropist (Mount Pleasant), 1817-1822.
Pike County Republican (Waverly), 1887.
Portsmouth Times, 1885-1887.
Portsmouth Tribune, 1885-1887.
Putnam County Sentinel (Ottawa), 1871.
Register and People's Advocate (Washington Court House), 1871-1879.
St. Clairsville Gazette, 1829, 1871.
Scioto Gazette (Chillicothe), 1829, 1849, 1851.
Shelby County Democrat (Sidney), 1871, 1873, 1887.
Sidney Daily Journal, 1887.
Springfield Republic, 1872-1883.
Steubenville Gazette, 1887.
Toledo Blade, 1849, 1869-1871, 1887.
Toledo Commercial, 1867-1871.
Urbana Citizen and Gazette (1887).
Van Wert Times, 1884-1887.
Vinton Record (McArthur), 1871.
Waverly Watchman, 1871, 1878, 1887.
Western Reserve Chronicle (Warren), 1849-1851, 1863-1864.
Wilmington Journal, 1887-1888.
Xenia Democrat-News, 1878, 1885-1888.
Xenia Gazette, 1871-1874, 1887-1891.
Xenia Republican, 1887-1888.
Xenia Torchlight, 1851, 1871, 1878, 1885-1886.
Zanesville Courier, 1873-1888.
Zanesville Gazette, 1849.
Zanesville Signal, 1873-1889.

Reports, Minutes, Proceedings of Reform Societies and Negro Groups

Barber, Amzi D. "Of the Present Condition of the Colored People in Cincinnati;" in Ohio Anti-Slavery Society, Report...1837, 57-67.


Columbus. Ohio State Convention of Colored Men, 1851. Address to the Constitutional Convention of Ohio.... Columbus: E. Glover, 1851.


—. Narrative of the Late Riotous Proceedings...in Cincinnati. Cincinnati: ?, 1836.

—. Proceedings, of the Ohio Anti-Slavery Convention... 1835. ?: Putnam, Beaumont and Wallace, Printers, 1835.


Ohio Colored Teachers Association. Transactions...1861.

Ohio Female Anti-Slavery Society. "On the Condition of the Colored People in Ohio, May 28, 1840," in Philanthropist (Cincinnati), July 14, 1840, 1, 2:1; July 21, 1840, 1.

—. "Education among Colored People," in Philanthropist (Cincinnati), November 26, 1839, 2:2-5.


Third Annual Report. . .," in Philanthropist (Cincinnati), August 9, 1843, 1:2-3.

Ohio Yearly Meeting of Friends, Minutes, 1822-1849.

School Fund Institution of the Colored People of the State of Ohio. [Proceedings of the Organizational Convention], in Philanthropist (Cincinnati), September 8, 1837, 3:4.

[Proceedings of the Second Anniversary. . .1839. . .in Columbus], in Ohio State Journal (Columbus), September 10, 1839, 3:1-2.

[Proceedings of the Third Anniversary. . .1840. . .in Columbus], in Ohio State Journal (Columbus), September 15, 1840, 3:6.


Letters, Autobiographies, and Biographies


Green, John P. *Facts Stranger than Fiction Seventy-five Years of a Busy Life....* Cleveland: Rehl Printing Co., 1920.

Langston, John M. *From Virginia Plantation to the National Capitol or the First and only Negro Representative in Congress from the Old Dominion.* Hartford, Connecticut: American Publishing Co., 1894.


Thomas, Thomas E. *Correspondence of Thomas E. Thomas Mainly Relating to the Anti-Slavery Conflict in Ohio Especially in the Presbyterian Church.* ?:Alfred A. Thomas, 1909.

**Articles, Magazines and Pamphlets**

(American Colonization Society.) *African Repository.* Vols. III-XXVI.


Centennial Thanksgiving Sermon, Delivered...at St. Paul A.M.E. Church, Urbana: ?, 1876.


Cowdery, M. F. "Local School History of the City of Sandusky, from 1838 to 1871, Inclusive," in Historical Sketches of Public Schools in Ohio.


"History of Educational Progress in Hamilton, Ohio," in Historical Sketches of Public Schools in...Ohio.

"History of the Public Schools of Ripley, Ohio," in Historical Sketches of Public Schools in...Ohio.

"History of Wapakoneta Schools," in Historical Sketches of Public Schools in...Ohio.


Jackson, Reid E. "The Development and Character of Permi-
sive and Partly Segregated Schools," Journal of Negro

Keagy, Walter R. "The Lane Seminar Rebellion," Bulletin of
the Historical and Philosophical Society of Ohio,

Lofton, Williston. "Northern Labor and the Negro during the

McAlpine, William. "The Origin of Public Education in Ohio,"
Ohio Archaeological and Historical Publications, 38
(1929):409-447.

Meier, August. "The Negro and the Democratic Party 1875-

Miller, Edward A. "A History of Educational Legislation in
Ohio from 1803 to 1850," Ohio Archaeological and Histor-

Ohio Educational Monthly, Vol. I-XXXVIII.

Payne, Daniel A. "Historical Sketch of Wilberforce Univer-
sity," in Historical Sketches of Higher Educational
Institutions...of Ohio, ?Columbus; ?, 1876.

Persinger, Clark E. "The 'Bargain of 1844' as the Origin of
the Wilmot Proviso," American Historical Association

(Phillips, Wendell.) The Disunionist. Can Abolitionists
Vote or Take Office Under the United States Constitution?
Cincinnati: Sparhawk and Lytle, 1845.

Price, Robert. "Further Notes on Granville's Anti-Abolition
Disturbance of 1836," Ohio State Archaeological and
Historical Quarterly, 45(1936):365-368.

Reddick, L. D. "The Education of Negroes in States Where
Separate Schools Are Not Legal," Journal of Negro

Riddle, A. G. "Recollection of the Forty-Seventh General
Assembly of Ohio--1847-1848," Magazine of Western
History, 6(1887):341-351.

Rodabaugh, James H. "The Negro in Ohio," Journal of Negro


"Sketch of the Rise and Progress of the Common School System in Lebanon...Ohio," in Historical Sketches of Public Schools in...Ohio.


Steele, Robert W.  "Historical Sketches of the Schools of Dayton," in Historical Sketches of Public Schools in...Ohio.

"Steubenville Public Schools," in Historical Sketches of Public Schools in...Ohio.


Books on Education and Negroes

Akers, William J. Cleveland Schools in the Nineteenth Century. Cleveland: M. W. Bayne, Printer, 1901.


Waite, Frederick C. Western Reserve University the Hudson Era. Cleveland: Western University Reserve Press, 1943.

Williams, George W. History of the Negro Race in America from 1619 to 1880. New York: G. Putnam's, 1885, 2 vols.


Books on State and Local History


Gilkey, Eliot H. *The Ohio Hundred Year Book*. Columbus: Fred J. Heer, 1901.


*History of Ross and Highland Counties, Ohio...*. Cleveland: W. W. Williams, 1880.


Howe, Henry. *Historical Collections of Ohio...*. Cincinnati: E. Morgan Co., 1847.


Nelson, Evans. *A History of Scioto County*. Portsmouth; Ohio, the author, 1903.

Porter, George H. *Ohio Politics during the Civil War Period*. New York: Longmans, Green, 1911.


Waggoner, Clark (ed.). *History of the City of Toledo and Lucas County, Ohio*. Toledo: Munsell Co., 1888.
Weisenburger, Francis P. *Passing of the Frontier 1825-1850*. Columbus: Ohio State Archaeological and Historical Society, 1941.


Books on General Topics


Tyler, Alice F. *Freedom's Ferment*. Minneapolis: University of Minnesota Press, 1944.

Unpublished Secondary Sources


I, Leonard Ernest Erickson, was born in Grand Forks, North Dakota, July 6, 1922. I attended the public schools at Grand Forks, and the University of North Dakota which granted me the Bachelor of Arts degree in 1948. From the University of Wisconsin I received the Master of Arts degree in 1950. I began work for the degree of Doctor of Philosophy in 1953 and during the academic year of 1956-1957 I received a scholarship from the Graduate School which made possible the time needed for research for the dissertation. During the time I was completing the requirements for the doctoral degree I have held teaching positions, and at present am on the faculty of Drake University.