

**THE HISTORY OF  
EDUCATIONAL  
LEGISLATION IN  
OHIO FROM 1803 TO 1850**

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The history of educational legislation in Ohio from 1803 to 1850 by Edward Alanson Miller

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**EDWARD ALANSON MILLER**

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EDUCATIONAL  
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OHIO FROM 1803 TO 1850**



The University of Chicago

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The History of Educational Legislation  
in Ohio from 1803 to 1850

A DISSERTATION  
SUBMITTED TO THE FACULTY  
OF THE  
GRADUATE SCHOOL OF ARTS AND LITERATURE  
IN CANDIDACY FOR THE DEGREE OF  
DOCTOR OF PHILOSOPHY  
DEPARTMENT OF EDUCATION

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BY

EDWARD ALANSON MILLER

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

INTRODUCTION.

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

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

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

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

any provisions made for the indigent, defective and delinquent classes.

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

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

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

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

This is especially the case in the acts of incorporation of that large number of secondary and higher institutions that were so abundant in the first fifty years of Ohio's history. A complete tabulation of these acts is here given and as it is the only complete list of these institutions that has been made it seemed best to preserve in a few words the chief points of historical interest that appear in the laws.

I felt this is to be particularly the case with the secondary schools. These have nearly all passed out of existence, and as they mark one of the most important stages in the development



of our secondary education, a somewhat more complete abstract is given than that dealing with most of the other subjects.

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

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

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

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

The primary source material has been the session laws of the state of Ohio. The revised Statutes for this period have also been consulted.

It was found necessary to examine all the laws of the period, special and general, as the titles and indices were not dependable.

A considerable amount of material was also found in the resolutions and memorials.

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

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

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

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