Records and Sources of Ohio Law from 1787-1850

William H. Vodrey

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William H. Vodrey*

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* Of the East Liverpool, Ohio Bar.
Preface

This check list includes records and sources relating to Ohio law from 1787 to 1850. The imprint is included without regard to the place of printing, if it relates to Ohio law. A few items after 1850 are included, where appropriate.

However, the Session Laws and Statutes of Ohio and the Northwest Territory have not been included since they are the subject of other check lists which are devoted to those two subjects. With regard to Ohio Session Laws, a note of caution should be made. There are a number of Ohio militia laws not in the Ohio Session Laws. These are catalogued in the check list of Session Laws.

A further omission is the location of all copies of a given record or source. In some cases, this would run as high as twenty copies. In all cases the standard law and historical libraries in Cincinnati, Cleveland, and Columbus are listed. Other locations are shown depending upon the rarity of the imprint.

A debt of gratitude is owed Chief Justice C. T. Marshall of Ohio who first explored this field in his History of the Courts and Lawyers of Ohio (1934), Vol. III, pg. 643. Next came Douglas C. McMurtrie of Chicago in the check list of Ohio Imprints (1941). Mr. McMurtrie and another scholar, many years ago, started me on this project. The other was Dean Zimmerman of Cleveland who knew more about Ohio law books than anyone else, although not a lawyer. I regret that I cannot offer this survey to each of them, since all three are gone. In lieu, I tender the wreath, as to all victors.

To the many librarians who have helped me over the years, I return my grateful thanks. But here again some who were most generous have departed.
I. The Basic Documents

A. Northwest Territory


The Ordinances were not printed in book form at the time. It is included in the Constitutions of the United States, etc., Philadelphia 1802.

District of Columbia—Washington—Lib. of Cong.—3 copies
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Marietta—College—3 copies
Rhode Island—Providence—J. C. Brown

For the Ordinance of 1787 see
Wm. P. Cutler. 1 Ohio Arch. & Hist. Soc. 10 (1887)
Chas. B. Galbreath—33 Ohio Arch. & Hist. Soc. 110 (1924)

B. OHIO CONSTITUTIONAL CONVENTION. Chillicothe. 1802

(2) Journal of the Convention—
Chillicothe. N. Willis. 1802, 46 p.

California—San Marino—Huntington
Illinois—Chicago—Hist. Soc.
Ohio—Cincinnati—Hist. Soc.
Ohio—Cincinnati—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Sup. Ct.
Ohio—Marietta—College

(3) Constitution of the State of Ohio—
Chillicothe. N. Willis. 1802 32 p.


* Black face figures in parenthesis at left indicate that this item is shown in the Index at end of this paper.
Ohio–Columbus–State Lib.
Ohio–Columbus–Ohio Hist. Soc.
Ohio–Marietta–College

(4) Constitution of the State of Ohio—
Ohio–Cincinnati–Law Lib.
Ohio–Marietta–College

(5) Letter from Thomas Worthington enclosing an Ordinance
passed by the Convention of the State of Ohio, together with
the Constitution—. 23d December, 1802, 35 p. Washington
(No Printer)
Massachusetts–Boston–Athenaeum
Massachusetts–Cambridge–Harvard Law Lib.
Ohio–Cincinnati–Hist. Soc.
Ohio–East Liverpool–Vodrey

Chillicothe. N. Willis. 1803 31 p.
New York–Ithaca–Cornell Law 28 p. only

Chillicothe. N. Willis. 1803. 31 p.
Ohio–East Liverpool–Vodrey

II. Acts and Laws of Ohio

A. Miscellaneous Ohio Compilations

(8) Laws-for-New Counties.
Ohio–East Liverpool–Vodrey

(9) Laws—Establishing Miami University—
68 (2) p.
Ohio—Columbus—St. Lib.
Ohio—Oxford—Miami Univ.

Swan was appointed by the Legislature to compile these laws. 22 Ohio Local Laws 187; 23 Ohio Local Laws 108, 112; 24 Ohio General Laws 98.
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—East Liverpool—Vodrey

(11) GESETZE des Statts Ohio.
Lancaster (Ohio) Herman und Gruber. 1826 51 p.
The pamphlet contains Seven Acts as provided by the Resolution in 24 Ohio Local Laws 116 (1826). Acts and Resolutions for the printing in German of certain laws of Ohio were passed from 1817 to 1834. Although each printing was ordered in quantities of at least 1000 copies, only this one can be located.
Ohio—East Liverpool—Vodrey

(12) Laws relating to Miami University—
Ohio—Cincinnati—Hist. Soc.
Ohio—Cincinnati—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey
Ohio—Oxford—Miami Univ.

The title page may be translated: "German Lawbook: containing besides the Declaration of Independence and Constitution of the United States; the Constitution and General Laws of the State of Ohio."
This is the only known privately printed German Law Book for Ohio.
B. Indexes to Laws of Ohio

(15) A copious Index-Laws of Ohio.
By a gentleman of the bar. Marietta. Israel & Gardiner. 1809. 16 p. First privately printed lawbook in Ohio.

Ohio—Cincinnati—Law Lib.
Ohio—Marietta—College


Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Franklin Co. Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

For the author see Reed, Bench and Bar of Ohio, Vol. 1, page 210. Chicago. 1897.

Ohio—East Liverpool—Vodrey
Ohio—Marietta—College
Ohio—Toledo—Edwin J. Marshall
Pennsylvania—Philadelphia—Univ. Penna. Autograph of Arius Nye

(18) An Alphabetical Index to the Laws of Ohio. 32 p. No title page, place, date, author or printer. The text differs only slightly from that of Nye.

Ohio—Cincinnati—Law Lib.
Pennsylvania—Philadelphia—Bar Assn.
Ohio—Cincinnati—Hist. Soc.
Ohio—East Liverpool—Vodrey
Ohio—Columbus—Ohio Hist. Soc.

Ohio—Cincinnati—Hist. Soc.
Ohio—East Liverpool—Vodrey

Ohio—East Liverpool—Vodrey

Ohio—Cincinnati—Hist. Soc.
Ohio—East Liverpool—Vodrey

III. Reports of Ohio Cases
A. Senate of Ohio

(23) Record of the Proceedings of the High Court of Impeachment on the Trial of William Irvin consisting of the Senate of the State of Ohio.
Chillicothe. Thos. G. Bradford & Co. (1806) 31 p. This is annexed to the Journal of the Senate for 1805-6.

Mass.—Cambridge—Harvard
Ohio—Columbus—Ohio Hist. Soc.

(25) Record of the Proceedings before the Senate of Ohio, sitting as a High Court of Impeachment, in the cases of William Smith and George Brown, Associate Judges of the Court of Common Pleas of Columbiana County, Published by Authority, Columbus: Printed at the Columbus Gazette Office, by P. H. Olmsted. 1820, 28 pp.
Ohio—Cincinnati—Law Lib.
Ohio—East Liverpool—Vodrey
B. Supreme Court of Ohio

Ohio—East Liverpool—Vodrey

(27) Hammond, Charles. Cases—Supreme Court of Ohio. Vol-
ume I to VII (pt. 1) Cincinnati. Morgan & Lodge and suc-
cessors. 1824-1836. Volumes VII—Part 2, VIII, IX Colum-
bus. Isaac N. Whiting 1837-1840.
These are cited as "Ohio Reports"
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—West. Res. Law School
(Volume 1 and 5 to 9)
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

(28) Wilcox, P. B.: Condensed Reports of Decisions in the Su-
preme Court of Ohio. (Hammond's Ohio Reports, Volumes 1-7) Columbus. Isaac N. Whiting. 1832, 36, 40. 3 volumes.
Ohio—Cincinnati—Law Lib.
Ohio—East Liverpool—Vodrey
Ohio—Toledo—E. J. Marshall

(29) Wright, John C. Reports—Supreme Court of Ohio—
Columbus, Ohio. Isaac N. Whiting. 1835. (4), viii, 854 p.
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

(30) (Stanbery, Henry): Order of Reference & Report of Special Master Commissioner—Ohio Life Ins. & Trust Co. Cincin-
This company failed and was the subject of several reports to the Supreme Court of Ohio. See 9 Ohio 291 (1839). See Mortimer Spiegelman, The Failure of the Ohio Life Ins. & Trust Co., 57 Ohio St. Arch. & Hist. Quart. 247 (1948)
Ohio—Cincinnati—Hist. Soc.

(31) (Wilcox, Phineas B.): Second Report—Master Commis-
Ohio—Cincinnati—Hist. Soc.

Ohio—Columbus—Ohio Hist. Soc.

Ohio—Cincinnati—Hist. Soc.

Ohio—Cincinnati—Hist. Soc.


(37) Wilcox, P. B. Reports—Supreme Court of Ohio—Columbus, Ohio. Henry W. Derby. 1842
(No volume number appears, but it is cited as “Ohio Reports, Volume X”)
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

(38) Stanton, Edwin M. Reports—Supreme Court of—Ohio. Columbus. Samuel Medary. 1843, 4, 5. Vols. XI, XII, XIII.
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
(40) Lawrence, William. Reports—Supreme Court of—Ohio Vol. XX. Columbus, Scott & Bascom. 1852.
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

C. Common Pleas Court of Ohio

Ohio—Cincinnati—Hist. Soc.
Ohio—East Liverpool—Vodrey

(42) Narrative of the Life of James Lane, who was executed at Gallipolis (Ohio), September 9, 1817, for the murder of William Dowell; to which is added, the Address of the court, on pronouncing sentence of death upon the prisoner. Chillicothe: John Bailhache. 1817. 20 p.
California—San Marino—Huntington.


(Number II. 1819) Table of Cases, pp. i and ii, Cases, pp. 105 to 208. These pages are identical with those in the 1831 printing, See Steubenville Western Herald and Gazette, Jan. 2-July 31, 1819.

Ohio—Cincinnati—Law Lib.
Ohio—East Liverpool—Vodrey
Ohio—Willard—Joseph F. Dush (Number I only)

Number III. No evidence that it ever appeared until sheets of 1831 printing. But see printers note on bottom of p. ii of No. II.
(44) (Gazlay, James) Report of the Case of Thomas Graham—
Court of Common Pleas—Hamilton County,—Reported by
22 p. For Gazlay, see 5 Ohio Reports 14 (1831); III Mar-
shall 870, 938.
Massachusetts—Cambridge—Harv. Law.

(45) Graham, Thomas. Villany Unmasked. A Reply by Thomas
Graham to a Pretended Report of his Case by James W.
Ohio—Cincinnati—Hist. Soc.

(46) Blake, Francis A. Exposition—Controversy between Gen-
eral William Lytle & James W. Gazlay, Esq.—Criminal
Prosecution. Cincinnati. (No printer.) September 10, 1822.
23 pp.

the same imprint date—September 10, 1822. However, the
back of page 23 in Item 46 is blank, whereas in the Second
Edition the back of page 23 contains a Postscript which is
dated September 11, 1822 and this note by the author:
“Since publishing the First Edition, it has been ascertained”
etc.
Ohio—Columbus—Ohio Hist. Soc.

(48) Trial of John Funston (Court of Common Pleas. Tusca-
rawas County, Ohio) New Philadelphia, Ohio. G. Patrick,
1825. 18 p.
Massachusetts—Cambridge—Harv. Law
Pennsylvania—Philadelphia—Free Lib.
(Autograph of John M. Goodenow, acting Prosecuting
Atty.)

(49) Gould, Marcus, T. C.: Report—Trial of Friends (David
Hilles & Isaac James) at Steubenville, Ohio (Court of
Common Pleas, Jefferson County, Ohio), Philadelphia.
See 28th General Assembly, State of Ohio, First Session.
House of Representatives 1830. Report (of) The Committee
to whom was referred the memorial of Benjamin Tappan,
Esq. praying an inquiry into the official conduct of the Hon.
Jeremiah H. Hallock, President Judge of the Fifth Judicial Circuit. (Ohio Historical Society, Columbus, Ohio.)

Ohio—Cincinnati—Hist. Soc.
Ohio—Columbus—Ohio Hist. Soc.; Ohioana; Oh. St. Lib.
Ohio—East Liverpool—Vodrey
Ohio—Marietta—College
Ohio—Mt. Pleasant—Hist. Soc.

(50) Tappan, Benjamin: Cases—Courts of Common Pleas—Fifth Circuit—Ohio. Steubenville, James Wilson. 1831 xx & 300 p. This is the complete printing of #43.

Ohio—Cincinnati—Hist. Soc.
Ohio—Cincinnati—Law School (2 copies)
Ohio—Cleveland—West. Res. Law School
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
Ohio—Marietta—College
Ohio—Toledo—E. J. Marshall


Ohio—Cincinnati—Hist. Soc.

D. Federal Courts of Ohio


Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

E. Digests of Ohio Cases


Dist. of Columbia—Washington—Lib. of Cong.
Massachusetts—Boston—Social Law
Massachusetts—Cambridge—Harv. Law
New York—New York City—Bar Assn.
Ohio—Columbus—Sup. Ct.
Ohio—Columbus—Ohio Hist. Soc.
Pennsylvania—Philadelphia—Univ. Penna. Law School

Curwen, Maskell E. Cases in the Ohio Reports—
Cincinnati. Wright, Ferris & Co. 1850. 45 p.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
Ohio—Fremont—Hayes

IV. Form Books, Guides, Manuals, Practice Books

M'Dougal, John: Farmer's Assistant—Chillicothe
James Barnes 1813. 304 p.
California—San Marino—Huntington
Dist. of Columbia—Washington—Lib. of Cong.
Massachusetts—Cambridge—Harv. Law
Ohio—Cincinnati—Hist. Soc.
Ohio—Cleveland—West. Res. Law School
Ohio—East Liverpool—Vodrey

(November) 1813, 271 & 1 p.
California—San Marino—Huntington
Dist. of Columbia—Washington—Lib. of Cong.
Massachusetts—Cambridge—Harv. Law.
Ohio—Cincinnati—Hist. Soc.
Ohio—Columbus—Ohio State Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey. Autograph of Ralph Osborn, Auditor of Ohio, 1815-1833
Ohio—Toledo—E. J. Marshall

214 & 2 p.
Massachusetts—Cambridge—Harvard Law
Michigan—Ann Arbor—Clements
Ohio—East Liverpool—Vodrey
(58) Van Vleet, A (bram): Ohio Justice—Assistant. Lebanon
Printed by the Author. 1821. 222 & (2) & 76 & iv p.
California—San Marino—Huntington
Massachusetts—Cambridge—Harvard Law
Ohio—Cincinnati—Hist. Soc.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey
Ohio—Toledo—E. J. Marshall

(59) Rules of Practice for the Courts of Equity of the United

(60) Township Officers—Assistant—. Compiled by a Citizen of
Ohio. Published for T. Johnson, Proprietor. Columbus.
Massachusetts—Cambridge—Harvard Law
North Carolina—Durham—Duke
Ohio—Cincinnati—Hist. Soc.
Ohio—East Liverpool—Vodrey

(61) Township Officers—Assistant—. Compiled by a Citizen of
Ohio. Published for T. Johnson, Proprietor. Columbus.
E. Glover, Printer. 1826. 190, (2) p.
The item printed by Nashee and the one printed by Glover
contain substantially the same material. However, the
Nashee printing, page (11) contains an Errata which does
not appear in the Glover printing, where the correction is
made. Presumably the Glover printing is later than the
Nashee one.
Ohio—Columbus—Ohio Hist. Soc.

Second Edition
No copies located. Perhaps when the Third Edition was
printed in 1832, the Glover printing of 1826 was considered
the Second Edition.

(62) Third Edition, Columbus, Jenkins & Glover. 1832 4 &
307 p.
Massachusetts—Cambridge—Harvard Law
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

Ohio—Cleveland—Law. Lib.
Ohio—East Liverpool—Vodrey

(64) Ohio Pocket Lawyer, by a Member of the Ohio Bar. Wheeling, Va. A. & E. Picket. 1831. 140 & 4 & 1 p.
Ohio—Cincinnati—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
Ohio—Toledo—E. J. Marshall

(65) Ohio Pocket Lawyer, First Edition, Wheeling, Va., A. & E. Picket. 1831. 107 pp. (Some forms are the same as the previous item, some are not.)
Ohio—East Liverpool—Vodrey

(66) Ohio Form Book by a Citizen of Ohio, Wheeling, Va. J. Fisher & Son. 1831. 108 pp. (These forms are not the same as either of the two above items.)
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

(67) Ohio Officers Guide, by a Member of the Bar. Published by J. & B. Turnbull, Steubenville. James Wilson, Printer. 1832, xii & 308 p.
Ohio—Cincinnati—Hist. Soc.
Ohio—Cincinnati—Law Lib.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
Ohio—Fremont—Hayes

Dist. of Columbia—Washington—Lib. of Cong.
Massachusetts—Cambridge—Harv. Law
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

Published by EngagedScholarship@CSU, 1968
California—San Marino—Huntington
Massachusetts—Cambridge—Harv. Law
Ohio—Akron—Edwin Brouse
Ohio—Cincinnati—Hist. Soc.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

(70) Wilcox, P(hineas) B.: Practical Forms in Action—.
Columbus, Isaac N. Whiting. 1833. iv & 496 p.
Connecticut—New Haven—Yale Law & Sterling, 2 copies
Dist. of Columbia—Washington—Lib. of Cong.
Massachusetts—Boston—Social Law Lib.
Massachusetts—Cambridge—Harv. Law
Michigan—Ann Arbor—Mich. Law
New York—Albany—State Law Lib.
Ohio—East Liverpool—Vodrey

Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

"the most useful book ever published in Ohio." 42 Oh. St. vii
Ohio—Cincinnati—Hist. Soc.
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—West. Res. Law School
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Ohio State Law School
Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
Ohio—Toledo—E. J. Marshall

Connecticut—New Haven—Yale Law School
Ohio—Cleveland—West. Res. Law School
Pennsylvania—Philadelphia—Univ. of Penna. Law School
Ohio—Cleveland—West. Res. Law School
Ohio—Columbus—Ohio State Law School
Ohio—Fremont—Hayes
Ohio—Oberlin—College

The Treatise remained in print for over a hundred years ending with the 29th edition, 1942.

Massachusetts—Cambridge—Harv. Law
Ohio—Cincinnati—Law Lib.
Ohio—Cleveland—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Ohio St. Lib.
Ohio—East Liverpool—Vodrey

(76) Township Officers Manual. Columbus. Isaac N. Whiting. 1840. (4), 91-310 p. (This is Part Second of the above manual)
Ohio—East Liverpool—Vodrey

John Sloane was Secretary of State. In 1840 the office of State Superintendent of Schools was abolished and not revived until 1853 when the State Commissioner of Schools was created.
Gilkey, Ohio Hundred Year Book (1901) pp. 391, 425.
John Sloane was also the addressee of #91 in this list.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

Massachusetts—Cambridge—Harvard Law
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

(79) Ohio Justices' Guide, viii, 258, 48, 259-273 pp. (This is the first part of #78)
Ohio—East Liverpool—Vodrey
Ohio—Toledo—E. J. Marshall
(80) Ohio Officers’ Guide, viii, 259-560 pp. (This is the second part of #78)
Massachusetts—Cambridge—Harv. Law
Ohio—Cleveland—West. Res. Hist. Soc. (1850 printing)
Ohio—East Liverpool—Vodrey

Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

Ohio—Columbus—Ohioana

Ohio—Cleveland—West. Res. Univ.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Oh. St. Lib.
Ohio—East Liverpool—Vodrey

Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey
Ohio—Fremont—Hayes

(85) Young, Andrew W. First Lessons in Civil Government—Ohio and an Abstract of the Laws—Cleveland. Published by M. C. Younglove. 1846. 224 p.
Ohio—Oberlin—Oberlin College
Ohio—East Liverpool—Vodrey

(87) The Citizen’s Guide or Every Man His Own Lawyer. By a Member of the Bar. Zanesville, Ohio. Edwin C. Church. 1847. 72 p. Published by Eli Caldwell, Newcomerstown, Ohio. No copyright. This is identical with #86 except #87 does not contain Interest Table at p. 69 which #86 has at p. 68.
Ohio—East Liverpool—Vodrey

(88) The Citizen’s Guide or Every Man His Own Lawyer. By a Member of the Bar. Zanesville, Ohio. Edwin C. Church. 1848. 60 p. Published and copyrighted by Eli Caldwell, Newcomerstown, Ohio. This is a 2nd printing of #87 with Interest Table at p. 57 which is more elaborate than #86 p. 68.
Ohio—East Liverpool—Vodrey

Ohio—Columbus—Sup. Ct.
Ohio—East Liverpool—Vodrey

Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

Ohio—East Liverpool—Vodrey

V. Controversial and Scholarly Writings

(92) (Hammond, Chas.) Rights of the Judiciary. Letters to John Sloan, Esq., late a member of the House of Representatives of Ohio, signed “Warren.” No title page, place, date, author or printer. 40 pp.
John Sloan was a member of the House of Representatives of Ohio from Columbiana County, during the Session of 1807-8. See Gilkey, Ohio Hundred-Year Book 188 (1901).
He was Speaker Pro Tem of the House. See 6 Ohio Laws. The item deals with the power of the Courts to declare acts of the Legislature unconstitutional. References in the text show that it was written during the last half of 1808, after the adjournment of the 6th General Assembly in the spring of 1808 and before the meeting of the 7th General Assembly in December 1808. The City of Warren, Ohio, was the home of Judge Calvin Pease, one of the principal figures of the contest and the scene of a political meeting related to the dispute. See III Marshall, 722; Utter, 14 Miss. Valley Hist. Rev. 3 (1927); 5 Randall & Ryan, History of Ohio 117. (1912); Weisenburger, 43 Ohio Arch. & Hist. Quarterly, 345, 379 (1934); Pollack, Ohio Unreported Judicial Decisions, p. 71 (1952).

Ohio—Cincinnati—Hist. Soc.
Ohio—Columbus—Ohio Hist. Soc.


The item is anonymous. Several passages are identical with that of Goodenow’s Historical Sketches of 1819 which deals with the same issue. #94. The similarity of the two items indicates Goodenow was the author of both.


(94) (McNemar, Richard & Calvin Morrell) Address to the state of Ohio, protesting against a certain clause in the militia law enacted by the legislature at their last session —united society called Shakers. Lebanon, Ohio. George Smith, March 1818. 24 p.

See I Rusk 41, 226.


The book deals with the same issue as #92, whether the Common Law of England is the law of Ohio.
See 1 Western Law Journal 36 (Oct. 1843); 5 Western Law Monthly 169 (Sept. 1863); 1 Western Reserve Law Journal 72 (Apr. 1895);


Massachusetts—Boston—Athenaeum
January 19, 1820, “To The Athenaeum. Presented by the author, A Yankee.” (Includes correction sheet.)

New York—Ithaca—Cornell Law

(includes correction sheet).

Ohio—Cleveland—West. Res. Law School
Presented by Judge Goodenow's granddaughter.

Ohio—East Liverpool—Vodrey
(includes correction sheet.)

Pennsylvania—Philadelphia—Bar Assn.


(96) Hart, Cyrus Wadsworth. Political Dissertations and Essays.
—with remarks on the common law adjudication, of the incompetence of witnesses on account of a species of skepticism or unbelief. Newlisbon (Ohio). William D. Lepper, Printer, 1819. 24 p.


This is anonymous. Hammond was a member of the Ohio House of Representatives for the 1820-21 session and a member of the special committee for which he wrote the Report.

See Weisenburger, 43 Oh. Arch. & Hist. Qu. 337, 351-7 (1934).

Dist. of Colum.—Washington—Lib. Cong.
Ohio—Cincinnati—Law Lib. (32 p.)
Ohio—Columbus—Oh. Hist. Soc. (32 p.)
Ohio—East Liverpool—Vodrey

California—San Marino—Huntington
Connecticut—New Haven—Yale
Massachusetts—Boston—Hist. Soc.
New York—Albany—St. Lib.
Ohio—East Liverpool—Vodrey
(Autographed by Caleb Atwater to Gov. Clinton, Albany, New York, with a note "The author of the Report was Charles Hammond.")

Connecticut—New Haven—Yale
Ohio—East Liverpool—Vodrey

This is anonymous. The copies in Boston Athenaeum, Social Law Library, and Worcester, A.A.S. were presented by John M. Goodenow, who autographed them and wrote on them that the Review was by Chas. Hammond and letter by Ethan Allan Brown. See Thomson #498; Weisenburger, 43 Oh. Arch. and Hist. Qu. 337, 362 (1934).
The Opinion is reported in 6 Wheaton 264 (1821).
Dist. of Columbia—Washington—Lib. of Cong.
Massachusetts—Boston—Athenaeum
Massachusetts—Boston—Soc. Law Lib.
Massachusetts—Cambridge—Harvard Law
Massachusetts—Worcester—Am. Antiquarian Soc.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Ohio St. Lib.
Ohio—East Liverpool—Vodrey

This is anonymous. The copy in Boston Athenaeum was presented by John M. Goodenow, who autographed it and wrote on title page “By C. Hammond, Esq.” Thomson #499.


This is anonymous. The Vodrey copy was presented by Wm. Burnet of Cincinnati, Ohio, to James Kent Esq., New York, New York. Burnet wrote on the title page “By Charles Hammond Esq.”

The Case discussed is Wayman v. Southard (10 Wheaton 1 (1825)).


Ohio—Columbus—Ohio Hist. Soc.


The Decision is Methodist Episcopal Church of Cincinnati v. Wood, 5 Ohio Reports 283 (1831). For author and subject, see I Rusk 228.
Ohio—Cincinnati—Hist. Soc.
Ohio—Columbus—Ohio St. Lib.

Massachusetts—Boston—Athenaeum
Ohio—Cincinnati—Hist. Soc.
Ohio—Cincinnati—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—Columbus—Sup. Ct.
Ohio—Fremont—Hayes

Massachusetts—Boston—Athenaeum
Massachusetts—Boston—Pub. Lib.
Massachusetts—Cambridge—Harvard Law
Ohio—Cincinnati—Law Lib.

New York—Ithaca—Cornell Law
Ohio—Cincinnati—Young Mens Merc. Lib.

Ohio—Columbus—Ohio Hist. Soc.

Massachusetts—Cambridge—Harvard Law

Ohio—East Liverpool—Vodrey
Ohio—Columbus—Ohio Hist. Soc.

(111) (Fisher, E. Burke) Jenkins, Timothy (Pseudonym) Bench & Bar of Cuyahoga County. A Modern Epic. Cleveland. (No Printer.) 1843. 42, (1) p. Fisher was a Cleveland Lawyer who moved to Columbus.

Illinois—Chicago—John Crerar Lib.

Ohio—Cincinnati—Law Lib.
Ohio—Columbus—Ohio Hist. Soc.
Ohio—East Liverpool—Vodrey

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