

CHAPTER III

GOVERNMENT OWNERSHIP OF THE LICKS

WASTEFUL SALT BOILERS—THE STATE IN CONTROL—EXPERIMENT NOT A SUCCESS—PIONEER ROADS AND POSTOFFICES—TOWNSHIP OF LICK—DAVID MITCHELL—MAJOR JOHN JAMES—SOLDIERS OF THE WAR OF 1812.

The first surveyor came into the county in 1798. He was Elias Langdon, who ran the lines of Franklin, Liberty and Scioto Townships in May of that year. Then came Levi Whipple, who ran the lines of Milton in June and Madison in July. Langdon ran the lines of Hamilton in April, 1799, and Thomas Worthington those of Washington in August, 1799, and part of those of Jackson Township in the same month. Langdon returned again in December, 1801, and ran the lines of Lick. John G. Macon ran the lines of Jefferson and Madison in the same year, and Benjamin F. Stone the lines of Bloomfield in October, 1801. The work of subdividing the townships was not done until several years later. Madison by Joseph Fletcher, Washington by John Collett, Hamilton, Scioto, Liberty and Jackson by James Denny, all named in 1805. Franklin was subdivided by Thomas Evans, and Milton by John Collett in 1806. The Scioto Salt Reserve was not subdivided until 1825, when the work was done by Joseph Fletcher named above, then a resident of Gallia County. The first good map of the county embodying certain topographical and geological as well as the necessary geographical details was executed in 1837 under the direction of Charles Whittlesey, topographer of the Ohio Geological Survey, under W. W. Mather.

WASTEFUL SALT BOILERS

The delay in subdividing the townships prevented the entering of homesteads during the period from 1795 to 1803, and this left the squatting salt boilers in complete possession of the rich resources of the county, the game, timber and the grass, as well as the salt brine. Might made right and the destructive tendencies of many salt boilers caused great waste of natural resources. They cut the beaver dams, destroying a great fur industry, they slaughtered the game indiscriminately, and they were guilty of wanton waste of nut trees, for they chopped them down to secure one year's crop. They started many fires to burn out

small clearings for their corn fields, that much of the finest timber in the county was destroyed. They also cut many of the finest trees for fuel in the salt furnaces. This wanton waste was finally brought to the attention of Congress by William H. Harrison, then the delegate from Ohio, but later President of the United States. He bestirred himself in the matter, and secured the following recommendation from the Congressional Committee February 19, 1800: "That upon inquiring into the situation of the Salt Springs and Licks, the property of the United States, they have been informed from respectable authorities that those on the east side of the Scioto are in the occupancy of a number of persons who are engaged in the making of salt to a very considerable extent, and that these persons by a destructive waste of the timber in the neighborhood of the springs are daily diminishing their value." The resolution submitted after this statement of facts, that the salt licks should be leased for a term of years, was never carried into effect, because the statehood movement overshadowed it, but it is of historical importance because the committee which drafted it, saw no impropriety in government ownership of a great industry. Two years later Hon. Albert Gallatin offered the following suggestion when a difficulty arose over the terms of the Ohio Enabling Act: "The grant of the Scioto Salt Springs will at present be considered as the most valuable, and alone would most probably induce a compliance on the part of the new state, with the conditions proposed by Congress; and if it be considered, that at least one-half the future population of that district will draw their salt from that source, the propriety of preventing a monopoly of that article falling into the hands of any private individual can hardly be disputed." Acting on this socialistic suggestion, Congress passed the Ohio Enabling Act April 30, 1802, with the grant of the Scioto Salt Springs to the state provided that the state should never sell them nor lease them for a longer term than ten years.

THE STATE IN CONTROL

There was consternation at the Licks when the salt boilers learned of the passage of this act, and many of them sold their claims and left the county. By March 1, 1803, when the first General Assembly of Ohio convened at Chillicothe, the majority of the salt boilers had departed. Those remaining concluded to petition the assembly for the "privilege of continuing their business as formerly for the present season." They chose Maj. John James of Farmers' Castle, who had not yet moved to the Licks, to present their petition, but he arrived too late, for two days before, or on March 23, 1803, the Legislature had adopted a joint resolution, providing for the immediate leasing of all the wells and furnaces at the Licks. William Patton and Wyllis Silliman drafted the first bill to regulate the Public Salt Works. It was read the first time in the House April 6, 1803, and passed on April 9. It passed the Senate April 12, and became a law April 13, 1803. This act contained ten sections. The first provided for the election of an agent by a joint ballot of the two

Houses to serve for one year, beginning May 1, 1803, and to give bond in the sum of \$2,000. The second provided that the agent should keep an office at the Scioto Salt Works, beginning June 1, 1803, and to supply it with the necessary books. The third section gave the preference to the occupiers of wells, but limited the number of kettles to 120 for each person or company. The fourth section authorized the leasing of lots for the erection of furnaces. Section 5 fixed the rental at twelve cents a gallon, payable quarterly. After making provision for protecting the interests of the state, the act then provided for a geological survey of the Reserve to ascertain the extent of the salines, and whether any stone coal was contiguous to said works." The agent's salary was fixed at \$150 a year, and such compensation for making the survey "as the next Legislature may think proper." The two Houses met in joint session April 14, 1803, and elected James Denny as the first agent to regulate the business of the state at the Public Salt Works. Denny was an engineer and a man of much executive ability. He entered upon his duties May 1, 1803, and ended the reign of the squatters at the Licks. Those without means departed and the character of the population showed marked improvement the first season. The portion of the act giving preference to occupiers of wells gave a certain permanency to the industry, and many new cabins were erected to take the places of the huts on Poplar Row. The only political event in the history of the Licks during this period not already noted was the creation of Ross County to include the Scioto Salt Reserve, which had been in Washington County.

Today when salt is so cheap, it is difficult to understand why governors and Legislatures devoted so much attention to the Scioto Salt Works, but when it is remembered that salt cost from four to six dollars a bushel in the Northwest Territory until 1803, the matter is cleared up. The act of April 13, 1803, expiring of itself, Gov. Edward Tiffin, in his message to the General Assembly December 5, 1803, recommended immediate action. A paragraph in this message throws some light on the conditions then confronting the pioneers, viz.: "As nature has placed this valuable article of salt so necessary to the sustenance of man, in the bosom of our state, and as monopolies of that article have been effected in a neighboring state, would it not be advisable if it can be effected, to prevent its exportation from the state, that our citizens may reap all the benefits accruing from its use at home." The General Assembly passed a second act to regulate the salt works on January 27, 1804. It provided that the agent's bond, which had been \$2,000, should be increased to \$4,000; that the agent should lay off 800 acres of the reservation in twenty-acre lots for leasing for cultivation; that a roadway four poles wide should be left along the creek; that each salt boiler or mechanic be allowed to rent one or two lots for cultivation; that the license tax which had been twelve cents be reduced to four cents; and that each barrel of salt should be inspected. A third act passed February 20, 1805, reduced the tax to two cents a gallon, and placed furnace capacity allowed at from three thousand to four thousand gallons. The act of January 24, 1807, ordered the agent to make a map of the salt works each year,

and directed him to lay out 100 acres about $2\frac{1}{2}$ miles from the center of the township, in ten-acre lots for renting for cultivation. The fifth act passed February 13, 1808, reduced the rent to one cent a gallon, and gave permission to pipe salt water by means of aqueduct or wooden tubes. Authority was given also to condemn right of way for the aqueducts or tubes. The necessity for piping arose on account of the consumption of all the timber near the works. It was discovered that it would be cheaper to pipe the salt water than to haul the timber needed. The act of February 19, 1810, extended the agent's term to three years and provided that the licenses should terminate January 1, 1813, and that the rent should be reduced to five mills a gallon. Another provision intended to encourage boring for stronger brine was as follows: "That whoever leasing lot for salt making, finds water of which 250 gallons will make one bushel of salt, to supply forty kettles, shall get a lease of ten years from the discovery." The act of January 30, 1811, required owners and occupiers of salt wells to enclose the same with fencing. This law was occasioned by the finding of the body of a man in one of the salt water vats or pans, and there was suspicion of murder, but it was never proven. The act of February 17, 1812, authorized the employment of a suitable person to bore 200 feet in the rock at the works, to be paid not more than \$300, and to have the rental of such well for five years and the land needed for manufacturing salt. Nothing was done under this act, and on February 5, 1813, another act was passed designating Abraham Claypool as an agent to contract for boring ten wells if necessary, and the sum of \$1,500 was appropriated for his use. Claypool did not succeed and William Given, Joseph Armstrong, John Johnston, Ross Nelson, John W. Prather, John Sargent and Asa Lake petitioned the Legislature for assistance to dig each a well, and the act of February 7, 1814, was enacted for their benefit. John Nelson reached a depth of 240 feet, John Wilson 260 feet, and Henry Harmon 276 feet, but as no stronger brine was found an act passed February 15, 1815, directed William Given to sink a well to the depth of 350 feet, and to $2\frac{1}{4}$ inches in diameter at the bottom, for which he was to receive \$700. He failed to finish the well within the year, and an act was passed February 24, 1816, extending his time until April 1. Given added another 100 feet to the depth at his own expense, but although a much stronger brine was secured, it would not rise to the top of the well. The best wells before the Given's well was sunk produced a brine which required 213 gallons of water to make a bushel of salt. The Given's well made a bushel out of seventy-five gallons, but forcing pumps had not been invented, and its water could not be utilized. Fifteen acts altogether were passed on the subject of the Scioto Salt Works. They were finally abandoned on account of the competition of the Kanawha salt wells in Virginia, and ten years later the Reservation was cut up into lots and sold. Congress passed an act authorizing the sale of section 29 on April 16, 1816. The Legislature adopted a joint resolution January 3, 1818, asking leave to sell the rest of the Salt Lick Reservation, but Congress did not act upon it until December 28, 1824. A survey was provided for

February 7, 1825, and Joseph Fletcher of Gallipolis was employed. He was assisted by Dr. Gabriel McNeal and laid out the tract into eighty-acre lots. The Legislature arranged for the sale to begin at Jackson in June, 1826. On January 26, 1827, the Legislature repealed all laws relating to the salt works and the disposal of the remaining lots was placed in the hands of an agent, Daniel Hoffman, of Jackson.

EXPERIMENT NOT A SUCCESS

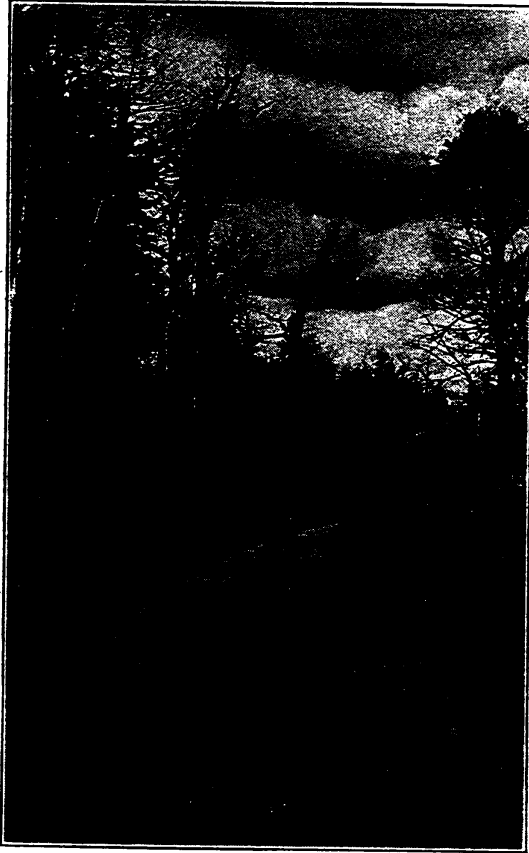
Ohio's experiment in the government ownership of the salt industry from 1803 to 1816 was not a success from any point of view. Whether this was due to the weakness of the brine, the inefficiency of the agents, or the character of the salt boilers, has not been determined, but the facts are that the reservation was exploited and its resources impoverished, while the development of the surrounding country was greatly retarded. A few salt boilers acquired wealth, but they moved elsewhere to enjoy it. The shortness of the leases was one of the great drawbacks. No one cared to erect any substantial buildings on a short leasehold, and the settlement remained a village of huts until 1817, when the first lot sale occurred. No other improvements were made in the way of roads or public buildings beyond the actual necessities of the case.

PIONEER ROADS AND POSTOFFICES

A road for the transportation of salt was the first paramount necessity, and the Legislature appropriated \$800 on February, 1804, for the laying out of a road from Chillicothe to Gallipolis by way of the Licks and Samuel S. Spencer was appointed a commissioner to oversee the work. For two or three decades this remained the principal road from the Ohio River to the interior of the state, and thousands of settlers from Virginia and the Carolinas traveled it. The second great need was a postoffice, and it was established October 1, 1804. The name Salt Lick was given to it, which it retained until 1817, when it was changed to Jackson C. H. The first postmaster was Roger Selden, who was a leading citizen in the early days. As an evidence of the slow development of the county, in the first few decades, it may be noted here that the second postoffice established at Oak Hill was not asked for until March 11, 1837, or a whole generation later. The contributing causes were the government ownership of the Licks, the bad repute of many salt boilers, the rough character of the hill country, the distance from rivers, and the bad roads, and not least, the delay in making surveys.

The second road to the Licks was surveyed from Edwards Villa in Scioto County in 1804. The petition for this road was circulated by Col. John Edwards, and presented at the term of the court of common pleas held at the house of Associate Judge John Collins in Alexandria, in Scioto County, August 3, 1803. The road was authorized and the surveying was done by Robert Lucas, who was afterward elected governor of Ohio in the spring of 1804, and the report on the road was made

at the July term 1804. The completion of this road gave access to the Licks from the mouth of the Scioto River, and it had the effect of causing many of the young men of Scioto County to come to the Licks in quest of employment during the summer months. Of the number were such men as William Salter and Levi and Robert Patrick. These two are thought to have been the sons of Peter Patrick, who was one of the squatters who, with their families, effected a settlement where Portsmouth now stands as early as 1785, three years before the settlement at



COUNTRY ROAD IN JACKSON COUNTY

Marietta. This Peter Patrick is said to have been the ranger who cut his initials on a beech tree near a creek flowing into the Scioto near the site of Piketon which on that account was called Pee Pee Creek and gave the name to the township. At any rate Robert and Levi Patrick were leading citizens at the Licks in 1808.

TOWNSHIP OF LICK

When the need for some form of local government was recognized the new township of Lick was organized by the officials of Ross County, to include the entire area now divided into Lick, Coal, Washington, Jackson, Liberty and Scioto Townships, of Jackson County. It held its first election in April, 1809, and the following officials were elected:

Trustees, Roger Selden, who was the postmaster at the Licks; David Mitchell, who later played an important part in the history of the county, and left many descendants, and Robert Patrick. Levi Patrick, brother of the latter, was elected treasurer. He left the county in about a year, and Olney Hawkins was appointed to fill the vacancy March 10, 1810. The other officials were John Brander, clerk; Samuel Niblack, lister; John James and Olney Hawkins, overseers of the poor; David Mitchell and William Niblack, justices; Samuel Niblack and Philip Strother, constables. Hawkins declined to serve as overseer of the poor and was fined. Stephen Radcliffe was appointed in his place. Olney Hawkins was the first grand juror, and Robert Patrick and William Niblack the first petit jurors to represent the new township at Chillicothe. Roger Selden left the county soon after his selection as trustee, and William Niblack was appointed in his place May 20, 1809. It will be noticed that the offices were monopolized in a measure by a few men.

DAVID MITCHELL

Of the number only David Mitchell and John James remained in the county permanently. It is a singular coincidence that two of their grandsons, John D. Mitchell and Charles C. James, were equally as influential in county politics in the eighties and the nineties as their grandfathers had been in the first decade of the century. Mitchell was born in Kentucky, and learned the trade of blacksmith. He then moved to Dayton, but early in 1808, he came to Jackson, where he spent the rest of his life. He lived on the south slope facing Salt Creek, near a spring a short distance west of the road to Chillicothe and west of the present residence of John J. McKitterick. He was a student like Elihu Burritt, and his wide knowledge added to his mental capacity, soon gave him high standing in the new country. When the democratic party divided, he affiliated with the whigs, and remained in that party until his death, September 29, 1856, aged seventy-five years. He held many positions of trust in the county, representing it in the Legislature and serving as associate judge on the county bench.

MAJOR JOHN JAMES

His associate in many undertakings, Maj. John James, was a native of Connecticut, but came west as far as Reading, Pa., when he was sixteen years old, and settled in 1800, after the close of his warfare against the Indians at Parkersburg in Virginia. There he married Nancy Cook. He then moved to an island in the Ohio, and in 1807 he came to the Scioto Licks to live permanently. He had been engaged here several summers before that, and was already known to all the leading salt boilers. In addition to his other employments, he opened a tavern, which he conducted for several years. Later, when the new town was laid out, he settled in what is now Jamestown, and his remains and those of his wife lie in the Indian mound in the Jamestown Cemetery, which he laid out. He was an active and an influential man almost a giant physically, stand-

ing six feet and two inches, and weighing 225 pounds. Many stories are related about his remarkable physical prowess, among them one about a bully who came from Kentucky to fight him. He was dressing some slaughtered hogs at the time of the man's arrival, and asked him to wait awhile. When the work was done, he picked up the two largest hogs under each arm and carried them away to his house. When he came back stripped for battle the bully had disappeared. James was a great Methodist for many years, joining the class in 1811 and remaining a loyal member until his death.

SOLDIERS OF THE WAR OF 1812

The first event in the outside world that materially affected the salt boilers was the War of 1812. In July, 1812, Gen. Edward W. Tupper of Gallia County, came to the Licks to seek volunteers in order to fill up the regiment which he had been commissioned to raise, and more than two hundred men enlisted for the six months' service. Their first camp after leaving Jackson was near a big spring on lower Salt Creek, where many of the men carved their names on a large boulder, which had fallen from the cliffs above some years before. This was known as the Camp Rock afterward, until it was blasted and used for building a new pike, a piece of vandalism that was inexcusable. It was in place in 1895 and bore the legend "Camp of 1812." General Tupper led his men through Chillicothe and Urbana to the Maumee, entering the Indian country in August. Receiving orders to march down the Maumee the Indians finally attacked them. A severe battle followed, but General Tupper and his men drove off the enemy with a loss of fewer than thirty men, while the loss of the Indians was estimated at 300. William Hewitt was one of the scouts with this expedition. Tupper's men were on short rations, and while pursuing the Indians they fell in with a large drove of hogs in a cornfield, and they abandoned the pursuit, according to Atwater's history, to kill the hogs. The expedition then returned to Fort McArthur, and when winter set in they returned to their homes. Next year another company was raised at the Licks to march with Maj. Ben Daniels to the relief of Fort Meigs. The men served from July 29 to August 19, 1813. The roster of this company was as follows: Captain, Jared Strong; first lieutenant, John Gillaspie; ensign, William Howe; sergeants, William Given, John Lake, David Mitchell, Philip Strother; corporals, Salmon Goodenough, Alex Hill, Joseph Lake, William Higginbotham; drummer, Harris Penny; fifer, James Markey; privates, William Hewitt, Thomas M. Caretall, Jesse Watson, Joseph Robbins, William Ellerton, James Phillips, Samuel Aldridge, John Sargent, Samuel Bunn, Stephen Bailey, Henry Rout, Joseph Clemens, Joseph Schellenger, John Ogg, James Higginbotham, William Black. This was a representative body of men. Strong was afterward the first representative of the county, Given the first associate judge, David Mitchell had a long record in the public service of his time and county, while Bunn, Howe, Schellenger, the Lakes, Hill, and Gillaspie have many descendants in the county to this day. So far as known all the men in the company came home.