

BLACK LAWS OF 1861.

SEC. 6987. A person of pure white blood, who intermarries, or has illicit carnal intercourse, with any negro, or person having a distinct and visible admixture of African blood, and any negro, or person having a distinct and visible admixture of African blood, who intermarries, or has illicit carnal intercourse, with any person of pure white blood, shall be fined not more than one hundred dollars, or imprisoned not more than three months, or both.

SEC. 6988. A probate judge who knowingly issues a license for the solemnization of any marriage made penal by the last section, and every person who knowingly solemnizes any such marriage, shall be fined not more than one hundred dollars, or imprisoned not more than three months, or both.

January 31, 1861.

BLACK LAWS OF 1864.

SEC. 4. That section thirty-one of said act be so amended as to read as follows:

SEC. 31. The township boards of education in this state, in their respective townships, and the several other boards of education, and the trustees, visitors and directors of schools, or other officers having authority in the premises, of each city or incorporated village, 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 twenty, and when such schools will afford them, as far as practicable, the advantages and privileges of a common school education; and all such schools so established for colored children, shall be under the control and management of the board of education, or other school officers who have in charge the educational interests of the other schools; and 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: provided, that when the number of colored children residing in adjoining townships or districts, whether in the same or in different counties, shall exceed twenty, the boards of education of said townships or districts so situated, may form a joint district for the education of colored children, and said school shall be under the control and direction of the board of education of the township or district in which the school-house is situated. When the whole number of colored children enumerated is less than twenty, or when owing to the great distance they reside from each other a separate school for colored children is impracticable, the board of education shall set apart the full share of school funds raised on the number of said colored children, and the money so set apart shall be appropriated each year for the education of such colored children, under the direction of the board.

March 18, 1864.

BLACK LAWS OF 1878.

SEC. 4008. When, in the judgment of the board, it will be for the advantage of the district to do so, it may organize separate schools for colored children, and boards of two or more adjoining districts may unite in a separate school for colored children, each board to bear its proportionate share of the expense of such school, according to the number of colored children from each district in the school, which shall be under the control of the board of education of the district in which the school house is situate.

May 11, 1878.

67th General Assembly. }
Regular Session. }

H. B. No. 71.

MR. ARNETT.

A BILL

To repeal Secs. 4008, 6987 and 6988 of the Revised Statutes of Ohio.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That sections 4008, 6987 and 6988 of the Revised Statutes of Ohio be and the same are hereby repealed.

SECTION 2. That this act shall take effect and be in force from and after its passage.

VOTE OF THE HOUSE ON THE REPEAL.

Yeas—Albaugh, Ames, Arnett, Bader, Bailey, Beatty, Boehmer, Boyd, Brown, of Cuyahoga; Brown, of Warren; Brumback, Cameron, Clement, Coates, Cope, Cowgill, Deyo, Dickson, Eggers, Emerson, Fimple, Geyer, Graydon, Green, Haley, Harris, Hartpence, Hilles, Holcomb, Johnson, of Van Vert; Johnson, of Williams; Kennedy, Kitchen, Lampson, Linduff, Little, Matthews, McBride, McClure, Merrick, Nieman, Outcalt, Palmer, Poorman, Rawlins, Ryan, Shepard, Smalley, Stewart, of Muskingum; Stewart, of Trumbull; Stranahan, Strecker, Taylor, Terrell, Tomlinson, Tomkins, Washburn, Whittlesey, Williams, of Columbiana; Williams, of Noble; Worthington and Entrekin—62.

Nays—Armor, Austill, Baker, Braddock, Butterfield, Chaney, Cuff, Eidemiller, Francisco, Habbeler, Higgins, Howard, Hubbard, Huffman, Hull, Johnson, of Huron; Kreis, Le Blond, Lisle, Lyons, McCray, McKeever, Puck, Vinnedge, Williams, of Coshocton; Work, Young and Ziegler—28.

Absentees—Ankeny, Barrett, Buerhaus, Ryal, Cole, Hunt, Ignman, Ohlemacher, Sackett, Shultz, Shaw, Wydman—12.

Not Voting—Turner. Attest: DAVID LANNING,

March 10, 1886, 67th General Assembly.

Clerk, H. R.

NOTE FROM N. S. TOWNSHEND, CONCERNING REPEAL OF BLACK LAWS IN 1848.

The committee on Privileges and Elections was subsequently elected by the House. The contest for Governor did not come before the committee referred to, except in their individual capacity, but was determined in joint convention of the Senate and House.

N. S. T.