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PENNSYLVANIA VS. WHEELING AND BELMONT BRIDGE COMPANY

by

E. Douglas McKay

Not so very many years ago the ancient Suspension Bridge in Wheeling, with its stately stone towers and graceful cable arches, was named a National Historic Civil Engineers Landmark. More recently it has received still another national designation. In the current World Almanac it is the oldest structure listed under notable bridges in North America.

The old bridge was built between 1847 and 1849, and when completed its magnificent span of 1010 feet between the supporting towers made it the longest span ever erected by man.

Yet this tribute to the engineering genius of Charles Ellet, Jr. and the spirit and foresight of Wheeling citizens was almost dismantled as quickly as it was constructed, for even before the first wagon was pulled across it, the bridge became the subject of a legal controversy which was to last until 1856.

In Philadelphia on the 16th day of August, 1849, Mr. Edwin Stanton, later to be Secretary of War in Abraham Lincoln’s cabinet, appeared before Mr. Justice Grier of the United States Supreme Court to move for an injunction in behalf of the State of Pennsylvania against the Wheeling and Belmont Bridge Company. The bill stated that the Ohio River was one of the navigable rivers of the United States and was thus available for the commercial and free use of all of the citizens of all of the states of the Union; that the defendant was erecting a bridge between the main Virginian shore of the Ohio River at Wheeling to Zane’s Island, crossing the channel of the Ohio River, which bridge would obstruct the navigation of the Ohio River; that the bridge was being erected under color of an act of the Virginia General Assembly which clearly provided that if such a bridge be built in this location it shall not be built in such fashion as to be an obstruction to navigation upon the Ohio River, and that if it does become an obstruction to navigation or a public nuisance, it shall be abated accordingly; that the bridge was only 93½ feet above low water level at its eastern end and only 62 feet above low water level at its western end, low water level being approximately 18 inches in the center of the channel, and which river level generally rose as high as 44½ feet; that this bridge would not permit the passage of steam boats under it when the river provided enough depth for the steam boats to navigate; and that this was preventing great volumes of commerce accustomed to ply between Pittsburgh and the ports down the river and even to foreign nations. The bill asked that an injunction be granted and that the bridge be ordered torn down.

The real parties in interest, of course, were the owners of steam boat packets and the commercial shippers of the City of Pittsburgh. It was an extraordinarily shrewd move on their part to get the State of Pennsylvania to file suit on their behalf, as though the State of Pennsylvania were the injured party, because under the Constitution of the United States, Article 3, Section 2, a state may file suit directly in the United States Supreme Court rather than proceed by way of a District Court to the Circuit Court of Appeals, and finally to the Supreme Court on appeal. Not only would the commercial interests be represented by a powerful state, but the case would be heard and decided initially by the court of last resort.

The Wheeling and Belmont Bridge Company filed an answer stating that the sovereignty of Virginia over the Ohio River along her border was never ceded or surrendered; that the Navigable Waters Act of 1787 of the United States making such rivers as the Ohio common highways and forever free to the citizens of the United States was not intended to operate within the reserved territory and sovereignty of Virginia; that free navigation is not to be understood as one totally free from partial or incidental obstacles such as bridges; that Congress ordered a highway to be constructed from Cumberland to the Ohio River and afterwards ordered it to be extended westwardly from the western bank of the Ohio; that on March 14, 1847, the Legislature of Virginia passed an act chartering the Wheeling and Belmont Bridge Company and authorizing the latter to erect a wire suspension toll bridge at this site; that the plaintiff should have objected when bridge construction was first begun and not when it was nearly completed. The answer of the defendant went on to add that the State of Pennsylvania has no right to be a party in a law suit on behalf of certain of her citizens who are the real parties in interest, and that because the bridge is an important link in an overland highway, the principles of concession and compromise should be considered. The answer finally stated that for all useful purposes, the pipes or stacks of steamboats need not be more than 47 feet in height above the water, and if the draft of the said stacks should not be sufficient at that height, blowers might be added. Also, if the steamboat packet owners desired higher stacks, they could put them on hinges so that they could pass underneath the bridge.

Justice Grier refused to grant a preliminary injunction before the case was presented to the sitting entire Supreme Court because he felt that the plaintiff's right to prosecute this question involved a new point of law and that if the State of Pennsylvania had no right to prosecute this injunction suit, then the Supreme Court did not have original jurisdiction of the case. Justice Grier also thought the injury would not be irremediable and that if the defendant proceeded to complete the bridge, it would gain no equity thereby but would be compelled to remove it at its expense if the decision were adverse to the defendant. Accordingly, he passed the matter on to the United States Supreme Court on the 6th day of September, 1849, and by the 2d day of February, 1850, the pleadings were completed.

In the meantime, in splendid partisan fashion, the Legislature of Virginia passed an act which explained its caveat in the earlier act with respect to obstruction of navigation. This new act flatly declared that the
bridge so erected across the Ohio River at Wheeling as aforesaid, at the height of 90 feet at the eastern abutment, 93-1/2 feet at the highest point, and 62 feet at the western abutment above the low water level of the Ohio River, and the same thereof was declared to be a lawful height, and in conformity with the intent and meaning of the said 14th Section of the earlier act of March 19, 1947. A copy of this act as an exhibit was filed with the pleadings.

In regular session, the Supreme Court of the United States first entered an interlocutory order referring the matter to a Commissioner in Chancery, the Honorable R. Hyde Walworth, late Chancellor of the State of New York, and directed Mr. Walworth to hold hearings and seek technical help in order to determine and report back to the court whether the bridge was or was not an obstruction to the free navigation of the Ohio River, and if it was an obstruction, what changes or alterations might be made to remove the obstruction to the free navigation of the river. The Court directed the Commissioner to report by the first day of the next term, and added that the Commissioner had the power to appoint competent engineers to help in his determination. Mr. Justice Daniel filed an objection to the order of the majority of the Court stating that he did not see that the State of Pennsylvania had proven a direct interest in the litigation, that instead the state was appealing on behalf of private citizens, and that therefore this case should not have original jurisdiction in the United States Supreme Court.

The Commissioner in Chancery, who knew how to earn a fee rapidly, returned his report by the 13th of June, 1850, and after exceptions to it were filed, the matter was set down for full argument before the Court on the 2d Monday in December of that year.

It is interesting to note that when the final arguments were presented to the full court, while Stanton was retained by the Attorney General of Pennsylvania to represent that state, the Wheeling and Belmont Bridge Company was represented by the Attorney General of Virginia, in direct contradiction of the argument of the defendant that this was a matter between private individuals and not states.

Among the many facts brought out through the testimony of experts before the Commissioner in Chancery were the following: that the usual spring and fall floods in March and December reached the height of 38 feet; that floods ranging from 20 to 38 feet regularly occurred in the months of January, February, March, April, May, June, July, November and December, or nine months in the space of a year; that the duration of the floods varied from 2 to 10 days; that there were 9 packets of the largest class of vessels, which class was increasing each year, which were unable to get under the Wheeling Bridge effectively at any stage of the water because of the combination of depth of the water needed for their draft and the height of their chimneys, and that the larger packets had chimneys as high as 84 feet above the water level; that several boats had already had their stacks strike the bottom of the bridge, tearing away guys and fastenings; and that while chimneys might be hinged either near the top or at the bottom and laid down when the vessel was passing under the bridge, this was an extremely dangerous operation, the chimneys weighing 2500 to 3000 pounds each and being 5 feet in diameter, and being positioned above the hurricane deck, which is the deck for passengers. It was thought that if the hinging wires or mechanisms failed, the heavy chimneys would crash down through the hurricane deck all the way to the lower decks of the vessel.

Stanton, in his interminable argument which must have lasted for hours and which was highly repetitious, not only emphasized all of the dangers involved, speaking at length of the great difficulty on a stormy night of lowering chimneys or maneuvering a ship so that it would pass under the highest part of the bridge in the narrow channel, but he also stressed the formal legal position of the plaintiff. That legal position of his was to be his undoing. He argued that the power to regulate commerce was vested exclusively in Congress and that such commerce is to be free and unfettered, and that it follows that any bridge erected by the defendant over the channel of the Ohio River, if it obstructs, interferes with or in any wise regulates navigation, is an unlawful obstruction no matter by what charter or state enactments it may be authorized or sanctioned. This matter being vested exclusively within the power of the United States Congress, it follows that any obstruction whatsoever with navigation is to be an encroachment upon Congressional power and thus unlawful.

The defendant's argument merely reiterated its earlier positions in the case.

The Commissioner in Chancery had reported back to the Court that the bridge was indeed an obstruction to free navigation, but he had also concluded that it was practicable to alter the construction of the present bridge so that it would not be such an obstruction. He stated that the bridge should be raised so that its flooring for at least 300 feet wide over a convenient part of the channel would be at least 120 feet above the bottom of the river.

Justice McLean issued the opinion of the majority of the Court. He disposed of the objection that Pennsylvania was merely representing private citizens by declaring that from the evidence he and the Court thought that Pennsylvania had a true interest in the navigation of the Ohio River. Pennsylvania had been for years constructing canals and other forms of transportation all with a view to passing its goods and products down through the Ohio River.

But his main decision was grounded fatally upon the argument that the rights of Congress were paramount, that while it had not declared that a state, by the construction of bridges, should not obstruct the navigation of the Ohio River, Congress had regulated navigation upon such levels and had provided expressly that such navigation is to be free. He went on to state that an obstructed naviga-
tion can not be said to be free. The justice agreed with the argument that it was too dangerous to lower chimneys, and that as to the argument that they might be constructed of a lesser height, he stated that the height of the chimney determines the speed of the packet, and that the cost in not being able to go so rapidly was too great to be born merely for the accommodation of a road across the river. Consequently the majority of the court, as stated by Justice McLean, believed that the bridge did obstruct the navigation of the Ohio, and that the State of Pennsylvania had been injured, and that she was entitled to the relief prayed for, that is, that the bridge should be abated, or, in the alternative, that the height of the bridge be raised to 111 feet from the low water mark for a width of at least 300 feet. In the decree which was entered, this became the injunction order given the defendant. The Court then gave the defendant until the 1st day of February, 1853, either to remove the bridge at the expense of the defendant or to alter it as required.

Chief Justice Taney filed a dissenting opinion based principally upon the idea that, although the river is a navigable river and cannot be obstructed, Congress had provided no regulations relating to the height of bridges or what would constitute objections to navigation, and that in the absence of a congressional act, the Supreme Court has no power to act, since the matter was clearly not within the realm of common law. The dissent of Justice Daniel was more extensive but was based first upon the fact that the State had no right in this particular case to be a party in order to claim original jurisdiction, and that in the absence of legislation by Congress stating what is an obstruction to a river, this Supreme Court could not, in legislative fashion supply special regulations or make any such declaration as to whether or not an obstruction is sufficient to deny the free navigability of the river. He summarized his various positions as follows: “believing that Pennsylvania cannot maintain this suit, as a party, by any just interpretation of the second section of the third article of the Constitution, vesting this court with original jurisdiction: Believing that the power which the majority of the Court have assumed cannot, in this case, be correctly derived to them from the competency of Congress to regulate commerce between the several states: Believing that the question of nuisance or no nuisance is intrinsically a question of fact, which, when contested, ought to be tried at law upon the circumstances of each case”. “Seeing that the Commonwealth of Virginia, within whose territory and jurisdiction the Wheeling Bridge has been erected, has authorized and approved the erection of the bridge; and the United States, under the pretext of whose authority this suit has been instituted, have by no act of theirs forbidden its erection, and do not now claim to have it abated; my opinion, upon the best lights I have been able to bring to this case, is, that the bill of the complainant should be dismissed.”

Subsequent to the Court's decision, the defendant moved that the matter again be referred to a Commissioner for the purpose of letting the defendant determine which of many methods would be the most practicable in order to satisfy the Court. This was done and very quickly disposed of. In this reference there was considered the following five possibilities: to elevate the bridge as required by the opinion of the Court to a height of 111 feet above low water mark for a width of 300 feet; to remove the wooden bridge also owned by the defendant over the western channel of the river; to remove the flooring of the suspension bridge, so that the tallest chimneys may pass under the cables; to construct a draw in the wooden bridge over the western channel; or to make a draw in the suspension bridge. All of the plans were held by the experts who testified to be unfeasible, except the elevation of the main span of the suspension bridge. Nobody seemed to know whether or not the channel on the western side of the Island could carry the largest steam packets which were 250 feet in length and 50 feet in width. Furthermore, the draw, if a draw bridge were created out of the wooden bridge over the western channel, would be approximately 200 feet, making it more than twice the draw of any bridge known in existence. Yet, this had to be the minimum amount to permit the enormous steam packets free passage back and forth. A draw in the suspension bridge was wholly impractical, and merely removing the flooring of the bridge or having the flooring so that it can be removed was not sufficient since the chimneys would catch on the suspending cables.

The Court determined that its original opinion and decree would stand.

But the defendant had not lost yet. Illustrating the power of the Commonwealth of Virginia relative to other states in the United States Congress, on the 31st day of August, 1852, before any action could be commenced as to the abatement of the bridge or its reconstruction to allow for greater elevation, the United States Congress passed the following act: “That the bridges across the Ohio River at Wheeling in the State of Virginia and at Bridgeport in the State of Ohio abutting on Zane's Island, in said river, are hereby declared to be lawful structures in their present positions and elevations, and shall be so held and taken to be, anything in the law or laws of the United States to the contrary notwithstanding.” And further, “that the said bridges be declared to be and are established post roads for the passage of the mails of the United States, and that the Wheeling and Belmont Bridge Company are authorized to have and maintain their bridges at their present site and elevation, and that the officers and crews of all vessels and boats navigating said river are required to regulate the use of their said vessels, and of any pipes or chimneys belonging thereto, so as not to interfere with the elevation and construction of said bridges.”

The parties to the original controversy were back in Court arguing again in December, 1855. The complainant, the State of Pennsylvania, had requested that contempt proceedings be taken against the Wheeling and Belmont Bridge Company for failing to tear down the bridge and remove it. The defendant claimed that the law of the United States Congress
took care of the matter, and so preceded in effect the decision of the Court in 1852.

The Court in its opinion delivered by Justice Nelson stated that basically the original decision of the Court was grounded upon the law that the right of an unobstructed navigation of the river was vested in the public by the constitution and the laws of Congress; that the Court had determined that the bridge would create an obstruction as to the free navigation of the river in view of the previous acts of Congress; but that the said previous acts of Congress have been amended and modified and Congress has declared that the bridge is not such an obstruction as will interfere with navigation, provided all opposing interests aside by Congress’ determination as to heights of bridges, and steamboats consequently keep their stacks low enough to pass free under the said bridges. Justice Nelson said that although the Wheeling Bridge may be an obstruction in fact, it is not so in the contemplation of law any longer. Justice Nelson added that the Court need not even pass upon whether or not Congress’ power to establish post office and post roads would enable Congress to legalize the bridge. The Court had already ruled that Congress alone has the power to regulate commerce on the river and can pass any laws designed to do exactly that, and Congress had passed such a law with respect to the Wheeling Bridge. The Court further held that the defendant should not be held in contempt of this Court since the Act of Congress was passed before the defendant had an opportunity to remove the bridge and before the deadline date set by the Court. And that this followed through the flooring of the bridge was blown into the river and the defendant proceeded to reconstruct it.

Justice McClean, who had written the majority opinion in the first application for an injunction, now wrote a long and rather bitter dissenting opinion in which, inter alia, he stated that the good faith of the defendant might even be questioned by this Court since the defendant had procured Congress to pass an act completely setting aside the decision of this Court. Justice Grier agreed with the majority of the Court at this time that the bridge company has a right to keep its bridge, but he did feel that there ought to be a contempt citation anyway against the defendant. Justices Wayne and Curtis felt the same way.

The case then came to an end with the dissolution of the injunction. The Suspension Bridge at Wheeling is still standing 130 years later and still carrying traffic and serving the people of this area, while the picturesque stern or side wheelers with their twin stacks have gone the way of the dinosaurs.

Sources:
The State of Pennsylvania vs. The Wheeling and Belmont Bridge Company et al, 9 Howard 647, 11 Howard 528, 13 Howard 518, 18 Howard 421.

THE WINE INDUSTRY IN MARTINS FERRY, OHIO

by

Annie C. Tanks
and
Dr. William M. Seaman

Although viticulture, or the growing of grapes for wine-making, is no longer practiced as an industry in Martins Ferry, Ohio and the immediate area, in the latter part of the nineteenth century it was an important factor in the commercial scene.

Noah Zane (1778 – c. 1833), son of Col. Ebenezer Zane, is credited with planting the first vineyard in the vicinity of Wheeling on the north end of Wheeling Island. The Zane family also conducted a flourishing nursery at that location for the purpose of providing new settlers with seedlings. 

Noah planted a second vineyard on the family’s holdings across the river in Ohio, in the area which later became the southern section of the city of Martins Ferry.

It might be pointed out that the warming effect of the Ohio River, similar to that contributed by bodies of water in New York, northern Pennsylvania, northern Ohio and in western Michigan, provided an atmosphere beneficial to the growing of grapes. Furthermore, the steep hill-sides along the Ohio Valley, which were not conducive to growing field crops, were ideal for grapes, that could be supported on wires strung between posts.

Other landowners then followed Zane’s example and planted grapes extensively. This meant that wine presses had to be constructed nearby for processing the fruit. A factory at the riverside which made kegs for the area’s cut nail factories became the Martins Ferry Keg and Barrel Company and provided casks for the wine as well.

The Secretary of State for Ohio, Isaac R. Sherwood, reported in 1870 that 259½ acres of land were under cultivation for the growing of grapes. A total of 62,000 pounds of grapes were produced, with 12,183 gallons of wine pressed. Most, if not all, of this activity must have been concentrated in the Martins Ferry area, for a list of vineyard owners compiled six or seven years later by one of their number, John Van Pelt, showed 367 acres under cultivation, forming a line about four miles long on the Ohio hill-sides overlooking the river. Some of the major producers were the following:

<table>
<thead>
<tr>
<th>Name</th>
<th>Acres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Captain Crawford</td>
<td>42</td>
</tr>
<tr>
<td>A. McSwords</td>
<td>25</td>
</tr>
<tr>
<td>Mrs. Vesey</td>
<td>32</td>
</tr>
<tr>
<td>A.D. Newland</td>
<td>40</td>
</tr>
</tbody>
</table>

(The Newland brothers bought this vineyard from Noah Zane when he sold off the family’s Ohio lands.)
George Dorsch 12 acres
Aetna Company 50 acres
G. Hess 25 acres
Lavoisier Spence 18 acres
Scheele and Kehrer 35 acres

[These names are misspelled in the printed list]

In addition to the larger establishments given above, the list of vintners includes a number of citizens who had vineyards of only modest size. For example, C.B. Shreve, superintendent of schools in Martins Ferry, cultivated ten acres in vines on the parcel of land which he purchased when he settled in the town. Another small operator was William Clark, a native of Scotland, who began his American career as a gardener in the Zane nursery. Later he was quite successful with his Ohio Nail Company but lost most of his money when the business failed in the Panic of 1873. He then sold off most of his land holdings. (Clark's Addition on the present city map), including his brick house, "Avondale," and retired to a small farm in the present Mackey Addition. Here, where most of the land is steep hillside, he planted four acres of grapes and "sat under his own vine." Another minor vintner was the well-known attorney, Judge John S. Cochran, who owned four acres. The smallest plot listed was one acre owned by David Donovan.

The Germans, who made up the first wave of immigrants to the area and in the early 1850's, were undoubtedly good customers of the wineries and a few of them became grape growers themselves (e.g. Kehrer, Kuckuck, Scheele and Dorsch).

The William Kuckuck winery in the upper end of town was probably typical of the modest establishments built to convert the perishable fruit into a commodity easier to store and in wide demand. The wine cellar was built of the gray sandstone quarried in the vicinity and used in almost every kind of building in the valley. The walls were more than a foot thick and the ceiling was a solid dome. A huge plank shelf ran from front to back on either side, a few feet above the stone floor. The front wall was at ground level and had two great wooden doors which swung out to allow the casks to be carried in or out. The remainder of the cellar was built back into the hillside, where it was dark and cool for proper storage of the wine.

A second story constructed of vertical planks housed the press. Wagons delivered the grapes by driving up to the upper level. After the grape juice was extracted in the presses, it was drained into vats and finally into casks which were taken down to the cellar and lined up on the shelves for the aging process. As is the custom at wineries in Europe, where patrons may buy wine directly at the winery, at one time in the Kuckuck winery's history tables and chairs were provided in a garden around the upper story, so that people could spend pleasant hours sipping wine, talking, and looking at the willow-bordered river.

The Crawford winery, at the southern end of the grape-growing area, was constructed in a similar design, but it provided a more elaborate entertainment for customers. Its Sunday afternoon band concerts were a special drawing-card. This winery was a special favorite of the employees of the nearby Aetna Standard Iron and Steel Company, who would bring lunches and spend the entire day with their families picnicking on the grounds.

The John Kehrer winery, built on the hill above the Kuckuck business, was a larger establishment of three stories. The top floor, where the press was located, was at ground level with Kehrer's house, a few yards away. The hillside fell away so that the middle story was largely underground, but the north side was at ground level and its double doors opened to allow wagons to drive in. The hoisting machinery was on the back and loading and unloading could be done indoors. The cellar below, where the wine was stored for aging, was completely underground. Its walls were two feet thick and its ceiling five feet. Perhaps because John Kehrer had begun work in this country as a stonemason, he built the entire structure of gray sandstone. Even the walls of the top floor were more than a foot thick. The winery was a popular resort for young men, who held parties in the middle floor or sat outside in the cool air coming down the valley on the north side, where they drank wine and traded stories.

The Ohio Wine Company's new stone building, erected about 1887 on high ground on Jefferson Street, where it overlooked the river, was largest of all. Unfortunately, another feature was added to the neighborhood about three years later, when a railroad spur for the Martins Ferry Terminal Company was constructed from the river bank at Madison Street on a forty-foot trestle along Jefferson Street, passing close to the corner of the winery and then turning northwest until it reached ground level behind Union School (site of the now-abandoned Central School). There is no record that the winery made any protest to the Martins Ferry city council when the ordinance granting permission for building the rail spur was passed. Perhaps they thought that their castle-like structure was quake-proof. This proved to be untrue, for the vibrations from trains rumbling along a trestle so close to the walls stirred up sediment and ruined the wine. Since the trestle and tracks, which still cut through the heart of the city, were permanent fixtures, the company was forced out of business. A new group of businessmen bought the property and established the Belmont Brewery, whose product apparently was untroubled by frequent tremors.

The wine industry was already past its peak when the Ohio Wine Company met disaster. Mildew and rot had begun to spread among the vineyards, and there were no modern fungicides to combat disease. Grapevines were uprooted and the ground put to different uses.

Remnants of the industry still exist. John Kehrer's winery stands intact, except for a portion of the roof, where one later owner attempted remodeling and gave up when unable to cope with the stone wall. The top floor is a two-family dwelling and the middle floor has become a
garage. Until a few years ago a neighboring side yard still showed the terraces which had been laid out on the hillside for the rows of vines.

The wooden superstructures of other presses were pulled down or fell into decay, but some cellars remain. Construction of Ohio Route 7 in recent years doomed the Kuckuck cellar. Prior to the grading two men tried to make off with some of the massive sandstone blocks but their efforts of several days left almost no mark on the stout walls. Since the construction machinery could only fill the interior of the cellar and level the ground across the top, future diggers on the slope may be surprised to strike a stone roof underground. The Crawford winery, later owned by Russell Ganter, was left to the mercies of boys and young people who congregated there at night. About three years ago a fire destroyed most of the wooden walls and loosened some of the cellar blocks. Another cellar became the foundation of a house at Indiana and Union Streets.

Many of the old rain barrels which used to be seen at homes near the presses were actually wine casks. One of the Kehrer barrels was sawed in two and half of it used to collect water at a spring which supplied water to the neighborhood, especially during the 1936 flood when the city waterworks became inoperable.

The most enduring relic of the wine industry is a group of street names. Anyone who gives an address on Vine, Delaware, Concord, Catawba, or Virginia Streets, all of them laid out on the site of the Noah Zane vineyard, commemorates the rows of vines that used to cover the hillsides of Martins Ferry, Ohio.

NOTES


5. Ibid. Date of sale not given.

6. Ibid.


10. Ms in the museum files at Martins Ferry: letter from Mr. Frederick Eick of Pittsburgh in answer to a collector's query, describing the establishing of the Belmont Brewery. Ms. Tank's father was a member of the firm.


12. Caldwell, J.A., *op. cit.*, p. 300, Virginia Street was not named for the state, but for one of the best varieties of grape in the local vineyards.


(Background material and impressions in this article are derived from personal recollections of the author and from oral history handed down by relatives and natives of Martins Ferry)
REMINISCENCES OF HIS SCHOOLBOY DAYS

AN OCTOGENARIAN TELLS OF PLACES, CONDITIONS, AND EVENTS IN EARLY WHEELING

1905

by

Joseph Bell
1819 – 1908

EDITED BY

Dennis E. Lawther

The first school that I ever attended was located on the ground now occupied by the residence of George E. Stifel, on North Main Street. It was the ground floor of a rather dilapidated frame house; that was many years before free schools were thought of in what was then Virginia. Tuition cost money in those days. My remembrance is that my father had to pay $2.50 a quarter for my schooling. The tuition embraced the elementary branches of spelling, reading, writing, and ciphering as far as the single rule of three. None of the pupils had any use for higher branches, and it is doubtful if Mr. Harris, our preceptor, could have met a demand for instruction in any higher branch of education. That was before the instruction of steel pens. Every boy learning to write had to be provided with goose quills, and the teacher's time was largely taken up in fashioning them into pens or in mending the worn pens or in setting copies. There were no copy books to be had in those days, and every pupil was provided by his parents with writing materials to be ruled by the teacher, and copies set in the writing books at the head of each page. As I remember him, our teacher, Mr. Harris, wrote a good hand and set a fine copy, and made good pens. Discipline in those days was stricter than it is now, and methods of punishment then freely used would now run a teacher out of school.

Mr. Harris would frequently, when he noticed a pupil idling, or with a bent head conversing with neighboring pupils, launch a ruler at the delinquent, and commanded him to bring the ruler to him to receive punishment. The school hours were longer in those days and the idea of the whole of Saturday for a holiday had not then been invented. The utmost was an allowance of Saturday afternoon. The difference in this particular and in the matter of general discipline was as great as the difference in the school buildings then and now; school houses then were mostly rude log or frame structures.

The large stately buildings of the present day were unknown in Wheeling at that period. Our school did not continue very long in that location, but was removed across the street to a house having a larger number of apartments. One of these on the ground floor on Main Street, was occupied by Mr. John K. Botsford, then a young man, as a comb-making shop, employing several workmen. The post office at that time was held by Richard McLure, and was located a square farther down the street, opposite the present palatial residence of J.J. Jones. At the corner of Ninth Street, was the silver smithing establishment of Solomon King, where the Stifels had a dye works for many years. On the opposite corner was the copper smithy of John Dulty. Across the street from Solomon King's stood the tavern of C. Beymer, conducted by her son, William Beymer, who was a very popular landlord. At the Dulty establishment a large business was done in manufacturing copper distilling machines for making whiskey, which was commonly made on all of the streams in the neighborhood. On the west side of Ninth Street stood the residence of John McLure, a prominent citizen of that day, who was the founder of and gave the name to the present McLure House.

The years 1832-33-34 were the years that cholera prevailed in this community, causing great alarm, and the flight of many citizens to surrounding towns. It caused a large number of deaths among the residents of Wheeling. In the year 1833 Noah Zane, one of the original town proprietors and owner of a large amount of property, died from cholera, which was particularly fatal in that year. Most of the interments at that time and for some years afterwards were made in the old graveyard located on the site now occupied by the B. & O. railroad, between Chapline and Eoff Streets and Sixteenth and Seventeenth Streets. In 1833, when the mortality was greatest, I saw a number of coffins having corpses in them, (I think 15 or 16), lying unburied on the west side of the graveyard for want of grave-diggers. This seems incredible, but the frequent deaths and the great alarm prevailing at that time, keep my remembrance of the circumstance quite distinct.

Divine services were occasionally held in the old stone court house, located near the middle of Tenth Street, at the east side of Main. The preachers were Alexander Campbell, or some minister of another denomination that did not have a permanent building in Wheeling in which to hold services. Alexander Campbell was president of Bethany College and the founder of the Campbellite Church. He was considered an able man and always had a fine congregation to hear him. Campbell also published the Millennial Harbinger. The most strictly denominational church in the town was the Episcopal, located opposite the lower end of the market house on the east side of the street, at a slight distance back from the pavement. The church was constructed of brick and was furnished with a spire. When the church was removed, the site was sold for business purposes, and three stores were established thereon. Robert Boyd kept one of these stores, and the Robinsons, the other. John Armstrong was a rector of the Episcopal church until his death. He was buried in the church yard at the rear of the church. John Thomas Wheat succeeded him, and he was followed by Wm. Armstrong, son of John...
Armstrong. Wm. Armstrong had charge for many years after the congregation removed to the new edifice on the corner of Twelfth and Byron Streets, a building which was later sold to the Baptists, and which is now occupied by them.

Chapline Street, during the early days, was often called Church Street, from the fact of the Methodist, Presbyterian and Catholic churches were situated on it. The Roman Catholic congregation was then small. Their church stood on Chapline Street at the southeast corner of Eleventh Street, Father Horner was rector. The church was of brick, and when Bishop Whelan, because of the growing congregation, later moved them to the site of the present Cathedral, the original brick was used in the construction of two tenements on the church location. These dwellings are still standing and occupied.

The Presbyterian and Methodist churches were situated on the west side of Chapline Street between Twelfth and Fourteenth. The more northern of the two was the Methodist, on the site of the present building. It was an unpretentious brick structure, fronting on the west and entered from that direction. The original Methodist church was on the same high level as the Presbyterian church of today, and when the second structure was built the front was reversed, the entrance being made from Chapline Street. The fathers of Methodism in this community were very earnest men. Many revivals took place in their little old church. Pious parsonalious were very effectual, and the mourner's bench was an important feature of the church service. One of their favorite hymns was:

"Come ye sinners, poor and needy,
Weak and wounded, sick and sore."

Other hymns of a similar character were sung under the leadership of Robert Hamilton, who had a delightful voice. He led the singing in a full and fervent manner and gave an attractive swing to it. The evening service in this church was held at early candle lighting. It was very attractive to young people. Kerosene oil was unknown, so the churches were lighted by candles placed in sconces on the walls. An itinerant by the name of Lorenzo Dow occasionally visited the Methodist church and preached to large congregations. He would conclude his sermons by announcing the next visit he intended to make the congregation. It was always a distant date, but he never failed to fulfill an engagement. Dow wore a long beard, an unusual thing at that day, and was an eccentric of a very peculiar order. He did not have a definite appointment but preached from place to place. The Methodist church in which he preached was taken down and replaced by a new and modern structure erected by Robert Hamilton, about 1834. Since then it has been superseded by the present building.

Standing next to the Methodist church was the Lancastarian Academy that occupied the entire lot, with an alley between it and the Presbyterian church. The Lancastrian Academy stood lengthwise on Chapline Street and was also on the high level. Its principal entrance was from the alley. Mr. Truax was the instructor at that time, succeeded in after years by Robert Grey, Mr. McBurney, and other teachers.

The Presbyterian church, though a more unpretentious structure than the present one, was the most important and most influential in the town. It had a large Sunday school which had a wide influence for good; it met in the galleries of the church. The girls' classes occupied the gallery on the north, and the boys on the south. There were about thirteen classes of each sex. Redick McKee was the superintendent and was a very earnest advocate of Sunday schools as long as he lived in this community. He was also an influential member of the church and was active in having the church rebuilt, a part of which was a front and a tower with a clock that served for many years as the principal time-piece of the town. Redick McKee was an impressive figure. He often used to address the Sunday school from the middle of the gallery. Rev. James Hervoy was pastor at that time, succeeded by Wm. Wylie, and he in turn was followed by Rev. Dr. Henry R. Weed who occupied the church for a number of years to the satisfaction of the congregation. The elders of the Presbyterian church were not less earnest than those of the Methodist as both inspired interest through the singing school. The singing school met regularly in the lecture room of the church once a week, and was very popular with the young folks. The lecture room was in the upper story at the front of the church. Singing was congregational, and especially earnest in the Methodist church. I have no recollection of church socials or church entertainments of any kind in those days.

About that time there was a German Protestant chuch on Eighteenth Street in East Wheeling which is still a place of worship. The German community in Wheeling was then quite small, but began to be a power shortly afterwards. A man named Wandelheir was influential in organizing that congregation.

During these early years, there were no parks or places of public recreation in or about Wheeling except the Island and Wheeling Hill that served as the only resorts for amusement. A survey of ground in East Wheeling was frequented on Sundays as an ice cream garden, and was known as Sharp's Garden. Also a few vacant lots on Chapline Street were kept by John Smith for the same purpose. Many people used to go by the ferry to Thomas Barnard's house on the Island for watermelons that he grew and which were particularly sweet and Barnard would peddle them along the pike, and has been known to go on his rounds as far as Washington, Pa. The public interest, however, centered on Wheeling Hill as the favorite pleasure ground. Pawpaw bushes covered the upper half of the western slope from Tenth Street. People often frequented this place for outings. A dense wood of large oak, poplar, and beech trees then stood on the southeastern part of Wheeling Hill that formed a popular place of amusement in pleasant weather. Part of the east side of the hill was used as a ball ground and as a farm. Here farmers cultivated fields of wheat. The bend of the hill on the east slope is marked as the historic scene of McColloch's leap and where he gallantly escaped from the Indians.
On the corner of Ninth Street, opposite the McNaughtons, lived the McConnells, who had a tannery on the east side of Market Street at the end of Ninth. Situated on Main Street, near the McConnell residence, was the shoe-making shop of Thomas Campbell. People went there for their shoes, there being no shoe stores in Wheeling, and all shoes were made to measure for each individual. The shoe shop was quite a resort for the local politicians who lived in that part of the town. Adjoining Mr. Campbell’s shop was the store of Thos. Johnson & Son, in which were kept all manner of goods. A few steps to the north was the bakery of Katie Sockman, famous for its bread and cakes. Mint sticks and molasses taffy in one-cent sticks were also sold to the school children of the neighborhood. The other houses on the eastern side of Main Street to its extreme end, were insignificant dwellings of logs or other cheap material with the exception of the house of Jonathan Zane. This house stood at the upper limit of the street and closeby an orchard about a square’s distance from Jonathan’s ravine.

The year 1832 was made more memorable by the great flood in the Ohio River that came in February of that year. It surpassed any other rise within 20 years previous and for more than 50 years afterwards. People who lived near the river seemed perfectly at home on its waters. Two boys on the morning of the highest flood, with the daring of inexperienced youth, set out in a skiff for a day’s adventure on the water. They rowed on the east side of the river a considerable distance upstream, and then crossed to the Island where they threaded their way through the multitude of haystacks, barns, dwellings, chicken coops, and debris which covered the bosom of the river. Accompanying the mighty rush of waters was floating ice from the upper tributaries. There were also certain grist mills, which built on the banks of the river, floated down from their location above the rapidly rising water, and had lodged near the upper end of the Island. Once within the limits of the Island, then entirely covered by water, the current was placid as a lake. The boys continued on their course down the calm surface. At that time the upper end and a large part of the Island were heavily timbered, a fringe of trees extending to the lower end of the eastern shore. The few cattle and other stock were herded on the elevation occupied by the ice house and tool house built by Mr. Thomas Barnard who afterwards became a notable citizen of Bellaire.

The whole of Wheeling Island was then owned by the two Zanes — Daniel, who owned the lower part, lived there and conducted a ferry between the town and the Island. There being no bridges over the Ohio, all crossing was done by ford or ferry. Noah Zane owned the upper half, which was framed by Thomas Barnard. The dwellings of Daniel Zane and of Thomas Barnard, together with those of Mr. Zane’s laborers and ferrymen, comprised all the houses then on the Island. Thomas Barnard kept a house of public entertainment, which was a favorite resort on Sundays. This dwelling became later the residence of Mr. Jacob Berger. Fourth of July public dinners and celebrations were commonly held on

the eastern bank of the Island, just north of the terminus of the Suspension Bridge. Thomas Barnard generally furnished the entertainment on these occasions.

Having passed along the shore of the Island the boys turned into midstream and rowed into the mouth of Twelfth Street. At the corner of Main Street were several gentlemen, among them Col. George Dutly, who peremptorily ordered them out of the boat. From that point southward, the inundation was complete. There was then at Main Street a wooden bridge from the north to the south of the creek. This structure was floated away by the flood, which also carried off at the same time upwards of fifty small dwellings. The destruction along the banks was very great.

There were only a few stores then in Wheeling, all of which were poorly supplied with goods. In addition to the scarcity of goods, there was also indifference to the wants of customers. It was quite usual for a storekeeper to sit or lie prone on the counter and ask purchasers to point out what they wanted before making any move toward waiting on them.

Monongahela whiskey was a staple commodity in those days even in dry goods stores.

The supply of dry goods, as indeed, almost everything else, was at that time brought from Baltimore or Philadelphia in four or six horse wagons. The journey over the mountains occupied eighteen days or longer.

The wagons came all the way through and were commonly driven by their owners, who took great pride in the horses, having decked the harness with musical bells attached to the collars. Sometimes whole families were transported by means of these wagons. The cow, if there was one, was led by a rope tied to the rear of the wagon. The West was largely settled by emigrants who entered it in this fashion. The wagons usually moved in convoys. There were good road houses at short intervals along the highway where horses and their drivers found warm welcome and comfortable quarters. The taverns usually contained dining rooms and bars. For seventy years or more the most famous road house in this region was the stone tavern at Elm Grove, kept by Mrs. Gooding. A Mrs. Cruger, whose husband was Col. Moses Shepherd, lived near Mrs. Gooding. They were greatly interested in building the road whose special advocate was Henry Clay, who was very active in supporting internal improvements, especially the Cumberland Road, or National Pike, that great artery that ran between Washington City and the West.

In appreciation for Clay’s efforts in behalf of the road, his friends, Moses and Lydia Shepherd, erected a monument to his memory which was designed and built by local talent, and placed at the entrance to their grounds. At the end of the stone bridge in Elm Grove, it still stands, though much defaced by time. This spot is known as “Monument Place”.

In default of direct heirs this property passed out of the possession of the Shepherd family and is now owned by Mr. and Mrs. Charles J.
Milton of Cincinnati, who use it as their summer home. It descended to Mrs. Milton from her father, Major Loring, who with his wife, purchased the property at the death of Mrs. Lydia Shepherd Cruger who lived to the unusually advanced age of one hundred and two years.

Great attention is now directed towards the improvement of the roads which were perhaps better then than they are now, (1906) due partly to the wide tires (from four to six inches) with which heavy wagons were generally provided. At the tollgate, located this side of Mrs. Gooding's, hung a list of the tolls to be exacted, the rate depending upon the width of the tires.

The most respected store in Wheeling was built and run by James M. Thompson. The building stood on the northeast corner of Main and Eleventh Sts. It always contained a stock of dry goods which attracted great attention. Zane & Pentony was another store of equal reputation.

In those days nearly all goods were bought on credit. Owing to difficulty in making collections, James M. Thompson became bankrupt.

Other classes of merchandise, such as hardware, copper goods, iron castings, salt and whiskey, were bought by keel boats down the river from Pittsburgh, or up the river from Cincinnati and the Kanawha region.

Pittsburgh at that time had made considerable advance in manufacturing, and was able to supply the Ohio Valley and adjacent country with salt, whiskey, bar and pig iron, nails, window glass, glassware, and a great many other commodities which were distributed by means of keel boats. These boats were from seventy-five to a hundred feet long and from fifteen to twenty feet wide, built somewhat on the plan of a canal boat. On each side, they had running boards on which the crew walked while poling the boat on the up-river voyage.

On the down trip the boat was managed by cars from the upper deck, and steered by a rudder or steering car.

The Kanawha region also supplied the Ohio Valley with salt, which was made there in large quantities and distributed in the same style of boat.

By these means and the wagons before mentioned, commerce was carried on. Rafts of pine logs and boards floated down from the Allegheny River, supplied Wheeling and towns along the lower river with this class of lumber.

Early apples and melons were brought up the river from Marietta and Harman in pirogues, which were large canoes made out of hollowed logs. These boats may still be seen on the lower tributaries of the Ohio such as the Big Sandy, Kanawha, Guyan, Cumberland, and Tennessee Rivers. As they had not yet learned how to build light draft steamboats, this class was comparatively rare. The “Freedom”, “Alliance”, and “Pennsylvania” were among the earliest steamboats.

As a school boy, I remember seeing Indians occasionally in the streets, dressed in their blankets and carrying bows and arrows. There were only a few Indians left in this vicinity and they wandered from one point to another, appearing on such occasions as parades, musters, shows or circuses, when they could earn small sums by shooting arrows at a mark. It was said that Noah, the oldest son of Daniel Zane, married a woman of the Delaware tribe from the central part of Ohio. He afterwards removed with his family to Kansas.

I also remember seeing, though infrequently, gangs of slaves chained together, women as well as men, on their way south. As a little boy, I remember standing on the sidewalk with my brother when such a gang was passing. We were eating an ear of corn a-piece, which some of the slaves begged from us.

At that period quite a trade in saddlery and harness was carried on between here and Kentucky, Tennessee, and farther south.

The business of forwarding goods grew to considerable proportions and was done by such firms as Forsythe & Dobbins, Knox & McKee, Schoville, Melvin & Lloyd, into whose hands a major part of the trade with the south fell. The first two firms named were also owners of steamboats and covered flatboats, in which they sent cargoes of flour as far south as New Orleans. The flatboats floated down with the current, and hardly ever tied up between here and New Orleans, taking about twenty days for the voyage. The flatboats were sold in New Orleans for any amount they would bring, and the crew returned by steamboat, or in many instances, walked back through the Indian nations, a distance of some thousand miles.

All the firms engaged in the following business were located on the river bank, where they had built their warehouses. Other Water Street merchants were Isaac Greathouse and Patrick Crawley, who dealt in goods especially desired by the river men.

When the stage of the water permitted, coal in considerable quantities was shipped by flatboat from here and Pittsburgh to be sold in Cincinnati and points farther south.

Large droves of cattle were driven from the Piqua plains and other points in Ohio to Wheeling. They swam the river at the middle of the island, and then driven east to seek a market.

The United States was the leading hotel in Wheeling. It was situated on the bank of the river where the Windsor now stands. This place was the starting point for the coaches that ran daily from Wheeling to Pittsburgh and other towns, and this hotel was the gathering place for travelers, whether arriving or departing by coach or boat.

It may be remarked that the most of the boats were built and equipped in Pittsburgh.

The landed gentry of Ohio County indulged freely in the amusement of horse racing. A four-mile race track was located at the lower end of town. It reached from what is now the upper end of South Wheeling, or Ford's crossing, to the lower end, and was used at least once a year or oftener. It proved an attraction sufficient to draw the greater part of Wheeling's population.
Among the owners of horses that won races were Samuel Sprigg, Zachariah Jacobs, Isaac Mitchell, the McCulloches, a Mr. Kelly, Garrison Jones, Hugh Nichols and other members of the landed aristocracy.

Early on the morning on the day of the races, almost the entire population of the town might be seen scattered along from the bridge to the race course. The old road followed the bank, and I remember walking this distance, together with some other little lads, remaining the entire day, and feeling as much interest in the result of each heat as the owners of the horses themselves.

At one of these races a horse over-reached himself, and in falling, threw his rider, who was seriously hurt — not so much by the fall as by the hoofs of the other horses in whose path he landed. He was carried off the track insensible but was not deterred later by this accident from following the profession of a jockey.

The races were all running, all entries being made for four mile heats. The names of some old-time favorites were "Eclipse", "Red Fox", "Polly Piper", and "Old Fed", a contraction for "Old Federalist".

A similar course often used was at Beech Bottom above the town.

The following lines were written in response to current discussion about the historic Ohio River Bridge at Tenth Street, Wheeling, West Virginia. Should it be restored? Should it be torn down and replaced? Should it remain as a monument to another era despite its gradually weakening structure?

Such questions suggest the inevitable tension between the old and the new, between the traditional and the modern, between the nostalgic and the progressive. Such tension, brought about innocently enough by the passage of time, is evident in the physical condition of the span, as well as in the present poem, which has been recollected in the glow of the span's history which casts its lot on the side of those who see the bridge as a symbol of the rich heritage of the city.

THE BRIDGE

You pull at both shores and somewhere
Within your drooping metallurgy
Nourish the dream of suspension everlasting.

Indeed, once you were angularly young.
You carried your traffic like jewelry,
The grains of time,
Like the crests of spring floods,
Beneath you.

But later your trucks became pesky,
Like Job's boils, until
The city fathers disqualified them
And smaller travelers spaced themselves
In deference to your august cables.

Thus, feasibility does make husbands of us all.
Even now committees meet to shake their heads
And count your anniversaries.
It may not matter much
Whose weight is anchored in the roots of east
And west, whose floor has been a thoroughfare
For wheeling feet.

Jack E. Harris
BOOK REVIEW:


In historical context, the twenties seemed to have been discovered not by historians writing in formal scholarly style but by a journalist turned historian, Frederick Lewis Allen, and the sum total of the efforts of the historical guild has been to chip away at the "house" Allen built. His book, Only Yesterday has been reduced in verifiability but expanded in every other way: subject matter, interest, and perception. The jazz age still holds a nostalgic fascination for the older generation and even among the younger set who see those times as carefree, and one of continuous partying, when a person could do his own thing without fear or apprehension. Paul A. Carter's diligent and extensive research has added to our understanding of that era in a readable literary style without being superficial. Carter has gone over the literature too carefully and thoroughly for that. Furthermore, he has looked into many interesting "nooks and crannies" overlooked by previous writers and as converted them into legitimate subjects of research. We may not always agree with his point of view or even his conceptualization of the question, but he discusses them in such a way that one cannot ignore them.

Carter pursue propositions and ideas suggested previously to the effect that Prohibition was still regarded in 1928, after a decade of turmoil and violence, as a source of social improvement and reform. Prohibition as a campaign issue in that year tended to blur the political differences between Hoover and Smith on a liberal-conservative basis. Similarly it also seemed to blur the cultural breakdown between city and country. This must stand as one of Carter's more perceptive insights and modified the notion that while Prohibition's enforcement entailed frequent violations of civil liberties, a large segment of the public still regarded it as worth the price. It was still thought that the Eighteenth Amendment (without the Volstead Act and with 3.2 beer) held a promise of improvement of the quality of life for the average man. Another of Carter's strong points is his discussion of the phenomenon of religious fundamentalism. There has been a stereotyped identification of this quality of spiritual activity with the backcountry and the "Bible belt". Fundamentalism can also be termed an urban form of religious expression. Akron, the rubber town, has in the past fifty years been populated by migrants from Appalachia, who vote against political candidates whose speeches even suggest "liberal" slurs on the Bible. One may estimate that more fundamentalists live in cities than in the country and fundamentalism is stronger now than it ever was.

Advertising and the dynamics of free enterprise capitalism is discussed at length as a force in creating demand where none had existed before, and yet, rather glibly, in presuming success. We know emphatic-
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