

# Adoption resources at the Ohio History Connection

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When the word *adoption* is mentioned, it conjures up the image of a loving couple welcoming a baby or a child (whose parents may not have been able to care for them) into their welcoming arms to be loved and raised as though it was their natural born child. Unfortunately, this image was not always the case in the United States.

In 1851, the State of Massachusetts passed the first adoption law that introduced the novel concept of placing the child's interest above adult interests.

Ohio's first adoption statute became law on 29 March 1859. The law stated that any state inhabitant not married, or husband and wife jointly, had the right to petition the proper county probate court for adoption of a minor child not theirs by birth and for a change of name of such child. All legal rights between the child and birth parents were severed with one exception: After the death of the adoptive parents, and the death of the adoptee, the property of the adoptive parents would go to their next of kin if the adoptee had no children, not to the next of kin of the adoptee.

On 1 March 1870, an amendment to the law permitted institutions the right to place children with adoptive families. Ohio law also allowed for husbands or wives to adopt their spouses' children by previous marriages.

How were orphaned children or children whose parents were unable to take care of them treated before 1859? In English common law



The Domestic Economy Graduates, Cooking Class 1900, from the Ohio Soldier's and Sailor's Orphans' Home in Xenia, Ohio. Image courtesy of the *Ohio Memory Project*.

the concept of a legal agreement between two parties to place a child in a family with the same inheritance rights as a natural born son or daughter did not exist. However, taking care of children whose parents could not care for them was widely practiced in the United States. Relatives, friends, or even strangers invited children to live with them if their parents died or were unable to take care of them. This was an informal, not legal, agreement. Note that sometimes a will might mention property or money given to an adopted child.

In 1795, the government of the Northwest Territory created orphan's courts to supervise guardians, trustees, executors, and administrators who were caring for the property of orphans and minor children.

Children were cared for by legal guardians appointed by the court of common pleas or probate court after 1803. At that time, women were not legal citizens. If her husband died, a wife did not have legal custody of her children

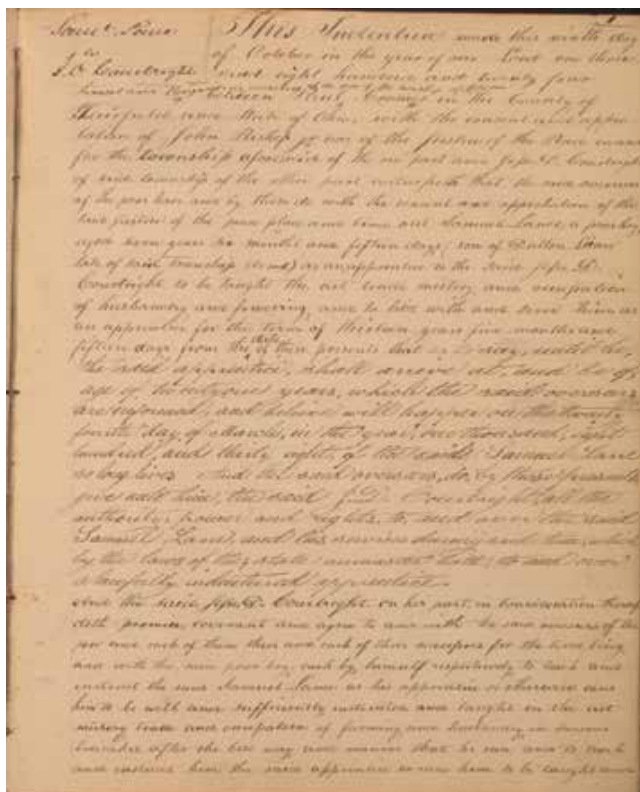
or the husband's estate. The county court of common pleas or the county probate court appointed an administrator to handle the estate. A male guardian was appointed to guard the interests of the children, so remember to check for guardianship records.

The concept of *binding* is very important. A guardian could sign a contract to legally bind a child to serve a guardian or contract owner until age 21. Room and board was provided and the guardian or contract owner helped the child to learn a trade. The Ohio History Connection has examples of children as young as four years old being legally bound to a contract owner. Under the 1 January 1880 law passed by the Ohio General Assembly, township trustees could bind a child to an orphans' asylum. For these records, look for indenture records.

What happened to children who did not have relatives to take them in? In 1816 the Ohio General Assembly authorized county commissioners to build county poor houses for the care of the poor. In 1850, the county home also became the county infirmary by legislative enactment. It cared for the needy, the sick, the mentally ill, and the epileptics. Children who were orphaned or whose parents abandoned them also lived there. Records of interest include case files, certificates of admission, and county home registers.

When the Civil War caused a dramatic increase of homeless children, the Ohio General Assembly in 1866 authorized boards of county commissioners to build orphans' asylums or other facilities. The commissioners could levy taxes to pay for them and they could hire a superintendent to administer the home. Adjoining counties could establish district children's homes. These homes accepted children who were orphaned, abandoned, neglected, inadequately provided for by the parents, or placed in the home by the juvenile court.

Where are these nineteenth and early twentieth century records located? Contact the court of common pleas and probate courts of



Page 6 from the *Fairfield County Apprenticeship Indenture Records*.



Portraits of children from the Children's Home Society of Ohio in Columbus. Left, John Strauss and Nathan Cross (1913) and on the right, Birdie Stamper (1920).

the county where the child lived. These courts should have the following records: adoption, guardianship, wills, and indentures.

County commissioners administered the county home and the county children's home. Look for the county commissioner records of the county where the child was a ward of the home. The Ohio Department of Health did not officially receive adoption case files until 1938. Read more about this at <http://www.odh.ohio.gov/vitalstatistics/legalinfo/adoption.aspx>.

What is the access to adoptions from 1938 to the present at the Ohio Department of Health? Adoptions finalized before 1 January 1964 are open to the adoptees and their adult lineal descendants (children, grandchildren, great-grandchildren of the adoptee). The records contain the original birth certificate and the court order decree of adoption.

For adoptions finalized between 1 January 1964 and 18 September 1996, on 20 March 2015, adoptees, eighteen years or older can apply to

the Ohio Department of Health for a copy of their adoption file. The adult lineal descendants (children, grandchildren, and great-grandchildren) of the adoptee can also apply. The file contains the original birth certificate and the court ordered decree of the adoption. It may also contain biological parent release forms and/or biological sibling release forms.

For adoptions finalized after 18 September 1996, the adoption record is open to the adoptee if they are over twenty-one. It is open to the adoptive parents if the adoptee is between the ages of 18–21. The file remains closed if there is a Denial of Release Form from the biological parents.

How do you discover if a child lived in a county children's home, an orphanage, was indentured, or was adopted? Sources such as those on the following page, may provide clues as to the orphanage or child-care institution where the child lived and the court where they may have been adopted.

## Important dates in Ohio adoption history

### **1795–1803: Northwest Territory Orphan's Courts**

Supervised guardians, trustees, executors, and administrators who cared for the property of orphans and minor children.

### **1803: County Court of Common Pleas and Probate Court**

Children were cared for by a legal guardian appointed by the county court of common pleas or the county probate court if the father of the child died or was unable to take care of them. The mother was not the legal guardian.

### **1816: The Ohio General Assembly authorized county commissioners to build county poor houses to take care of the poor**

### **1850: The county poor house expanded its duties to serve as the county infirmary**

Cared for the needy, sick, epileptics, and the mentally ill. Orphaned children or those children whose parents could not take care of them also lived there.

### **29 March 1859: Ohio's first adoption statute became law**

Any state inhabitant not married, or husband and wife jointly, had the right to petition the proper county probate court for adoption of a minor child not theirs by birth, and for a change of name of such child.

### **1866: The Ohio General Assembly authorized county commissioners to build children's homes**

Separate from the county infirmary. Children who were orphaned or whose parents abandoned them also lived there. Records of interest: files, certificates of admission, and county home registers.

### **1 March 1870: Amendment to the adoption law allows institutions to place children with adoptive families**

Ohio law allowed husbands or wives to adopt their spouses' children by previous marriages.

### **1859–1938: Adoption case files are located at the county court of common pleas or the county probate court**

**1938 to present: Adoption case files are located at the Ohio Department of Health Vital Records, <http://www.odh.ohio.gov/vitalstatistics/legalinfo/adoption.aspx>**

### **1938–1964: Adoptions finalized before 1 January 1964**

Open to the adoptees and their adult lineal descendants (children, grandchildren, great-grandchildren of the adoptee). Records contain the original birth certificate and the court order decree of adoption.

### **1964–1996: Adoptions finalized 1 January 1964 to 18 September 1996**

On 20 March 2015, adoptees, eighteen years or older can apply to the Ohio Department of Health for a copy of their adoption file. The adult lineal descendants (children, grandchildren, and great-grandchildren) of the adoptee can also apply. The file contains the original birth certificate and the court ordered decree of the adoption. It may also contain biological parent release forms and/or biological sibling release forms.

### **1996 to present: Adoptions finalized after 18 September 1996**

Open to the adoptee if twenty-one years old and to adoptive parents if the adoptee is between the ages of 18–21. File remains closed if there is a Denial of Release Form from the biological parents.



EXHIBIT "A"—DESCRIPTIVE ROLL OF CHILDREN RECEIVED FROM NOVEMBER 15, 1914, TO JUNE 30, 1915.

No.	Name	County	Age	Name of Father	Company and Regiment	Date of Death	Name of Mother	Living or Dead
1	Bryan Towell	Belmont	6	James Towell	74 O. V. I. Co. K.	Living	Mary Towell	Living
2	Frank T. Philby	Belmont	7	Fredrick Philby	6 C. V. I. Co. B.	Living	Lizzie Philby	Living
3	Maurice Springs	Montgomery	14	Martin Springs	198 O. V. I. Co. F.	Living	Mollie Lewis	Living
4	Olive M. Zedaker	Madison	10	Swatland Zedaker	197 O. V. I. Co. A.	Living	Grace Zedaker	Dead
5	Elmer Shultz	Cuyahoga	8	Emil Shultz	22 U. S. Co. B.	Living	Annie Shultz	Dead
6	Robert Shultz	Cuyahoga	5	Emil Shultz	22 U. S. Co. B.	Living	Annie Shultz	Dead
7	Elizabeth King	Lucas	3	John King	174 O. V. I. Co. B.	Living	Emma M. King	Living
8	Catherine Zoog	Franklin	12	John Zoog	17 U. S. Co. B.	Living	Jennie Cornell	Dead
9	Harry Zoog	Franklin	14	John Zoog	17 U. S. Co. B.	Living	Jennie Cornell	Dead
10	Roy Zoog	Franklin	11	John Zoog	17 U. S. Co. B.	Living	Jennie Cornell	Dead
11	Edgar Zoog	Franklin	7	John Zoog	17 U. S. Co. B.	Living	Jennie Cornell	Dead
12	Bonita M. Turriffin	Lucas	10	Harley Turriffin	14 Cav. Troop M.	Living	Bertha Turriffin	Living
13	Beatrice H. Turriffin	Lucas	5	Harley Turriffin	14 Cav. Troop M.	Living	Bertha Turriffin	Living
14	Harold L. Turriffin	Lucas	7	Harley Turriffin	14 Cav. Troop M.	Living	Bertha Turriffin	Living
15	Ester L. Rogers	Greene	10	Sidney Rodgers	9th Bat. Co. C.	Living	Anna Rogers	Living
16	Jordan R. Rogers	Greene	6	Sidney Rodgers	9th Bat. Co. C.	Living	Anna Rogers	Living
17	Bertha M. Rogers	Greene	12	Sidney Rodgers	9th Bat. Co. C.	Living	Anna Rogers	Living
18	Catherine E. Lovell	Tuscarawas	2	William Lovell	16 O. V. I. Co. K.	March 24, 1918	Mary Lovell	Living
19	Harry Ball	Washington	10	John C. Ball	31 U. S. Co. B.	Living	Laura Ball	Living
20	Fanny Ball	Washington	11	John C. Ball	31 U. S. Co. B.	Living	Laura Ball	Living
21	Thelma Otto	Jefferson	12	Oscar Otto	11 U. S. Co. M.	Living	Rosa L. Otto	Dead
22	George Otto	Jefferson	10	Oscar Otto	11 U. S. Co. M.	Living	Rosa L. Otto	Dead
23	Morrill W. Noland	Miami	4	Chas. W. Noland	Const. A. Co. 43	April 15, 1914	Carrie Noland	Dead
24	Leonard Noland	Miami	10	Chas. W. Noland	Const. A. Co. 43	April 15, 1914	Carrie Noland	Dead
25	Mildred Adams	Cuyahoga	6	Frank Adams	1st U. S. Cav. Tr. F.	Living	Mary Adams	Living
26	Arthur Binkley	Butler	12	Joel Binkley	6 U. S. V. Co. M.	Living	Sara Kelly	Dead
27	Harriet M. Milner	Cuyahoga	6	Harry E. Milner	11th U. S. Cav.	Living	Emma P. Milner	Living
28	Robert E. Milner	Cuyahoga	4	Harry E. Milner	11th U. S. Cav.	Living	Emma P. Milner	Living
29	Elizabeth Estle	Ross	12	William H. Estle	31 O. V. I. Co. G.	Living	Eliza A. Milner	Living
30	Ethel Lewis	Summit	13	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
31	Gertude Lewis	Summit	11	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
32	Helen Lewis	Summit	9	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
33	Emma Lewis	Summit	7	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
34	Margaret Lewis	Summit	5	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
35	Grace Lewis	Summit	3	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
36	Ruth Lewis	Summit	2	Samuel Lewis	19 O. V. I. Co. F.	Living	Emma Veon	Unknown
37	Irma Noland	Miami	8	Chas. Noland	Const. A. Co. 43	April 15, 1914	Carrie Noland	Dead
38	Josephine Rice	Montgomery	3	George Rice	6th U. S. Art'y	Living	Ray P. Rice	Living
39	Dorothy M. Jones	Madison	3	Frank P. Jones	13 Penn. Co. F.	Living	Helen Jones	Living
40	Walter L. Rockel	Highland	2	Frederick Rockel	8 U. S. Co. G.	Living	Alice Rockel	Dead
41	Patrick Dillon	Lucas	8	James Dillon	7th Ill. Co. G.	Living	Helen Dillon	Dead

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Roster of children arriving at Ohio Soldiers & Sailors Orphans Home, 1914-1915. From the State Library of Ohio Historical Documents Collection on Ohio Memory.

- Indexes to adoption records
- City directories (may list orphanages or child-care institutions where the child may have lived).
- County histories (may list orphanages and child-care institutions)
- Annual reports of the county children's homes and private child-care institutions
- Manuals, standards, and guidebooks for foster care providers
- Ohio laws regarding adoption for the period one is researching

Once records have identified the county of adoption and possibly the child-care institution, a search for these records can be started. These records are often handwritten, not indexed, and must be read in its entirety. Remember to search for variants in spelling.

Look for the following local government records arranged by the county and court:

- Orphan's court
- Indenture records
- Probate court records
- Children's home registers

Following are some child-care institution records found at the Ohio History Connection (unless otherwise noted) that may be of help during research:

### Children's Home Society of Ohio, Columbus

- Private child-care agency that operated between 1893 to 1935;
- When the agency closed, its records were sent to the Ohio Department of Public Welfare;
- Records date from 1893 to 1936.

### Hare's Orphan's Home, Columbus

- Administered by the City of Columbus;
- Accepted dependent minors, including orphans and children whose parents could not support them;
- Operated from 1867 to 1992;
- Records date from 1801 to 1992 and are restricted since they contain medical information and names of the birth parents. Researchers are asked to sign a confidentiality agreement.

### Ohio Soldiers and Sailors Orphans Home, Xenia

- The Grand Army of the Republic opened this orphanage on 16 December 1869 in Xenia to care for the orphaned children of Civil War soldiers and sailors;



A 1933 photograph showing a small child running to a swing set in the front yard of the Hannah Neil Mission and Home for the Friendless. Image courtesy of the Columbus Metropolitan Library.

- Responsibility transferred to the State of Ohio on 21 August 1870. The state adopted the children;
- The school was located on a one-hundred acre farm south of Xenia;
- The home closed in 1997;
- An index to 3,500 applications for admission from 1877 to 1919 is available on the Greene County Public Library website, <http://greenelibrary.info/research/ohio-soldiers-sailors-orphans-home/>;
- The records are at the Ohio Department of Education in Columbus

### Children's Home Association of Butler County, Ohio

- Starting around 1880, it served as an orphanage for children whose parents died as the result of disease or war;
- Its focus changed in the 1960s and 1970s to caring for children with severe behavioral problems;
- They had been removed from their parents' custody by legal authorities;
- The records date from 1880–1985;
- Records are restricted. Researchers are asked to sign a confidentiality agreement.

### Hannah Neil Home for Children Inc., Columbus

- Founded in 1858 by Hannah Neil;

- Provided residential housing and care for children and their mothers;
- Also provided residential housing for sick, homeless, or aged women;
- The records date from 1858–1983.

*In 1882 Charles Crittenton, a wealthy New Yorker, lost his 4-year-old daughter Florence to scarlet fever. This tragedy moved him toward philanthropic work and he started the Florence Night Mission in New York, a safe haven for "lost and fallen" women.*

*From there the Florence Crittenton Mission was formed and Charles Crittenton traveled across the country in a railroad car donating \$500 to each town willing to start a Home for young women and children in need. More than seventy homes in total were opened.*

### Florence Crittenton Services of Columbus

- A service organization that provided shelter and care for unmarried mothers and their children;
- Institutional records include:
  - Board of Trustees minutes
  - Statistical materials
    - Number of women in the home
    - Number of babies born
    - Number of meals served;
  - Minutes of the Ohio Crittenton League.

How do you find these adoption resources? Please search the OHC Online Collection Catalog at <http://www.ohiohistory.org/occ>. Researchers are welcome to come to the OHC Research Room to view these collections. The Research Room is open Wednesday through Saturday, 10:00 a.m. to 5:00 p.m. and is conveniently located off I-71 at 800 East 17th Avenue in Columbus. For those unable to visit, OHC can still help via e-mail at [reference@ohiohistory.org](mailto:reference@ohiohistory.org) or by phone, (614) 297-2510.

Adoption records tell a fascinating story of how our orphaned ancestors were taken care of, and of family members who cared for them. ●