

# Ohio Government

Describes the workings of Ohio politics and government at the state and local level and its role in the lives of average Ohioans, starting with the Northwest Ordinance and early statehood.

## Collections in the Scrapbook

In this category are records, photographs, portraits, diaries, maps, newspaper clippings, and three-dimensional objects related to the formation and development of state government in Ohio. Services provided to Ohio residents and documented in the scrapbook include assistance for poor, ill, or orphaned Ohioans; road building; firefighting; and education. There are numerous photographs and records of government buildings and institutions, such as courthouses, jails, and infirmaries. Several sensational crimes and legal cases are featured. Some collections in this category pre-date Ohio statehood, including a 1775 account of British and French conflicts in the "Ohio country" and a 1787 newspaper reprint of the Northwest Ordinance, which opened the area to American settlement. Of particular interest are documents describing the 1835 border dispute between Ohio and Michigan.

The scrapbook also contains portraits and documents of government officials, among which are pioneer settler Rufus Putnam, a delegate to the 1802 Ohio Constitutional Convention, and Alphonso Taft, father of President William Howard Taft and great-great-grandfather of Ohio Governor Bob Taft. There are portraits of seven 19<sup>th</sup>-century governors: Edward Tiffin, Thomas Worthington, Joseph Vance, Thomas Corwin, Salmon Portland Chase, Rutherford B. Hayes, and William McKinley. Materials from the gubernatorial campaigns of McKinley, Hayes, and George Nash complement the portraits.

Unusual items in this category include a chest used by Governor Thomas Worthington as a young man when he went to sea, the table on which constitutional convention delegates signed Ohio's first constitution in 1802, an 1845 Cleveland ordinance banning baseball in public spaces, murals painted by Archibald Willard in the Fayette County courthouse in 1882, and an 1884 painting created during a dispute over the location of the Miami County courthouse.

## The Northwest Territory

The Continental Congress passed an ordinance in 1787 designating the land bounded by the Ohio River, Mississippi River, the Great Lakes, and Pennsylvania as the Northwest Territory. Eventually, the territory would be organized into five states: Ohio, Indiana, Illinois, Michigan, and Wisconsin. The Northwest Ordinance established the basis for United States government and settlement in the region. Congress appointed General Arthur St. Clair governor of the territory. St. Clair shared control with three judges. The governor and judges did not have the power to create new laws, although they were authorized to adopt laws already established in the original states of the Union. In the summer of 1795, they published laws for the territory, borrowed mostly from Pennsylvania. The published version became known as Maxwell's Code because it was printed by William Maxwell.

The signing of the Treaty of Greenville in 1795 established peace between the United States and the American Indian tribes that lived in the territory and encouraged migration to the area. A census taken in 1798 proved that the Northwest Territory's white male population exceeded the 5,000-man threshold required before the territory could select its own legislators. Voters elected twenty-two representatives to the lower house of the General Assembly. President John Adams appointed five men to the upper house. Fifteen of the legislators represented five counties in

present-day Ohio and seven represented French-settled counties in what are today the states of Illinois, Indiana, and Michigan.

In 1799, the General Assembly met for the first time. Legislators elected Edward Tiffin to serve as president and chose William Henry Harrison to represent the territory in the United States Congress as a non-voting member. The lawmakers' first acts dealt with organization of the militia and establishment of tax system. They also reaffirmed the Northwest Ordinance ban on slavery. Governor St. Clair had absolute veto power over the General Assembly, which he exercised eleven times in the legislature's first session.

### **Ohio's Path to Statehood**

When an area of the Northwest Territory had 60,000 white male residents, it became eligible to join the Union on an equal basis with the existing states. Political factions disagreed on how the large territory should be divided. Territorial Representative William Henry Harrison and the Chillicothe contingent prevailed. They represented the populist ideals of Thomas Jefferson's Democratic-Republican Party. Their opponents, Governor St. Clair in particular, were Federalists, followers of Alexander Hamilton and George Washington and supporters of a strong central government.

In 1800, Congress established the western boundary of the Ohio Territory from the mouth of the Kentucky River to Fort Recovery, then due north to the international boundary. Harrison was appointed governor to the western part of the region, called the Indiana Territory, which had its capital at Vincennes.

On April 30, 1802, President Jefferson approved an act enabling the people of the Ohio Territory to form a constitution and state government. In November of the same year, thirty-five delegates attended the Ohio Constitutional Convention held in Chillicothe. At the convention Governor St. Clair gave a speech expressing his anti-statehood sentiments that caused Jefferson to remove him from governorship, replacing him with territorial Secretary Charles Willing Byrd.

### **Constitution of 1802**

Members of the Constitutional Convention finished their work within a month. They selected Thomas Worthington to carry the constitution to Washington and present it to Congress. The document they produced established a government with three branches: legislative, executive, and judicial. Of the three, the legislative branch was vested with the most power.

Although the governor was designated the leader of the state's military forces, and could grant pardons and reprieves, fill vacancies in the legislature, and call special sessions of the General Assembly, the office did not have veto power. This restriction of executive power was a reaction to earlier experiences with Governor St. Clair and reflected Jeffersonian ideals of democracy. In January 1803, Edward Tiffin became Ohio's first governor.

Other state officials and members of the judicial branch of government were not elected, but rather appointed by the General Assembly. A Supreme Court, county courts of common pleas, and justices of the peace formed the core of the judiciary.

Ohio's first constitution also included a bill of rights with provisions for freedom of speech, religion, assembly, and bearing of arms. The right to a speedy and impartial jury trial was also affirmed. In addition, the constitution prohibited slavery and involuntary servitude, unwarranted search and seizure, mistreatment of prisoners, hereditary privileges, and poll taxes.

One important provision of the constitution was that if two-thirds of the members of the General Assembly approved, the people would be given the opportunity to vote on whether a convention should be called to amend the 1802 document.

### **Ohio Becomes a State**

On February 19, 1803, Ohio was admitted to the Union as the 17<sup>th</sup> state, following the admission of Tennessee and preceding Louisiana. The General Assembly, which consisted of a thirty-member House of Representatives and a fourteen-member Senate, met for the first time on March 1, 1803 in Chillicothe. Twelve of the legislators had served in the constitutional convention. Jefferson's Democratic-Republican Party dominated--Nathaniel Massie, speaker of the senate, and Michael Baldwin, speaker of the house, were both members. State representatives were elected for one-year terms, while senators served for two years.

At the inaugural session of the General Assembly, Ohio lawmakers concerned themselves with levying taxes and funding the operation of the state. They passed a general statute continuing all territorial laws that did not conflict with the constitution. A proposal to allow African American men to vote was introduced and resulted in a tie. Governor Tiffin broke the tie by voting against the proposal. During Ohio's first decades of statehood, its population skyrocketed. Managing the growth and development of the state kept the General Assembly busy in the decades to follow.

### **The State Seal**

In 1802, the General Assembly approved a state seal designed by Ohio Secretary of State William Creighton. Inspired by the sun rising over the hills near Adena, the home of U.S. Senator Thomas Worthington, the seal featured a sheaf of wheat and a bundle of seventeen arrows, behind which was a sun rising above a hill surrounded by seventeen rays. These symbols represented Ohio's agricultural strength, its status as the seventeenth state admitted to the Union, and its position as first state west of the Alleghenies.

### **Ohio's Capitals**

Chillicothe was Ohio's first capital. The government moved to Zanesville around 1810, and back to Chillicothe in 1812. Neither city was centrally located within the state's boundaries. The state's search for a new location ended with the selection of an undeveloped tract of land in the middle of the state, across the Scioto River from the settlement of Franklinton. In 1816, the government moved to its permanent home in Columbus.

Ground was broken on state capitol building in 1838. Designed by Henry Walter of Cincinnati and New Yorkers Martin E. Thompson and Thomas Cole, the capitol exemplifies the Doric Greek style. It was built of locally-quarried limestone by convicts from the state penitentiary. Work on the building was halted several times, delaying its completion until 1861. An annex in the same style as the main building was constructed between 1898 and 1901 to house the legislature.

### **The Toledo War**

A boundary dispute arose between Ohio and Michigan in 1835. The Northwest Ordinance of 1787 established a northern boundary that would have made much of northwest Ohio, including the important port city of Toledo, part of Michigan. Congress ordered a new survey to establish Ohio's state line north of Toledo. Governor of Ohio Robert Lucas and Michigan Territory Governor

Stephens Mason sent militiamen to the disputed area. Before any blood was shed, President Jackson resolved the dispute by promising that Congress would study the matter. Eventually, Congress decided to maintain the 1835 survey line, giving Ohio Toledo. In compensation, Congress awarded Michigan its Upper Peninsula.

### **Constitution of 1851**

The General Assembly recommended that Ohio convene a convention in 1818 to address the weaknesses of the state's original constitution, but voters rejected their proposal. In 1849, the legislature again asked voters to consider a convention. This time, voters responded positively. Ohio's second constitutional convention met in Columbus and Cincinnati between May 1850 and March 1851. The document drafted by the convention and approved by voters in June 1851 is still in force, although it has been amended since.

Under the new constitution, all executive and county offices and state and local judgeships became elected positions. Appellate courts were created and one judge added to the Supreme Court. The document created the offices of attorney general and lieutenant governor. It also provided for establishment of the public school system. Two changes were made respective to procedures for future revision of the constitution. First, the General Assembly was authorized to propose amendments to voters for their approval if two-thirds of the legislators were in favor. Second, the General Assembly was required to ask voters every twenty years whether a constitutional convention was needed. One aspect of the original constitution that was not changed was the governor's lack of veto power.

### **Constitutional Amendments**

After the 1851 constitution went into effect, the General Assembly proposed numerous amendments, but none were adopted because a majority of those casting ballots did not vote for them. In 1871, voters approved the call for a constitutional convention, Ohio's third. It ran from May 1873 until May 1874 in Columbus and Cincinnati. The document drafted by the convention, plus three ballot issues, were defeated by voters, although several provisions were later adopted as separate amendments. Voters chose not to call a constitutional convention in 1891.

In 1903, two significant amendments were passed. One, known as the Hanna Amendment, guaranteed that every county would have a member in the Ohio House of Representatives. The second change gave the governor power to veto legislation approved by the General Assembly.

In 1911, Ohio voters approved the election of delegates to a constitutional convention. On January 12, 1912, the 120 men met for the first time to begin revising the existing constitution. Among the delegates were 65 Democrats, 48 Republicans, 3 Independents, and 3 Socialists. Because the 1874 convention failed to convince a majority of voters to support its revised constitution, the 1912 convention offered voters the opportunity to approve or reject amendments individually. Of the 41 amendments proposed, voters approved 33. Changes that were approved include:

- granting voters powers of initiative and referendum, which allowed voters to propose, approve, or change laws and amendments
- imposing limits on governor's veto power by reducing the percentage of legislators required to override the veto from 2/3 to 3/5
- mandating an 8-hour day for state-funded workers
- establishing compulsory workers' compensation

- allowing cities with more than 5,000 residents to establish charters and govern themselves (called home rule)
- revising the judicial system

Voters rejected amendments that would have:

- allowed women to vote or hold offices related to care of women and children
- removed the qualifications that voters must be white, despite the fact that African American men had been voting since 1870; the language was not changed until 1923

Since 1912, Ohio has not had a constitutional convention. More than 160 amendments have been proposed, however, voters passed almost 100 of them. One of the most significant recent changes is the imposition of term limits in the General Assembly.

### Ohio Political Parties

In the Northwest Territory, there were two competing political parties, the Democratic-Republican and the Federalist. These groups differed mainly in their support for centralized government. The Democratic-Republicans, who opposed strong federal government power, enjoyed greater success. In the 1820s, the party became known as the Democratic Party; its leader was Andrew Jackson. Following the demise of the Federalist Party, the Whigs became the major challengers of the Democrats. Named for an English party that favored parliamentary power over monarchy, the Whig Party was powerful in Ohio for two decades. In the mid 1850s, the Republican Party was established. During the Civil War, some Democrats joined the Republicans to temporarily form the Union Party. After the war, Republicans dominated Ohio and national politics through the end of the century. Six Ohioans occupied the White House between 1869 and 1913; all were Republicans. Early twentieth-century industrialization, immigration, and urbanization helped the Democrats gain strength. The Depression also boosted the popularity of the Democratic Party. The two parties have traded roles repeatedly since the 1940s, gaining and losing majority control. In 2003, the Republican Party has the advantage over the Democratic Party.

### State Flag

Ohio did not have a state flag until 1901, when John Eisenmann designed one to be shown at the Pan-American Exposition in Buffalo. The flag features three red and two white stripes, symbols of roads and waterways, and a blue triangular field with 17 white stars clustered around a red and white O. A unique aspect of the Buckeye State's flag is its pennant shape.

### Ohio Legislators and Political Leaders

Ray C. Bliss (1907-1981) Bliss was a leading force in Republican politics beginning in the early 1940s. After heading the Summit County Republican Party, he took over leadership of the state Republican organization, then in 1965 became chair of the Republican National Convention.

Frank J. Lauche (1895-1990) Cleveland native Lausche, a Democrat, served as a judge prior to being elected mayor of Cleveland in 1944. In 1945, he won the governorship of Ohio and became the state's first Catholic governor. He also gained the distinction of being the longest-serving leader, serving five terms. He was later elected to the U.S. Senate.

James A. Rhodes (1909-2001) Born in Coalton, Jackson County, Ohio, Rhodes began his political career in 1944 when he was elected mayor of Columbus. In 1962 he was elected governor. Rhodes, a Republican, was in office in 1970, when anti-war riots broke out on the campus of

Kent State University. He ordered the Ohio National Guard to Kent to help diffuse the situation; four students were shot and killed by guardsmen. In 1975, Rhodes was reelected to a third term as governor after a four-year break. (Ohio law limited a governor to two consecutive terms.) He ran again in 1986, but was defeated by Richard Celeste.

Vernal G. Riffe Jr. (1925-1997) New Boston, Scioto County native Vern Riffe served in the Ohio House of Representatives from 1959-1995. Riffe, a Democrat from the 89<sup>th</sup> district, was speaker of the house from 1975-1994, longer than any other speaker. He was particularly influential in establishing Shawnee State University in Portsmouth as a four-year institution. Numerous buildings and schools have been named in his honor. Prior to entering politics, Riffe served in World War II, and started an insurance business in his hometown.

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