

THE STATE CAPITAL AT ZANESVILLE

From December 1810 to May 1812, Zanesville served as Ohio's second state capital. The political maneuvering and individuals that influenced the state legislature's move to Zanesville were as colorful as the circumstances that earlier had led to Chillicothe's selection as the territorial capital and later as the first state capital.

The Ohio Constitution of 1802 designated Chillicothe as the state capital until 1808. After that time, the seat of government could be relocated, presumably closer to the geographical center of the state. The constitution also forbade any expenditures for public buildings for legislative purposes until 1809.



James Hampson, Builder of the Zanesville Statehouse. James Hampson left Virginia looking for carpentry work in the Ohio Country. In 1804, he and John Williamson of Zanesville were awarded a contract to build a brick courthouse in Lancaster. In 1809, Hampson and Williamson, along with Joseph F. Munro and Daniel Convers, bid successfully on the brick "Court House" at Zanesville. Hampson supervised the construction. After completing the structure, he and his brother-in-law Joseph Cairns contracted to build a smaller building for state offices. Hampson then began a long career in public service — militia officer, village councilman, sheriff, and three-term state legislator. He received appointments as a commissary during the War of 1812, as a collector of Internal Revenue, and as superintendent of the National Road. He died in Zanesville in 1843 after an active life as a political leader and businessman.

As that date approached, a number of towns in central Ohio competed for the honor of being the capital, including Newark, Lancaster, Franklinton, Delaware, and Worthington. For the Muskingum County towns of Zanesville and Springfield (later renamed Putnam), the rivalry was especially keen. John McIntire had held a monopoly on the sale of lots in Zanesville from 1798 until Dr. Increase Mathews bought land across the Muskingum River in 1801 and laid out Springfield. When Muskingum County was formed from Washington County in 1804, Zanesville outbid Springfield, Coshocton, and the Cass settlement for the county seat. Zanesville's population had strong southern roots, while Springfield attracted New Englanders — a fact that often put the two towns at odds in political matters.

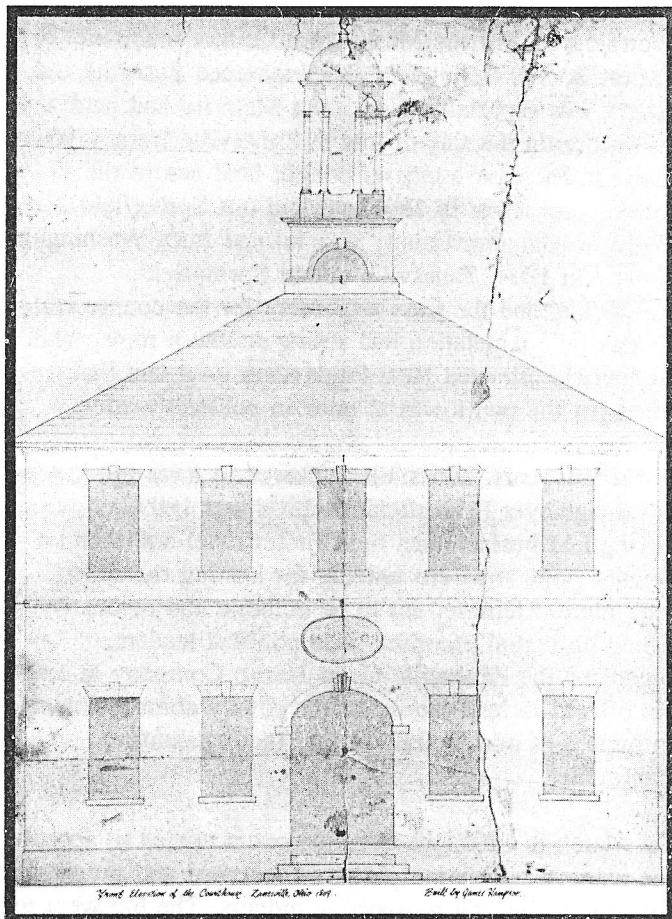
For a few years, Zanesville appeared to have the advantage over Springfield. In 1808 and 1809, Springfield businessmen built first a hotel and then an elegant stone structure suitable for hosting the state legislature. McIntire, not to be outdone and evidently acting on verbal promises from political leaders, organized the Zanesville Court House Company in 1809. He offered to lend money to the county commissioners to build a "Court House" to lure the legislators to Zanesville.

On March 8, 1809, the commissioners agreed to accept the loan. A courthouse plan was accepted and prepared for examination by prospective bidders. The bid went to Joseph F. Munro, Daniel Convers, John Williamson, and James Hampson. Jacob Crooks bid for the digging and stoning of the courthouse well.

On February 19, 1810, the legislature passed "An Act Fixing the Temporary Seat of Government at Zanesville," which would go into effect on October 1, 1810. The legislature would remain in Zanesville until otherwise provided by law. Whatever political bargaining had brought about this measure was quickly undone the following day when the legislators passed a second act that fixed the permanent seat of government. Section 3 stipulated that its location should not be more than forty miles from the common center of the state. This provision eliminated both Zanesville and Chillicothe.

Legislative sessions at the Zanesville statehouse opened on December 3, 1810. While lawmakers were meeting there from 1810 to 1812, five commissioners searched the state for a permanent capital. By the end of the 1812 session, they had chosen a site — Columbus.

Neither the town nor a statehouse were built yet; and the legislature returned to Chillicothe where it remained until 1816, when the third Ohio statehouse was completed.



The Zanesville Statehouse: "Old 1809." This little-known original drawing of the Zanesville statehouse, attributed to James Hampson and belonging to the Pioneer and Historical Society of Muskingum County, shows the front (south) elevation of the building. The Federal-style structure was fifty feet square with a hip roof and cupola. The year "1809" was carved in stone over the main doorway, hence the local nickname — "Old 1809." The Muskingum County Commissioners left detailed records of "requisitions and restrictions" for the building's construction. Materials, and even colors, were specified: foundation stones laid in good lime mortar, brick walls thirty-one feet high, stories divided by a course of stone, window frames of black walnut or yellow poplar, chestnut shingles, white oak floorboards "tongued and grooved," shutters painted green, mantelpieces and doorjambs of cut stone, and at least twenty other building specifications.

The means by which Zanesville had become the state capital certainly came into question. John McIntire had served as a delegate to the 1802 constitutional convention and probably knew many of the legislators serving in 1809. He had likely made promises beyond the offer of a new statehouse. Some of the activity of the Zanesville group surfaced in a letter written by Duncan McArthur.

In September 1811, a letter written by a "Friend of Truth" and published by *The Scioto Gazette*, a Chillicothe newspaper, accused Duncan McArthur of gambling and drunkenness and made other charges about his past behavior. McArthur, a member of the Ohio Senate when Zanesville became the temporary capital, responded in *The Fredonian*, another Chillicothe paper. Twice he made references to political behavior with regard to Zanesville. On the charge of gambling he wrote: "Was not the seat of government removed from Chillicothe to Zanesville by political gambling? . . . What member was not there who wished an office, who was not promised it, provided he would favor the views of the gambling party, and did not Mr. Tiffin's sweeping resolution furnish the funds which were employed for that purpose; and did not those who wished a removal form themselves into a gambling party and play off the offices which were made vacant by the said resolution for the seat of government?"

As for being drunk, he responded: "It is true that the Zanesville party attempted to flatter and amuse me, as they had done many others, with the promise of office. They often insinuated and sometimes proposed to support me as the next governor, on condition that I would make no exertions to prevent the removal of the seat of government from Chillicothe; tho' I can assure the public, and prove as above stated, that it neither flattered my vanity nor intoxicated my mind. . . . This, sir, together with my opposition to Mr. Tiffin's office-hunting, unconstitutional sweeping resolution, was the only cause why the friends of Worthington and Tiffin, did then insinuate, have ever since busily propagated the base slander and malicious falsehood, that I had changed my politics as it is said those gentlemen themselves have formerly done, at a time when there was a prospect of making something by the change."

The sweeping resolution that McArthur mentions was the crux of the situation. The Ohio Constitution of 1802 made the legislature the dominant branch of government as advocated by the Republicans. The Federalists wanted the judiciary to have more power. After the 1808 election, the state had a governor who upheld the right of judicial review and a legislature that believed in legislative supremacy. Since attempts to impeach two judges fell short of the necessary two-thirds majority, the legislature found another way to remove those who held opposing views.

Under the state constitution, supreme and inferior court judges in Ohio were appointed for seven years. The legislature resolved that the term limit applied not only to judges appointed in 1803 but also to those appointed since 1803. Thus their "sweeping resolution" removed

the undesirable judges from office in 1810 and enabled the politicians to appoint men with more regard for legislative power.

Duncan McArthur's statements were never proven nor were they refuted by the Zanesville group, but Zanesville did become the capital that year. Very likely, the political faction that wanted the capital moved to Muskingum County agreed to support the "sweeping resolution" as a means of achieving that end.

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