Ohio Politician

By the time Thomas Worthington returned from Washington in 1807, he was regarded as the outstanding figure in his state. His public services both at home and in the capital had given him a unique opportunity to familiarize himself with the business of government, and he was perhaps the best-informed man in Ohio on national and international politics. He was regarded as the chief personality in the “Chillicothe junto” which was the nucleus of the Republican party in the little Ohio capital.

From the time of his arrival in the Ohio country, he and Edward Tiffin had managed to control territorial and state politics to a great extent. Their names were familiar in every backwoods cabin and village domicile. Tiffin as local doctor, postmaster, lay preacher, president of the Chillicothe village council, speaker of the territorial legislatures, and first governor, had been a very popular figure. Worthington had been county judge, lieutenant colonel of militia, register of the Chillicothe land office, supervisor of internal revenue, territorial legislator, territorial envoy extraordinary, and United States Senator. These two Jeffersonian leaders had had more than their share of political preferment, and enjoyed a primacy in the hearts of the people that was the envy of every ambitious office seeker. When an office was desired, it was necessary to apply to one or the other of them, for in their hands lay that tremendous power called “political pull.” When a territorial judgeship was sought, it was they that had the President’s ear; when a post office or post road was needed, they had the necessary influence with the postmaster general. Land office jobs in the Old Northwest were not usually filled until the Secretary of the Treasury consulted with Worthington. State offices were at least to some degree dependent on his favor.

Yet by 1807, there were others in Ohio who were becoming skilled in the great American game of politics. The party was the usual avenue to power. As early as 1803, Samuel Carpenter, a loyal Republican of Lancaster, wrote Worthington that the Federalists in Ohio were “clanning together,” that is, Federalists appointed Federalists. “These men,” he declared, “to a man exert themselves against the Republicans . . . ; a rank Federalist was elected to the assembly in our county.” Both
Carpenter and Tiffin wrote Worthington that the Federalists hoped to district the state so as to throw at least a vote or two against Jefferson.\(^1\) Other candidates without party support electioneered for themselves; James Pritchard, former speaker of the senate, in 1807 decided to run for Congress "on his own bottom." Newspapers were being used more than ever for publicity, and an examination of them indicates that everybody was willing to serve the state. Moreover, rotation of office, a sound democratic principle, was being advocated for all it was worth. Certainly, all the intelligent citizens of Ohio—and some not so intelligent—were becoming politics-conscious.

The Chillicothe leaders were popular, but by 1807 their popularity was a two-edged sword. If they had held office—even with credit—so much the more reason that others should now be given a chance. A real necessity for close organization to maintain themselves in power existed among the most popular leaders; a strong political organization was equally essential for those out of office in order that they might get in.

Two groups had formed the first party alignment in Ohio, one favoring statehood and the other opposing it; one group opposed St. Clair, and the other stood by him; one group thought in terms of Jeffersonian democracy, and the other embraced the tenets of the aristocrats. As soon as statehood had been achieved, a new alignment appeared. Practically all Ohio politicians were Republicans, but they were split into two distinct factions. One prided itself on being composed of "pure Republicans" and referred to members of the second group as "Quids," "Feds," "Trimmers," "Aristocrats," or the "High Court Party." The second group was undeniably conservative. By 1807, the two Republican factions were not so unevenly matched as the two earlier groups had been. At the extremes of each party were radicals who brought their respective factions into disrepute and whose wrangling for preferment and power irritated the sensibilities of the party regulars. Governor Tiffin, though a good party man, confessed to Worthington, "When you see what I am compelled to witness you would blush for Ross Counties [sic] representation—but they are kept in countenance by the other counties not exceeding them much."\(^2\)

The disorder in the early legislatures demonstrated beyond the shadow of a doubt that some organization was needed to hold irresponsible partisanship in check. Personal and party rancor also reached a high pitch in Congress. During his term in the Senate, Worthington

\(^1\) Carpenter to Worthington, November 7, and Tiffin to Worthington, December 17, 1802, in WMOSL.

\(^2\) Tiffin to Worthington, January 8, 1807, in WMOSL.
had often been tempted to resign his seat and retire to the comparative quiet of business life. The encouragement of true friends like Governor Tiffin kept him in the Senate, but he had refused to enter his name as a candidate to succeed himself and had urged Tiffin to run. When Tiffin returned to Ohio, his immediate embroilment in state politics, where demagogues fought for the daily stipend and for elevation above their fellows, was certainly no improvement on Washington. Two days after he was elected senator on January 1, 1807, Tiffin made the following comment in a letter to Worthington: “The electioneering campaign is over. The intrigues, caucuses, etc. were carried to a length that beggars all description. . . . I have learned on this occasion to know my friends & who I think are friends to this State, which I never before could have the means of knowing—Massie opposed to the last with Dunlap, Shelby & Williams, who I think have nearly disgraced themselves. McArthur & Claypoole were firm.”

The vote for senator was Tiffin, 25, and Philemon Beecher, 12, 6 votes being scattered.

The election in 1807 of a governor to succeed Tiffin brought out all the animosity of the minority Republicans and caused a definite split in the ranks. For months Tiffin had urged Worthington to declare himself a candidate, but he had hesitated. Tiffin had encouraged him to run, as early as March 8, 1806:

_I do think you ought to make up your mind—and explicitly say if you will serve as the next governor—I may be perhaps mistaken if I say you will have no competitor but I am not, I am sure, mistaken when I say you will be elected. . . . I hope you will pardon me if I say I think you are not decisive enough, you can quickly discern how to act with propriety in behalf of the State or the U. States; why then not as quickly determine whether you will serve . . . . _

_I know you have many friends who will be grieved at your leaving public life, and will lament the loss exceedingly, but they know not what to think, your declarations are wanted. I could therefore wish that you would make up your mind and let it be known. _

Worthington continued to procrastinate, however, and meantime other candidates offered themselves. Lewis Cass, a prominent young Ohio lawyer of twenty-five, wished to support Return Jonathan Meigs if Worthington did not offer to run. When Worthington delayed making a statement, Cass importuned Tiffin to decide what should be done. They agreed that perhaps the assembly’s endorsement could wait until

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3 Tiffin to Worthington, January 3, 1807, in WMOSL.
4 Tiffin to Worthington, March 8, 1806, in WMOSL.
Worthington's return from Washington, when he could publicly offer his services. Tiffin assured Worthington that his election was quite probable if he could calmly accept the opprobrium of the envious, as any virtuous public servant must. "Your candidacy," he wrote, "is all important to the State; it is important to the United States."

Meanwhile, a caucus of Republicans outside the junto and Federalists led by Baldwin and Jacob Burnet—Tiffin called the group the "Mongrel Republicans"—met at Chillicothe in January and nominated Nathaniel Massie. This action confirmed the split in the Chillicothe party which had been developing while Worthington was in the Senate. Baldwin was the bitter enemy of Worthington by this time, for Worthington, at Tiffin's suggestion, had recommended to Jefferson Baldwin's removal as federal attorney for Ohio on charges of gross neglect of duty, especially in the Burr affair. As a result, Baldwin had joined with Worthington's old enemy, Elias Langham, Burnet, and other enemies of the junto. Tiffin wrote Worthington just after Baldwin's removal, "He is so abominably vile and his conduct increases his infamy. . . . He is now treating your character in a way that beggars description."

The majority of the party, however, wanted Worthington to run and favored Meigs as second choice. The Republicans in the legislature wished to endorse one or the other, but Worthington still refused to commit himself. Tiffin finally wrote him on February 5 that the members of the legislature were "disgusted" with the Massie nomination and that they wanted Worthington and Meigs to get together and decide which of them should run:

Washington, Gallia, Athens & Muskingum [counties] will join in favor of Meigs, but if you & he can agree they will cordially support you—We must have war. . . . I am willing to go in front of the battle—for the honor of Ohio & the welfare of this State & the Union—I can not be easy under the awful prospects that lower over us—if you will come forward, first having secured Meigs influence, I shall count on certain victory . . . [but] I will not encounter the dirt and abuse of political war with the opposition without it is for you—as I am fearful a victory would not pay the costs for any other man.

Despite Tiffin's urging, Worthington refused to take any action. Since he had reason to suspect the friendship and party loyalty of Meigs, who had been critical of his political maneuvering, he let the matter drift. He would serve if elected but would not seek the office.

5 Tiffin to Worthington, January 25, 1807, and December 8, 1806, in WMOSL.
6 Tiffin to Worthington, February 3, 1807, in WMOSL. Massie does not seem to have been any more anxious to serve than was Worthington, and was probably nominated against his will. Tiffin to Worthington, February 20, 1804, in WMOSL.
7 Letter, January 7, 1807, in WMOSL.
8 Letter, in WMOSL.
Nor would he name a favorite. Meigs was very confident that he could secure any office for which he cared to run, and he believed that both Worthington and Tiffin had nearly exhausted their credit with the voters. He proposed to hold court in the Louisiana Territory, where he was a federal judge, attend one session of the territorial legislature, return to Ohio, resign his judgeship, and campaign for governor. A friend of Tiffin and Worthington, in comparing their merits with those of Meigs, said, "If two Virginians suffer a single Yank to oust them, horseracing must cease & we may hang up the fiddle."

Meanwhile, the adherents of each candidate bombarded the newspapers with articles for their favorite and against the other contestants. The Cincinnati papers carried tickets headed by both Meigs and William Goforth, and the Republican Correspondence Society of the same town held a caucus which nominated Meigs. The independent electors of Hamilton County were urged to support the ticket headed by Massie. The Chillicothe papers were divided in their support of Massie and Worthington, both home-town boys and neither too anxious to serve; each, it appears, was waiting for the other to withdraw before declaring himself a candidate. A Federalist faction in Chillicothe nominated Huntington, and the Scioto Gazette struggled to force Worthington down the throats of the voters. At the last moment Worthington threw his influence to Massie and offered himself as one of Ross County's representatives in the legislature. Perhaps the writer in the Liberty Hall and Cincinnati Mercury was right when he reminded his readers that since Worthington had expressed a wish to retire from public affairs and attend to his business, "there is no reason to insist on his altering his plan . . . the state abounds with citizens equally capable." He predicted that if the governor's race was run on "fair and honorable grounds" Meigs would get three-fourths of the votes. Actually, Meigs won over Massie by a small majority; the vote was 4,531 to 4,361.

So strong was the feeling of discontent, however, that after the legislature met, a party caucus urged Massie to protest the election on the grounds that Meigs was ineligible because he had not been a resident of the state for the stipulated four years previous to his election; President Jefferson had just recognized him as a resident of Louisiana in appointing him federal judge for the Michigan Territory. As a matter of fact, he and his family had resided in Ohio for eighteen

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9 Quoted in a letter from John Smith to Worthington, June 30, 1806, in WMOSL.
years, and he had been out of the state as federal judge of the Louisiana Territory for only nine months of the preceding three years. Nevertheless, a formal objection was made, and after a spirited conflict in the legislature during which the house supported the protest while the senate opposed it, the election was disallowed. Massie then refused to accept the office, and Thomas Kirker, who as speaker of the senate had filled out Tiffin’s term, was continued as acting governor until December, 1808.

Worthington, meanwhile, had been overwhelmingly elected to the house, and took a very active part in legislation and politics despite his alleged boredom with public office. After having been elected speaker pro tem, he was denied the regular speakership, which was given to Philemon Beecher, the “rank Federalist” from Fairfield County who had been defeated by Tiffin in January in the selection of a senator to succeed Worthington. This humiliation did not deter Worthington from constructive work or keep him from accepting the adjutant generalship when it was proffered him shortly afterward by Governor Kirker. He was successful in getting bills passed for arming the 2,443 state militiamen, for establishing a state bank, and for incorporating the Chillicothe Academy. In this same session, a bill was passed establishing Worthington Academy (February 10, 1808).

The most interesting business of the session concerned the jurisdiction of justices of the peace. To explain the factors involved, it is necessary to review the judicial history of Ohio prior to 1808. In accordance with the Ordinance of 1787, the statutes for the government of the Northwest Territory were to be copied from enactments in other states. To provide a means of legal process in any case which might arise before the necessary statutes had been enacted in the Territory, the English common law was made applicable by a territorial act of 1795. After Ohio had become a state, this act was reaffirmed by the

12 Worthington to Massie, December 12, 1807, in Massie, Massie, 248; Independent Republican (Chillicothe), December 13, 1810. There is an excellent statement of Meigs’s eligibility in his letter to Brown, July 14, 1807, in the Meigs Papers, OSL.
14 Ibid., 4, 11.
16 Ibid., 40, 95, 110, 118, 121, 125, 132, 134, 143.
17 Ibid., 60, 68, 86, 126, 174.
18 Senate Journal, 6th General Assembly, 181.
legislature on February 14, 1805. During the session of 1804-1805, however, under the able leadership of William Creighton of Chillicothe, the criminal code was revised. This revision and the additions to the code made during the session of 1805-1806 were deemed sufficient to justify the repeal of the common law in January, 1806. The Republicans favored the step; the only opposition to it came from the true-blue Federalist irreconcilables, who feared, in the words of Zenos Kimberly of Jefferson County, that it was but another "disorganizing Jacobinical procedure" which would ruin the country. Kimberly must have had the Reign of Terror in mind when he continued, "I am almost glad" that I have "neither wife nor child to increase my anxiety."

In spite of such objections, the great system of jurisprudence to which Jeffersonians had appealed for protection in 1776 against the tyrant George III was abolished, and Ohio Republicans adopted a judicial philosophy and procedure based entirely on specific enactment. The attitude of this same assembly not only demonstrated the desire to escape what Supreme Court Justice Samuel Huntington called the last "disgraceful badge of remaining servitude" to England and English law, but also showed a decisive trend toward legislative supremacy. Common Pleas Judge William Irwin, although ably and eloquently defended by Jessup Couch, was removed from office for neglect of duty; and Judge Calvin Pease declined to be elevated from the circuit to the state supreme court because of the threatened insecurity of a tenure dependent on legislative favor. The removal of Middle Circuit Judge Robert F. Slaughter of Fairfield County the following year for negligence, misfeasance, and nonconformity with legislative enactment, however, made tenure of judicial office just as precarious in that echelon of administration.

The developments of the year 1807 were no less discouraging for the judges. A law passed in 1804 had raised the jurisdiction of justices of the peace in suits at common law to cases involving not more than fifty dollars. This action was in direct contravention of the Seventh Amendment to the United States Constitution, which set the limit at twenty dollars. Judge Pease declared the law unconstitutional in 1806; his decision was reviewed by a committee of the legislature that winter.

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19 Chase, Statutes, I, 190, 512.
20 Quoted in Milo M. Quaife, "Editorial Comment," Mississippi Valley Historical Review, XII (1925-26), 627.
and denounced as erroneous. The house could not quite muster a majority for impeachment, however, so no action was taken against him at the time. In August, 1807, a case involving the same law was brought on appeal to the supreme court, and Judges Huntington and Tod declared the law invalid. Since this decision aggravated the difficulty of collecting sums over twenty dollars, when the legislature met in December Governor Kirker directed particular attention to the situation and requested legislative action on the controversy. It would seem that a decision should have been forthcoming immediately since the supreme court judgment had been aired in the papers, but there was no unanimity in evidence.

Worthington was put in charge of a committee to report a resolution defining the power of the state's judges to declare null and void acts passed by the legislature. His committee reported as follows on December 25:

> The committee . . . have deemed it their duty . . . to make . . . an enquiry how far the judges of this state, under the provisions of the constitution, have the power to declare acts of the legislature unconstitutional, or null and void; should the house determine the judges have this power, the committee are of the opinion that any further enquiry on that subject, on their part will be unnecessary; they, therefore, respectfully report in part the following resolution for the consideration of the house; the committee forbear to use reasoning in favor of the resolution, in as much as the House will have before them all the information which the committee have had, and will doubtless give the subject, (which the committee believe very important) all the consideration it deserves.

> Resolved, That the judges of this state are not authorised by the constitution to set aside any act of the legislature, by declaring the law unconstitutional or null and void.

During the debate on this resolution the senate attempted to force a counterresolution through the house declaring that the courts had the power to declare laws unconstitutional, but it was defeated by the close vote of 14 to 16. The original resolution was then adopted by the house, 18 to 12, only to be rejected in the senate. No clear-cut settlement of the problem of judicial interpretation of legislation was reached.

Thus the legislature's desire to control the judiciary—the same desire that had motivated Congressional Republicans in the repeal of the Judiciary Act and the impeachments of Pickering and Chase—was made manifest in frontier Ohio. John Marshall's dictum in the Marbury case had little weight with Jeffersonian legislators. The lawyers and judges,

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23 Ibid., 8-12; Liberty Hall (Cincinnati), November 3, 10, 1807.
24 House Journal, 6th General Assembly, 23; Liberty Hall, January 11, 1808.
26 Ibid., 61.
however, were not asleep and were soon to bring the problem before
the people and make an issue of it.

The radical Republicans in this same session were ready to proceed
against the “usurpation” of Judges Huntington, Tod, and Pease by the
usual process, but division of opinion among other legislators nullified
their efforts. The growth of sentiment in favor of the doctrine of
judicial review, so well set forth by Marshall in *Marbury vs. Madison*,
confounded the judges’ persecutors; if it were accepted, they had
no ground on which to stand. It was probably because of this division
of sentiment that convictions were despaired of and the removal pro­
ceedings dropped. In any event, Worthington finally threw his influence
against the attempt to impeach the judges, and action was temporarily
suspended. The next year the charges against the same three judges
were resurrected. The first two were acquitted by a margin of one
vote in each case, and the charges against Huntington, then governor,
were ignored. The Republican majority, lacking the strength to mar­
shal the necessary two-thirds vote for conviction, demonstrated its
anger by raising the fifty-dollar law limit to seventy. Thus the doctrine
of judicial review triumphed in Ohio, or, more properly, was tentatively
accepted with reservations.

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In 1808, Worthington was induced against his better judgment to
make a bid for the governorship in the election to choose a successor to
Acting Governor Kirker. The campaign resolved itself into a three-way
fight between Worthington, Huntington, and the incumbent Kirker—
all Republicans but of different political shades. Worthington was
backed by the radicals, who approved his stand against the “High
Court Party,” as the judges’ supporters were called, but their backing
lost him the support of many moderates. Even old-time friends like
Massie and Creighton, though the latter had always been a conserva­
tive, deserted him and supported Huntington, largely because of this
issue. Kirker split the radical faction by entering his candidacy after

27 Ibid., 190.
28 Ibid., 7th General Assembly, 292.
29 Chase, Statutes, I, 607.
30 The Hamilton County Republican caucus nominated Kirker, but a secession
  group named Huntington. Liberty Hall, September 15 and 24, 1808. Benjamin
  Tappan wrote Worthington, September 15: “You have indeed made yourself ex­
  tremely obnoxious to our judges by attempting to set bounds to their ambitions.”
  He reported that a Federalist caucus in Trumbull County led by Judge Pease
  had named Huntington. Letter in WMOSL.
having supposedly agreed not to run if Worthington did. Worthington claimed that he would not have allowed his name to be submitted if he had known that Kirker was going to be a candidate. Worthington's friends sought to aid him by circulating a report that Huntington was going to run for John Smith's seat in the United States Senate and was therefore not a candidate for governor, but this scheme seems to have failed miserably. Worthington, who naturally had no objections to electing Huntington to the Senate, took the report seriously. He wrote Huntington on July 29 that he understood he was not a candidate for the governorship but would run for the Senate, and asked him to announce his intentions publicly. He offered to support Huntington's senatorial candidacy, but added, "... If you prefer being a candidate for the office of governor be assured it shall in no wise interrupt our friendly relations. . . . I never have felt a desire to serve as the governor of the state, yet I am well aware this assertion with very many will not be credited. . . . I never would have suffered my name to be mentioned if I could have avoided it consistently with the duty I believe I owe my country."

Huntington, who suspected a trap, refused to declare himself but let matters take their course; after all, the new legislature would not elect a senator until weeks after the governor's race was over. Who could foretell what Worthington and his friends would do then? Bezaleel Wells of Steubenville wrote Huntington that he had inside information that Worthington and Tiffin had conspired to get him out of the race by securing a federal judgeship for him or by inducing him to agree to run for the Senate rather than for the governorship. "You were to have been snugly laid up in drydock in order to prevent you from disturbing other family arrangements."

It was a common trick in those days to get the papers supporting a candidate "to report," and all his friends to write, "Isn't it unfortunate that Jones [the opponent] has withdrawn?" or "Jones has refused at the last moment to run," with the result that many of his supporters voted for someone else rather than waste their ballots. Consequently, Huntington was understandably reluctant to trust a proffer of aid from any member of the Chillicothe junto, and he and his friends could at best only deny the rumor of his withdrawal. Nevertheless, Worthington's efforts to clarify Huntington's candidacy were probably sincere, and

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31 T. Gibson to Worthington, September 1 (a memorandum of the agreement); Tiffin to Worthington, December 2, 1808, in WMOSL.
32 Letter in the Huntington Papers, WRHS.
33 Letter, July 20, 1808, in the Rice Collection.
34 Huntington to J. Burnet, October 30, 1808, ibid.
Huntington's publication of Worthington's letters, especially those in which he deferred to his northern rival, was an unfair reply to a magnanimous gesture.

Worthington ran best in eastern Ohio, Huntington got the Federalist vote, and the three candidates split the Republican vote in the south. Huntington received a plurality rather than a majority; thus Kirker's candidacy probably gave him the election. The vote was Huntington 7,293, Worthington 5,601, and Kirker 3,397.

It appears that vituperation, deceit, and intrigue played a major part in the success of this campaign, as in most campaigns before 1815. Each candidate was picked by a partisan caucus, and his organization was so loose-knit that he scarcely knew who his loyal supporters were. Communications were poor, and candidates had to depend on local organizations and a personal following. The judicial contest had concentrated the conservative strength back of Judge Huntington and given warning to the radicals that the average citizen could not be driven too far. It was to take another campaign, however, to drive this lesson home. Worthington had tried unsuccessfully to steer a course between the extreme radical wing of his party and the regulars. His own hesitation, equivocation, and failure to electioneer and the shrewd manipulating and able electioneering done by Huntington's supporters had defeated him.

When the legislature met in December, Worthington did not show much interest in, or seriously oppose, the appointment of Meigs to the United States Senate to fill out the term of John Smith, who had resigned as the result of his implication in Burr's conspiracy. Nor did he try to prevent Meigs's election for the full six-year term. His pride had been hurt, and that subtle streak of arrogance which he always tried so hard to conceal had been aroused by his rejection at the hands of the electorate. He always espoused the principle—not that he always acted on it—that the office should seek the man. Alternately ambitious and indifferent, too often indecisive and noncommittal, this thirty-five-year-old Ohioan—now sometimes called "Old Sorrell"—was not quite capable of developing the egoistic confidence and the electioneering techniques which were becoming more and more necessary for popular success. Furthermore, he was inclined to be a little smug and supercilious at times and was too often disdainful of his critics. Sensitive to a fault, he never developed the callousness to criticism

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85 Tiffin to Worthington, December 2, 1808; J. Sloane to Worthington, April 11, August 6 and 20, October 9, November 13, December 11, 1808; Ephraim Quimby to Worthington, December 24, 1808, in WMOSL.
86 Taylor, Ohio Statesmen, 56.
with which every real politician must insulate himself while he works for the public good. Moreover, he was too prosperous to avoid the jealousy of the rabble, too radical to please the conservatives, and too conservative to please the radicals. Yet his ability and influence could not be disregarded in any campaign.

Worthington spent the next two years in assiduous application to his business. The 1808 election had been such a disappointment that he refused to run again, even for the legislature. Home and business soon restored his spirits, however, and he kept in close touch with state affairs. His attitude toward the attempt to impeach Huntington, Tod, and Pease in 1809 was sympathetic, and it was no surprise that Huntington failed to appoint him to the Senate to succeed Tiffin, who had resigned. Tiffin had written Huntington requesting Worthington's appointment: "I believe no person in this state would be better received in the Senate of the U. States, or from the acquaintance & respectability of character which he acquired when there before, be more serviceable to the state." Instead, Huntington selected for the interim appointment an able young lawyer from his own part of the state, Stanley Griswold of Cuyahoga County.

It is interesting that Tiffin, too, had soon sickened of inactivity and party bickering in Washington and yearned for home. He proposed to resign in order to get back to what he called "the post of honor—private life." He chose to ascend, as he put it, from "servant to sovereign." Moreover, his wife, Worthington's sister Mary, had died on July 1, 1808, and he was extremely lonesome in Washington.

Worthington took a six weeks' business trip East in the fall of 1809, during which he called on Gallatin, President Madison, and friends in Virginia. While in Washington, he took occasion to record this comment in his diary on September 30: "Many alterations in the President's house. Mr. Jefferson's style was neat, economical and simple. Mr. Madison's more costly in furniture, etc. but I augur no good from it." Perhaps he was overcritical of the new President's ménage, since he and Nathaniel Macon had favored Albert Gallatin for the Presidency; if the ticket had to be Madison and Clinton, then Clinton should have been President and Madison Vice-President.

Home again by October 14, Worthington confined his activities to

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37 Letter, March 27, 1809, in the Huntington Papers, OSL.
38 Taylor, Ohio Statesmen, 59.
39 Tiffin to Worthington, December 2, 1808, in WMOSL.
business. On December 11, he wrote as follows in his diary: "Rode to town with Mrs. Worthington, declined being a candidate for the Senate of the U. States for a variety of causes but two principally, one on acc’t of the intrigues practicing & the other on acc’t of my domestic concerns. A[lexander] Campbell elected."

The battle over the judiciary was reopened in the legislative session of 1809-10 by the passage of the "sweeping resolution," which vacated all the judgeships in the state. The originator of this strange measure was a Chillicothe intriguer who proposed the plan in the Supporter under the signature "A Lawyer." He maintained that the seven-year term of judges was a block system and that a full change should occur, no matter when appointments had been made, at the end of each seven-year period. This idea so caught the fancy of the radicals that it was adopted during the session, and a completely new set of judges was appointed. Tiffin, who was already back in the legislature and had been elected to succeed Alexander Campbell as speaker, was given credit for the passage of this dubious measure; at least Duncan McArthur called it "Tiffin’s Resolution." Perhaps Tiffin supported it because he was a good party man; moreover, he was a doctor and a Methodist preacher, not a lawyer or a Calvinistic legalist, as were many supporters of the judiciary. His glee in helping pass the measure may also have been due in part to the ebullient delight he experienced when in January—at the age of forty-four—he became a father for the first time. His wife was Mary Porter Tiffin, whom he had married in April of the preceding year.

At this same session of the legislature it was decided to move the seat of government to Zanesville. McArthur claimed this loss was the price paid for the passage of the "sweeping resolution." At least partly to blame, however, was the failure of Chillicothe citizens to provide adequate public facilities or subscribe generously enough to a new statehouse, as Worthington could testify, since he had spent several days in January trying to raise sufficient pledges to have his home town kept the capital. Boarding facilities were entirely inadequate; McArthur alleged there was not a "tolerable tavern in town."

Worthington greatly enjoyed the winter of 1809-10. He was not actually a legislator, yet he sat in on the sessions at times, dined with the legislators often, and attended their informal gatherings. Two or three evenings each week he would take from one to a dozen members of the assembly home with him for the night. Governor Huntington

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40 Supporter (Chillicothe), December 30, 1809.
41 Fredonian (Chillicothe), October 9, 1811.
was not infrequently entertained, and the leaders of all political factions found the master of Adena a charming host. Guests about the roaring fireplaces of the mansion on the blustery nights of January and February, 1810, heard much political conversation of both a light and a serious nature. Worthington was present at the meeting of the legislature when the judges were appointed pursuant to the "sweeping resolution," and doubtless laughed up his sleeve at the discomfiture of his aristocratic opponents. He attended the sessions of the Tammany Society after its organization in February. Thus he and Tiffin in one way or another maintained a large measure of that domination in politics which they had secured when St. Clair was dethroned.

To Worthington these were years of progress in his agricultural pursuits, of domestic felicity, and of freedom from the cares of public office. He had time at least once each summer to visit his two daughters Mary and Sarah Anne, who had been at school in Kentucky since 1808, first at Mrs. Beck's academy in Lexington, and then at Mrs. Louise Keets's academy, Harmony Hall, near Frankfort. General Sam Finley's daughter and several other Chillicothe girls were also in attendance there, as well as Mary Anne Breckinridge and Worthington's nieces, Maria and Scotia, daughters of William and Eliza Worthington. Mrs. Henry Clay was a close friend of the Worthington girls, and her hospitality was always available to them. Mary was awarded a medal of merit for excellence in scholarship at Mrs. Keets's school in October, 1809, which greatly pleased her father.

The Lexington firm of Mears, Trotter, and Tilford was the financial guardian of the Worthington children while they were in Kentucky. On his visits to Kentucky, Worthington usually stopped with the family of his old "respected, and lamented friend" John Breckinridge and never failed to visit the cemetery at Cabell's Dale to pay his respects. On these trips he also visited in the home of his brother William's widow, Eliza Worthington, who lived near Washington.

Tammany Society No. 1, which was organized at Chillicothe in March, 1810, with eighteen charter members, was sponsored by Senator Michael Leib of Wigwam No. 1 in Philadelphia. Thomas Scott was the first Grand Sachem for Ohio. Edward Tiffin joined on April 18, and Worthington was elected to membership on May 4. The Society soon became the political forum of the Ross County radicals, and Tiffin and Worthington were two of its leading lights. It was seized upon by the Republicans as a made-to-order vehicle for organizing
their forces and maintaining their strength against the “Quid-Fed” forces of the “High Court Party.” Wigwams were erected in Cincinnati, Zanesville, Hamilton, Xenia, Lancaster, Warren, and New Lisbon, where the Republican forces were strong. Ross and Hamilton counties even had township organizations. Thus a new instrument of politics was substituted for the correspondence societies of an earlier day. The setting for its use was almost perfect in 1810. The conflict between the forces of conservatism and radicalism was at white heat. The “High Court Party” had pushed Huntington to victory in 1808, but the Republicans had achieved double satisfaction by the “sweeping resolution” in 1810, the passage of which had aroused much excitement in the state. It had caused a furore in the judiciary, for the holdover judges could not decide whether to fight the action and continue to function according to their commissions under the old order or meekly sacrifice salary, position, and prestige with a ready acquiescence which would keep them eligible for the party’s future patronage.

The gubernatorial election of 1810 was the first great test of the strength of the Tammany organization, which sought to unite the anti-court, liberal Republicans behind Worthington. The conservative-Federalist union supported Senator Return J. Meigs of Marietta. Meigs was an ideal candidate, for he was a Republican of the Huntington type and a Yankee by heredity and location, and he had been robbed of the governorship in 1807. It was something of a surprise that he should be willing to resign his seat in the United States Senate if successful in his campaign for governor, but when he found that Huntington did not care to run to succeed himself, he consented to be a candidate. The legislative caucus endorsed Worthington.

The campaign was marked by a virulence seldom equaled in an Ohio election. The three Chillicothe newspapers vied with each other in attacking the character of the candidates. The Scioto Gazette backed Worthington; the Supporter and the Independent Republican supported Meigs. Scribes named “Timoleon,” “Aimwell,” “Democrat,” “Old Seventy Six,” and “House Joiner” took up the cudgels and belabored their respective opponents unmercifully. Practically the same epithets were applied to both candidates. They actually differed little in their democratic principles, as everybody knew, but the scribblers

42 Tammany Society Collection, folder 4, and Minute Book, Tammany Society, Chillicothe, OHS.
43 Sprigg to Huntington, February 28, 1810, and Sprigg to Tod, February 28, June 12, and July 11, 1810, in the Rice Collection.
44 Meigs to Huntington, August 1, 1810, in the Rice Collection.
magnified what differences there were. Worthington was attacked because of his Tammany connections, his wealth, his attempted dictation of the state’s politics, his attack on the judges, and his opportunistic brand of Republicanism. Several critics of Worthington took great pains to prove that any comparison of the two candidates redounded to Meigs’s credit. One contributor concluded, “The Tammanies are exhibiting in strong and striking colors their true characters and the hideous deformity of genuine democracy.”

In this inter-Republican fight Meigs had little if any advantage over his opponent at first, but the charges and countercharges so disgusted conservatives that he gained popularity steadily as the campaign progressed. Meigs was accused of favoring “judicial usurpation,” but the charge had slight effect. The argument that he had already had his share of offices meant little in view of Worthington’s record as an officeholder.

It would appear that the newspaper war did Worthington much more harm than good. Although it functioned well in Ross County, his splendid Tammany organization—and his press agents—damaged him irreparably elsewhere. “Tom Tickler” wrote on September 27 that

> an intended good has turned out the greatest curse;—Had Gen. Worthington silenced the Tammany Gazette six weeks ago, he would certainly have been elected . . . the old foul mouthed mortarpiece [Scioto Gazette] has bursted by the heavy charges of the Great Timoleon—the artillery is silent on the side of the General, and the firing commenced on the opposite side. I think now there is no doubt Meigs will be elected, owing to the improper conduct of the Tammany Gazette commencing too soon.

The editor of the Independent Republican arrived at the same conclusion on October 25:

> From the accounts which have been received from the different counties in this state, we entertain no doubt of the election of Return J. Meigs . . .

> Mr. Worthington may thank his good, kind and persevering friends, in a great measure, for the election of the above gentleman. The rude, indecent and unprovoked attack upon the character of Judge Meigs by “Timoleon,” and other writers for the Gazette has done more to defeat the election of Mr. Worthington, than the whole host of writers who were opposed to him.

Undoubtedly, the old Federalists held the balance of power and were still unashamed of the label. Even in Chillicothe, a hotbed of Tammanyism, “Timothy Trowell” could exhort them, “Federalists

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45 _Independent Republican_ (Chillicothe), September 13, October 25, 1810.
46 _Ibid._, September 13, 1810.
47 _Ibid._, September 27, 1810. The same sentiment is expressed in the _Supporter_, September 15, 1810.
come forward, take hold of our political ark. Unite with moderate republicans. Unite with all honest men in the election of Judge Meigs."

Meigs won the election by a small but safe margin, carrying every county where the New England element was strongest. Worthington ran best in Ross, Adams, Fairfield, Highland, Butler, and Warren counties. The total vote was Meigs 9,924, Worthington 7,731.

Worthington was not greatly disappointed by his defeat. Early in August he had threatened to withdraw because Meigs had decided to run against him, but his friends persuaded him to stay in the race. Yet his business was so pressing that it was a relief to be freed from the obligation of serving.

When the legislature met at Zanesville, Worthington's defeat was turned into something of a victory by the determination of his friends. Carlos A. Norton wrote him, "Your name has somehow been brought forward"; and James Caldwell informed him, "Your friends has taken on themselves a considerable responsibility . . . without consulting you on the occasion. They had no alternative but bringing you forward . . . or have the state disgraced by the election of Huntington." On December 12, despite his wishes and expectations, Worthington had been nominated to the United States Senate by a party caucus. On the thirteenth, the Independent Republican reported, "We may not be imprudent to anticipate the election of that modest lover of the loaves and fishes, Thomas Worthington." On the fifteenth, he was elected on the sixth ballot to fill out his recent adversary's unexpired term. The vote was Worthington 35, Huntington 31, Pritchard 2.

One of Worthington's friends explained Huntington's strength as the result of an effort to secure a senator for that part of the state east of the Scioto River, a reasonable assumption since Alexander Campbell, the incumbent senator, was from Adams County. That the legislators from eastern and northern Ohio were unable to swing the election is surprising. James Caldwell wrote Worthington that the

48 Supporter, September 22, 1810.
49 Taylor, Ohio Statesmen, 66. See the Independent Republican, November 1, 1810, for results by county.
50 Morrow to Worthington, August 21, 1810, in the Rice Collection.
51 Letter, December 14, in the Meigs Papers.
52 Letter, December 15, 1810, in the Meigs Papers.
53 "Much perplexed in mind to know how I can leave home with propriety. The appt unexpected and unwished for, tho I feel gratified that friends have taken [me] up, not that I am elected." Worthington's diary, December 26.
Huntington supporters were “confident of success [and] their disappointment is very perceivable.”

Despite Worthington’s subsequent absence from the center of political events in Ohio, he kept in touch with the situation there through numerous correspondents and watched developments with great interest. Moreover, he was at home each summer between Senate sessions, and took an active part not only in state politics but in Ohio’s share in the war that broke out during his term.

Under Speaker Tiffin’s leadership, the radical Republicans kept the whip hand in the Ohio legislature during the winter of 1811. William Creighton, Jr., and Henry Brush, Chillicothe lawyers who had opposed Worthington strenuously in the campaign for governor in the fall of 1810, were the leaders of the fight to break Tammany’s power and repeal the “sweeping resolution,” but they labored in vain. Worthington wrote from Washington encouraging the Republicans to maintain their position against the doctrine of judicial supremacy and to keep the lawyer clique in subserviency, but his personal influence was missed.

In Worthington’s absence the lawyers in the legislature continued their efforts to break the power of that “infernal institution,” the Tammany Society, and concentrated their attacks on Tiffin. Indignation meetings were held in Chillicothe and elsewhere. After the assembly dissolved, a general campaign of propaganda was inaugurated over the state against the “political cabal,” which in its opponents’ eyes was perverting democracy. Such virulent attacks were launched against Tiffin that he was actually expelled from the local Methodist Church in which he had been lay preacher. Charles Hammond, a brilliant young Federalist lawyer from St. Clairsville, attacked him in a series of articles signed “Calpurnius” in the Chillicothe Supporter. He particularly criticized him for being the Grand Sachem of the Chillicothe Wigwam of Tammany and for the speech he delivered on May 13 at the first anniversary of its establishment. Hammond accused him of having been with Burgoyne at Saratoga although he boasted of having fought for liberty at Bunker Hill; he charged that having in-

54 Letter, December 15, 1810, in WMOSL.
56 June 8, 1911.
effectually sought to destroy the infant republic, Tiffin had later sought a haven within her mature bosom.

Tiffin's cogent and sincere reply refuted all of Hammond's charges and largely nullified their effect. The annual conference of the Methodist Church at Cincinnati reviewed his expulsion from the local church at the hands of the Reverend Ralph Lotspeich, who was supported by the anti-Tammany Methodist faction led by Creighton, and ordered his reinstatement. The conference ruled that membership in the Wigwam did not constitute idolatry or immorality. In this hearing Tiffin was ably supported by the Reverend Joseph S. Collins, a local preacher and the publisher of the Scioto Gazette.

Meanwhile, the newspaper war continued, and partisanship reached a new high in the 1811 election of the members of the legislature. Both the supporters and the attackers of Tammany felt that the agitation had been carried too far; Tiffin himself believed it would be best to dissolve the Society since it had been used by its critics to divide the party. This sentiment was widespread, and in Chillicothe a group of the citizenry, characterized by Jesse Spencer as "upwards of one hundred of the rabble," even went to the trouble of holding a mock burial of the great Tammany Chief's body in Winn Winship's mound. When the legislature met in December, the opposing parties found they were almost equal in power. The Tammanyites drew first blood when Huntington was defeated for speaker of the house, but a change of political atmosphere was evident when an attempt to disregard the "sweeping resolution" failed by only one vote. A direct attempt at repeal a little later was barely lost by a tie vote. Moreover, the impeachment of Judge John Thompson failed by a large majority, which seemed to show that the radical Republicans were gradually losing ground or that they were tired of the issue. In the end, partly because the Federalists tried to district the state so that Madison would lose some votes, the Republicans combined before the session closed to repeal that part of the Commissioning Act which embodied the "sweeping resolution." There was a definite feeling

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57 Supporter, June 15, 1811.
58 Samuel W. Williams, Pictures of Early Methodism in Ohio (Cincinnati, 1909), 195 et seq. Material on the two trials of Tiffin by the officers of the Methodist Church is to be found in RCHS.
59 Tiffin to Worthington, October 31, 1811, in WM; Muskingum Messenger (Zanesville), August 2, 1811; Independent Republican, August 15, 1811.
60 Van Horne to Worthington, January 4 and 8, 1812; McArthur to Worthington, January 26 and February 20, in WMOSL; Norton to Worthington, January 8, in the Meigs Papers.
that the conservative-Federalist faction was getting stronger, and that in order to reunite the Republicans radicalism must be moderated. General Isaac Van Horne informed Worthington, “It is a matter of consolation to us that we got our three judges & collector.”

The threat of war, with its concomitant recrudescence of patriotism, and the need for unity in the national election in the fall seem to have done much to clarify the vision of Ohio’s legislators. Wyllys Silliman wrote Worthington as early as January 22, 1812, that he “had feared the consequence of this repeal, but the healing disposition manifested” in the legislature led him to hope that all would be well. Duncan McArthur expressed much the same sentiment on March 3, when he wrote his neighbor: “Party quarrels are I hope about to subside in this quarter. I trust the Chillicothers will endeavor to behave themselves better for five years to come than they did the last five years the seat of government was with them.”

Carlos Norton, a Tammanyite, acknowledged the wisdom of pacification, conciliation, and compromise when he wrote Senator Worthington, March 4, both seriously and facetiously that

> with respect to the Tammany Society it “hath done us much evil”; And it is certain, that no good will come out of it. The minds of the people are prejudiced against it—and, for my part I see no use, in attempting to struggle against a stream, which must inevitably bear us down. I know you will acknowledge the truth of these remarks—or that you will say with me, in scriptural language “it is folly to kick against the pricks.”

James Foster of Circleville wrote Worthington that with one exception his public conduct had been “conformable to the strictest principles of Republicanism.” The one error was his connection with Tammany, “a very impolitic step . . . it has given the Federalists room to hope that they will soon have in Ohio the Politics of Connecticut.”

The gubernatorial election of 1812 in Ohio has no particular significance for this account. Since there was much discontent with Governor Meigs, Worthington was urged to enter the contest, but he refused. The Federalist “High Court Party” nominated Supreme Court Judge Thomas Scott of Chillicothe. The Republicans swung to Meigs as the best vote-getter. Although there were some who hoped that

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61 Letter, March 11, 1812, in WMOSt.
62 Letter in WMOSt.
63 Letter in WMOSt.
64 Letter in the Meigs Papers.
65 Letter in WM.
Worthington might have a chance as a dark horse, their hopes were destroyed on June 17 when he voted in Congress against the declaration of war with Great Britain.

Worthington was at home from July to December, but he refused to be drawn into politics despite goading from the state's papers, which still claimed he was the power behind the radicals of the Tammany societies—a charge that was well founded. Meigs was reelected with ease, polling 11,859 votes to Scott's 7,903. There were some scattered votes for Worthington, although he was not a candidate. He had other irons in the fire.

The state went strongly for Madison in the presidential election. Tammany, anti-Tammany, and Clinton tickets were entered in the field, but the Tammany ticket polled more votes than the other two combined. "Dictator General W[orthington]," reported "An Elector" in the Fredonian, busied himself in seeing that the prospective presidential electors voted for Madison. It is significant that McArthur, Kirker, and David Kinkaid were on the committee headed by Worthington which made Madison's reelection its business, for the union of these four marked the solidification of the Republicans.

The Congressional election, in which Ohio chose six congressmen for the first time, was also a Republican victory; not a single Federalist was elected. It is significant that James Caldwell was the only Tammany man elected. On February 16, 1813, Jeremiah Morrow—Ohio's sole congressman since statehood—won an overwhelming victory in the race for the Senate. His election signaled the almost complete unification of the Republicans and the passing of the Tammany threat. Morrow defeated the Federalist candidate, Judge Calvin Pease, for the vacancy created by the retirement of Senator Alexander Campbell. The vote was 63 to 18.

The course of the War of 1812 discredited the Federalists and sobered the Republicans. Sentiment changed greatly during the first two years of the conflict; the growing consciousness that unity of effort was necessary to make the war, so sanguinely entered, even

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60 *Trump of Fame* (Warren), September 16, 23, 30, October 21, 1812.
67 *Fredonian*, September 23, 1812. See the "Circular" addressed to candidates for presidential electors signed by the four: one dated October 7, to J. S. Edwards, in the Rice Collection; the other of the same date to Massie, in Massie, *Massie*, 266.
68 John Hamm to Worthington, December 13, 1812, January 15, and February 7, 1813, in WMOSL.
respectable solidified the state's support of the Administration. The change of feeling restored Worthington's slight loss of popularity. By June, 1813, it is reasonable to believe that he could have been elected governor; by 1814 he was the popular choice.