

Ohio History Quiz

Excerpted from *Citizens over Corporations: A Brief History of Democracy in Ohio and Challenges to Freedom in the Future*

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THOSE WHO RULE BASED ON THE DOMINANT CULTURE, REGARDLESS OF COUNTRY OR POLITICAL PERSUASION, HAVE ALWAYS WRITTEN THE "MAINSTREAM" VERSION OF HISTORY. BY DEFINITION, THIS MEANS PEOPLE, IDEAS AND ACTIONS FUNDAMENTALLY CHALLENGING THE DOMINANT CULTURE ARE BARELY MENTIONED, IF SO RARELY ANALYZED, DISTORTED OR OMITTED ALTOGETHER. IT'S THE RESPONSIBILITY OF THOSE NOT PART OF THE DOMINANT CULTURE (ALWAYS HAS BEEN, ALWAYS WILL BE) TO (RE)CLAIM THE PEOPLE, IDEAS AND ACTIONS FROM THE PAST – TO BE INSPIRED, TO LEARN THE LESSONS AND TO ASSESS WHAT MAY BE USEFUL IN THE PRESENT. OHIO'S HISTORY IS NOT JUST A DESCRIPTION OF ITS PAST PRESIDENTS, WHERE AND WHEN ITS WARTIME BATTLES TOOK PLACE, OR WHICH OHIOANS FLEW INTO SPACE. ANOTHER PART, ITS HIDDEN PART, IS THE STORY OF THE SUCCESSES, STRUGGLES AND FAILURES OF THE MANY PEOPLE WHO SOUGHT TO ESTABLISH A STATE WHERE THEY COULD MAKE THE BASIC DECISIONS AFFECTING THEIR OWN LIVES FREE FROM EXTERNAL CONTROL. IT'S ALSO THE STORY OF THE FEW WHO IMPOSED CONTROL OVER OHIO'S MAJORITY OF PEOPLE AND RESOURCES USING THE BUSINESS CORPORATION AS THEIR PRIMARY VEHICLE. THESE STORIES ARE ENORMOUSLY RELEVANT TODAY. THE QUESTIONS AND ANSWERS BELOW ARE EXCERPTED FROM *CITIZENS OVER CORPORATIONS: A BRIEF HISTORY OF DEMOCRACY IN OHIO AND CHALLENGES TO FREEDOM IN THE FUTURE*, AVAILABLE FROM THE NORTHEAST OHIO AMERICAN FRIENDS SERVICE COMMITTEE [330-253-7151, [HTTP://WWW.AFSC.NET/NEORESOURCES.HTML](http://www.afsc.net/neoresources.html)].

1. Where is the following language found?

That all men are born equally free and independent, and have certain natural, inherent and unalienable rights, amongst which are the enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety; and, every free, republican government being founded on their sole authority, and organized for the great purpose of protecting their rights and liberties and securing their independence to effect these ends, they have at all times a complete power to alter, reform or abolish their government, whenever they may deem it necessary.

- (a) US Declaration of Independence
- (b) Communist Manifesto
- (c) Ohio Constitution
- (d) US Articles of Confederation
- (e) US Constitution

2. Early legislative acts in Ohio creating corporations one at a time through petitioning the legislature, or General Assembly, stipulated rigid conditions. These privileges, not rights, included what provisions?

- (a) Limited duration of charter or certificate of incorporation
- (b) Limitation on amount of land ownership
- (c) Limitation of amount of capitalization, or total investment of owners
- (d) Limitation of charter for a specific purpose (to amend its charter, a new corporation had to be formed). The state reserved the right to amend the charters or to revoke them
- (e) All of the above

3. In 1818, the Ohio General Assembly passed the "crowbar law." What did this do?

- (a) It issued crowbars to every Ohioan.
- (b) It legalized the use of crowbars as weapons, under the motto, "Crowbars don't kill people, people do."
- (c) It allowed certain state employees to enter a nationally chartered bank in Ohio and take money that it had been taxed by the legislature but not yet paid.

4. What action the Ohio General Assembly do to chartered companies that violated the terms of their charters?

- (a) They issued fines.
- (b) They appointed "Blue Ribbon" committees to look into the violations.
- (c) They revoked their corporate charters.
- (d) They expanded the terms of their charters to include whatever violation(s) were being committed.

5. The 1837 Ohio Loan Law provided state funds to railroads, canals, and turnpike companies for construction and maintenance, loans to railroads and funds for the purchase of stock in canal and turnpike companies. What was the nickname of this law?

- (a) The Abundance for All Ohioans Law
- (b) The Plunder Law
- (c) The Socialism Law

6. Government abuse by the rich and corporate agents resulted in the public successfully organizing what in 1851?

- (a) A statewide Constitutional convention
- (b) A violent uprising
- (c) Parades in affluent neighborhoods across the state

7. What group of Ohioans voiced the following sentiment?

The corporation has received vitality from the state; it continues during its existence to be the creature of the state; must live subservient to its laws, and has such powers and franchises as those laws have bestowed upon it, and none others. As the state was not bound to create it in the first place, it is not bound to maintain it, after having done so, if it violates the laws or public policy of the state, or misuses its franchises to oppress the citizens thereof.

- (a) Radical Democrats
- (b) Radical anarchists
- (c) Radical farmers and workers
- (d) The Ohio Supreme Court

8. In 1853, the Ohio Supreme Court ruled four times in what way regarding the US Supreme Court's position that states don't have the power to define corporations through its charter.

- (a) The Ohio Supreme Court wholeheartedly upheld the US Supreme Court decision.
- (b) The Ohio Supreme Court upheld but with reservations the US Supreme Court decision.
- (c) The Ohio Supreme Court opposed and defied the US Supreme Court decision.

9. U.S. Senator John Sherman from Ohio was the main sponsor of what is still today considered to be the best federal anti-trust legislation, the "Sherman Anti-Trust Act of 1890." The federal law trumped much stronger anti-trust laws passed by many states. What did Sherman say in Congress in support of his law?

- (a) *This law will make me famous.*
- (b) *[P]eople are feeling the power and grasp of these combinations, and are demanding of every State Legislature and of Congress a remedy for this evil, only grown into huge proportions in recent times... You must heed their appeal, or be ready for the socialist, the communist and the nihilist.*
- (c) *This law will usher in a new period of democracy.*

10. Penalties courts imposed for abuse or misuse of the corporate charter were often more severe than a simple plea bargain or fine. They included stripping the corporation of its privileges to perform certain actions. The most severe penalty — not uncommon from the mid-1800's through the first several decades of this century — was to revoke the corporate charter and dissolve the corporation itself. The legal device used to achieve these penalties was *quo warranto* proceedings, meaning "by what authority." In the mid 1800's, numerous states amended their constitutions to make corporate charters subject to alteration or revocation by legislatures. Ohio's General Assembly passed a *quo warranto* act in 1838. Ohio's General Assembly determined that when subordinate entities like corporations acted beyond their authority, or *ultra vires*, they were guilty of rebellion and must be terminated. How often did the courts revoke corporate charters in Ohio?

- (a) Dozens of times
- (b) A few times
- (c) Only once

11. In the early 1890s the State of Ohio sought to revoke the charter of the Standard Oil Company, the largest corporation in the country at the time. Who initiated the action?

- (a) Ohio farmers
- (b) Ohio workers
- (c) Ohio's leading Democratic public officials
- (d) Ohio Republican Attorney General David K. Watson

12. Ohio became a state in 1802. When did Ohio workers first organize themselves into a trade association/union?

- (a) 1802
- (b) 1812
- (c) 1865
- (d) 1900

13. What did many Ohio Locofocos consider "a greater danger to 'free principles' than slavery?"

- (a) Indians
- (b) Banks
- (c) The Ohio Constitution
- (d) Who the heck are "Locofocos?"

14. In the 1890's the Ohio People's Party, composed of workers and farmers across the state was formed.

Name one of their many demands for democratic and social change.

15. What did Jacob Coxe, a wealthy businessman from Massillon, do in 1894?
 - (a) Built a massive steel plant, Coxe's Works, in Massillon.
 - (b) Took advantage of the Plunder Law like no other Ohioan ever had.
 - (c) Organized a march from Massillon to Washington, DC to address the issue of unemployment.

16. Who said, "*I believe in the municipal ownership of all public service monopolies...for if you do not own them they will, in time, own you. They will rule your politics, corrupt your institutions, and finally destroy your liberties.*"
 - (a) Ohio communists
 - (b) Ohio socialists
 - (c) Ohio nihilists
 - (d) Cleveland Mayor (and former businessman) Tom Johnson

17. What happened in Ohio after the US Supreme Court in *Santa Clara vs Southern Pacific* declared corporations were "persons" under the 14th Amendment to the US Constitution?

18. What is the difference between a person and a corporation, according to former presidential candidate William Jennings Bryan, who spoke to the Ohio Constitutional convention in 1912?

19. Name one democratic change that the public pressured for in the new 1912 Ohio Constitution?

20. What action did the Ohio General Assembly prohibit by legislation in 1908 and remained illegal for the most part until 1959?
 - (a) Gambling
 - (b) Drinking
 - (c) Voting
 - (d) Corporate campaign contributions

ANSWERS

1. c
2. e
3. c

4. c (This happened dozens of times. One example: in 1842 the Ohio General Assembly repealed the charter of the German Bank of Wooster in Wayne County. It instructed the bank to close its affairs. The legislature stated: It shall be the duty of the court of common pleas... or any judge of the supreme court...to restrain said bank, its officers, agents and servants or assignees, from exercising any corporate rights, privileges, and franchises whatever, or from paying out, selling, transferring, or in any way disposing of, the lands, tenements, goods, chattels, rights, credits, moneys, or effects whatsoever, of said bank... and force the bank commissioners to close the bank and deliver full possession of the banking house, keys, books, papers, lands, tenements, goods, chattels, moneys, property and effects of said bank, of every kind and description whatever...)

5. b
6. a
7. d

8. c (At least four historic state supreme court decisions in 1853 challenged the US Supreme Court *Dartmouth v Woodward* 1819 decision and its fundamental premise that a corporate charter was a contract by claiming the state rather than the federal government possessed basic self-governance rights. The first of the four decisions was *DeBolt v The Ohio Life Insurance and Trust Company* In its decision upholding the right of the State of Ohio to increase the tax of a life insurance corporation, the court affirmed the self-governing rights of the state rather than the federal government to change corporate charters and establish laws.
...[I]n every political sovereign community, there inheres necessarily the right and the duty of guarding its own existence, and of promoting the interests and welfare of the community at large. The constitution of the United States, although adopted by the sovereign States of this Union, and proclaimed in its language, to be the supreme law for their government, can, by no rational interpretation be brought to conflict with this attribute in the States... the power in the State is an independent power, and does not come within the class of cases prohibited by the constitution.)

9. b

10. a

11. d (The Ohio Supreme Court ruled against the right of Standard Oil in 1892 to form a trust but permitted the company to retain its charter. Standard Oil, however, defied the court ruling on trusts. In 1898, another Ohio Attorney General, Frank Monnett, Republican from Crawford County, took Standard Oil to court on contempt charges. Standard Oil fled Ohio for New Jersey, where they operated their trust until the U.S. Supreme Court ruled to break up the trust in 1911.)

12. a (Working people organized through Unions have been a powerful presence through Ohio's history. They've been responsible for humane working conditions, wages and benefits, winning the right to strike and the 8 hour work day. Direct resistance to corporate power at the workplace, on the streets, or through the ballot box were not the only challenges to corporate power by workers and unions in Ohio. Working people also endorsed alternative business formations, such as cooperatives, worker-owned enterprises, and businesses owned outright by cities and towns.)

13. b (When the General Assembly was reasonably representative of the public, strong laws were passed dictating every facet of banking practices with tough penalties for violations. Penalties included guilty officers "imprisoned in the cell or dungeon of the county jail, and fed on bread and water only...", "imprisoned in the penitentiary, and kept at hard labor...", and individual liability of bank directors, presidents, and officers.)

14. The Ohio People's Party (supported by farmers and workers across Ohio) platform called for the "restriction of the ability of politicians to change city charters and the requirement that voters approve all charter changes; initiative and referendum... revocation of the charter of the Standard Oil Company; and the eight hour work day." The party ran candidates across the state.

15. c. ("Coxey's Army" consisted of 100 men. Other armies formed across the nation that linked to Coxey's group just outside DC. Labor unions and Populists supported the march. Coxey received a permit to march into DC but he was not granted a permit to speak at the Capitol. When he tried to speak, he was arrested and convicted of displaying banners on the Capitol grounds. In his case, the banner was a button on his lapel. Coxey responded to his arrest with these words, "Up these steps the lobbyists of trusts and corporations have passed unchallenged on their way to committee rooms, access to which we, the representatives of the toiling wealth producers, have been denied.")

16. d

17. The U.S. Supreme Court struck down as unconstitutional following *Santa Clara* hundreds of laws in scores of states that had passed due to the hard efforts of citizens and workers to control corporations. Several of these were Ohio laws. Corporations in Ohio were declared "persons" with due process rights and were granted "all the rights and business transactions which are possessed by a sole person conducting a like business." A 1915 court decision declared that a corporation had the same Bill of Rights protections as persons, stating: *The legal rights of the...defendant, Loan Company, although it be a corporation, soulless and speechless, rise as high in the scales of law and justice as those of the most obscure and poverty-stricken subject of the state.*

18. *"The first thing to understand is the difference between the natural person and the fictitious person called a corporation. They differ in the purpose for which they are created, in the strength which they possess, and in the restraints under which they act. Man is the handiwork of God and was placed upon earth to carry out a Divine purpose; the corporation is the handiwork of man and created to carry out a money-making policy. There is comparatively little difference in the strength of men; a corporation may be one hundred, one thousand, or even one million times stronger than the average man. Man acts under the restraints of conscience, and is influenced also by a belief in a future life. A corporation has no soul and cares nothing about the hereafter."*

19. The initiative and referendum were adopted as methods to bypass the legislature in the creation or revocation of laws. Municipal home rule, permitting communities of 5000 or more in population to govern themselves, was also adopted. Public service corporations opposed home rule, seeing it as a device encouraging municipal ownership of utilities.

20. d (The law stated: *"That no corporation doing business in this state shall directly or indirectly pay, use or offer, consent or agree to pay or use, any of its money or property for, or in aid, of any political party, committee or organization, or for, or in aid of, any candidate for political office or for nomination for any such office, or in any manner use any of its money or property for any political purpose whatever, or for the reimbursement or indemnification of any person or persons for moneys or property so used."*)