

Hawke Vs. Smith

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Court : US Supreme Court

Decided On : Jun-01-1920

Appeal No. : 253 U.S. 231

Appellant : Hawke

Respondent : Smith

Judgement :

Hawke v. Smith - 253 U.S. 231 (1920)

U.S. Supreme Court Hawke v. Smith , 253 U.S. 231 (1920)

Hawke v. Smith (No. 2)

No. 601

Argued April 23, 1920

Decided June 1, 1920

253 U.S. 231

ERROR TO THE SUPREME COURT

OF THE STATE OF OHIO

SYLLABUS

The ratification of the proposed Nineteenth Amendment by the Legislature of Ohio cannot be referred to the electors of the state; the Ohio Constitution, in requiring such a referendum, is inconsistent with the Constitution of the United States. *Hawke v. Smith, No. 1, ante, [253 U. S. 221](#)* . 100 Ohio St. 540 reversed.

The case is stated in the opinion.

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MR. JUSTICE DAY delivered the opinion of the Court.

This case presents the same question as that already decided in No. 582, *ante, [253 U. S. 221](#)* , the only difference being that the amendment involved is the proposed Nineteenth Amendment to the Constitution extending the right of suffrage to women. The Supreme Court of Ohio, upon the authority of its decision in *Hawke v. Smith*, (No. 582), *ante, [253 U. S. 221](#)* , held that the Constitution of the state requiring such submission by a referendum to the people, did not violate Article V of the federal Constitution, and for that reason rendered a like judgment as in No. 582.

For the reasons stated in our opinion in No. 582, the judgment of the Supreme Court of Ohio must be

Reversed.