

Document Showcase: African American Voting Rights

Directions: The following questions are designed to test your ability to work with historical documents. As you analyze the documents, take into account both the source of the document and the author's point of view.

Background

White New Yorkers were divided over slavery even after the close of the American Revolution. They remained divided over the issue of equal rights for blacks far longer. While gradual emancipation proceeded according to state laws passed in 1799 and 1817, other laws and the 1821 state constitution barred large numbers of free blacks from voting. New York's black abolitionists had many allies in the fight to end slavery nationwide, but found fewer supporters in their quest for equal voting rights in their own state. Following the Civil War, many white New Yorkers resisted the national movement for a constitutional amendment guaranteeing equal voting rights for all men. As late as 1869, a majority of the state's voters cast ballots in favor of retaining property qualifications that kept New York's polls closed to many blacks. African American men did not obtain equal voting rights in New York until ratification of the Fifteenth Amendment in 1870.

Task

Using the information from the following documents, and your own knowledge of history, answer the questions in Part A that follow each document. Your answers to these questions will help you complete the writing assignment given in Part B.

Document 1 – excerpt of 1777 Constitution of New York State

(17)

after to be held in this State for Senators and Representatives in assembly, to be by Ballot, and directing the manner in which the same shall be conducted. AND WHEREAS, it is possible, that after all the care of the legislature, in framing the said act or acts, certain inconveniencies and mischiefs, unforeseen at this day, may be found to attend the said mode of electing by Ballot :

IT IS FURTHER ORDAINED, that if after a full and fair experiment shall be made of voting by Ballot aforesaid, the same shall be found less conducive to the safety or interest of the State, than the method of voting *viva voce*, it shall be lawful and constitutional for the legislature to abolish the same ; provided two thirds of the members present in each House, respectively shall concur therein : And further, that during the continuance of the present war, and until the legislature of this State shall provide for the election of Senators and Representatives in assembly by Ballot, the said elections shall be made *viva voce*.

VII. That every male inhabitant of full age, who shall have personally resided within one of the counties of this State, for six months immediately preceding the day of election, shall at such election, be entitled to vote for representatives of the said county in assembly ; if during the time aforesaid, he shall have been a Freeholder, possessing a Freehold of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this State : Provided always, that every person who now is a freeman of the city of Al-

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ny, or who was made a freeman of the city of New-York, on or before the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, and shall be actually and usually resident in the said cities respectively, shall be entitled to vote for Representatives in assembly within his said place of residence.

VIII. That every elector before he is admitted to vote, shall, if required by the returning officer or either of the inspectors, take an oath, or if of the people called Quakers, an affirmation, of allegiance to the State.

IX. That the assembly thus constituted, shall chuse their own Speaker, be judges of their own members, and enjoy the same privileges and proceed in doing business, in like manner as the assemblies of the colony of New-York of *right* formerly did; and that a majority of the said members, shall, from time to time constitute a House to proceed upon business.

X. And this Convention doth further, in the name and by the authority of the good people of this State, ORDAIN, DETERMINE and DECLARE, that the Senate of the State of New-York, shall consist of twenty-four freeholders, to be chosen out of the body of the freeholders, and that they be chosen by the freeholders of this State, possessed of freeholds of the value of one hundred pounds, over and above all debts charged thereon.

XI. That the members of the Senate be elected for four years, and immediately after the first election

Transcript

...to be held in the State for Senators and Representatives in assembly, to be by Ballot, and be directing the manner in which the same shall be conducted. And whereas, it is possible, that after all the care of the legislature, in framing the said act or acts, certain inconveniences and mischiefs, unforeseen at this day, may be found to attend the said mode of electing by Ballot:

It is further ordained, that if after a full and fair experiment shall be made of voting by Ballot aforesaid, the same shall be found less conducive to the safety or interest of the State, than the method of voting *viva voce*, it shall be lawful and constitutional for the legislature to abolish the same; provided two thirds of the members present in each House, respectively shall concur therein: And further, that during the continuance of the present war, and until the legislature of this State shall provide for the election of Senators and Representatives in assembly by Ballot, the said elections shall be made *viva voce*.

- VII. That every male inhabitant of full age, who shall have personally resided within one of the counties of the State, for six months immediately preceding the day of election, shall at such election, be entitled to vote for representatives of the said county in assembly; if during the time aforesaid, he shall have been a Freeholder, possessing a Freehold of the value of twenty pounds, within the said county, or have rented a tenement therein of the yearly value of forty shillings, and been rated and actually paid taxes to this State: Provided always, that every person who now is a freeman of the city of Albany, or who was made a freeman of the city of New York, on or before the fourteenth day of October, in the year of our Lord one thousand seven hundred and seventy-five, and shall be actually and usually resident in the said cities respectively, shall be entitled to vote for Representatives in assembly within his said place of residence.
- VIII. That every elector before he is admitted to vote, shall, if required by the returning officer or either of the inspectors, take an oath, or if of all the people called Quakers, an affirmation, of allegiance to the State.
- IX. That the assembly thus constituted, shall choose their own Speaker, be judges of their own members, and enjoy the same privileges and proceed in doing business, in like manner as the assemblies of the colony of New York of *right* formerly did; and that a majority of the said members, shall, from time to time constitute a House to proceed upon business.
- X. And this Convention doth further, in the name and by the authority of the good people of the State, ordain, determine and declare, that the Senate of the State of New York shall consist of twenty-four freeholders, to be chosen out of the body of the freeholders, and that they be chosen by the freeholders of this State, possessed of freeholds of the value of one hundred pounds, over and above all debts charged thereon.
- XI. That the members of the Senate be elected for four years, and immediately after the first election...

1. In what year was this document written?

2. Using your knowledge of history, what is a Constitution?

3. According to this Constitution, what inhabitants of the State of New York are allowed to vote?

4. Based on the context clues in this document, what is a freehold?

5. According to this document, would an African-American man be allowed to vote in New York State elections? Why or why not?

Document 2: New York State Laws of 1799 and 1817

2a: Law of 1799

Item # 33

CHAP. 62.

AN ACT for the gradual abolition of slavery.

PASSED the 29th of March, 1799.

Children of slaves declared free. *Be it enacted by the People of the State of New York represented in Senate and Assembly, That any child born of a slave within this State after the fourth day of July next, shall be deemed and adjudged to be born free: Provided nevertheless that such child shall be the servant of the legal proprietor of his or her mother, until such servant if a male shall arrive at the age of twenty eight years, and if a female at the age of twenty five years.*

Laws of New York 1799

1. In what year was this document written?

2. What kind of document is this?

3. According to this document, when will a child born of a slave be deemed free?

4. What conditions are attached to this freedom?

LAWS OF NEW-YORK.

Ch. 137

CHAP. CXXXVII.

AN ACT *relative to slaves and servants.*

Passed March 31, 1817.

Free, in what case.

IV. *And be it further enacted,* That every child born of a slave within this state, after the fourth day of July, in the year of our Lord one thousand seven hundred and ninety-nine, shall be free, but shall remain the servant of the owner of his or her mother, and the executors, administrators or assigns of such owner, in the same manner as if such child had been bound to service by the overseers of the poor, and shall continue in such service, if a male, until the age of twenty-eight years, and if a female, until the age of twenty-five years; and that every child born of a slave within this state after the passing of this act, shall remain a servant as aforesaid until the age of twenty-one years and no longer.

1. In what year was this document written?

2. What kind of document is this?

3. According to this document, when will a child born of a slave be deemed free?

4. What conditions are attached to this freedom?

5. How have the conditions attached to freedom changed from 1799 to 1817?

6. According to the New York State Constitution of 1777, would African-Americans freed under these acts be allowed to vote?

Document 3: 1821 New York State Constitution

ARTICLE II.

Section 1. [Qualifications of voters.]—Every male citizen of the age of twenty-one years, who shall have been an inhabitant of this state one year preceding any election, and for the last six months a resident of the town or county where he may offer his vote; and shall have, within the next year preceding the election, paid a tax to the state or county, assessed upon his real or personal property; or shall by law be exempted from taxation; or, being armed and equipped according to law, shall have performed, within that year, military duty in the militia of this state; or who shall be exempted from performing militia duty in consequence of being a fireman in any city, town, or village in this state; and also, every male citizen of the age of twenty-one years, who shall have been, for three years next preceding such election, an inhabitant of this state; and, for the last year, a resident in the town or county where he may offer his vote; and shall have been, within the last year, assessed to labor upon the public highways, and shall have performed the labor, or paid an equivalent therefor, according to law, shall be entitled to vote in the town or ward where he actually resides, and not elsewhere, for all officers that now are, or hereafter may be, elective by the people; but no man of colour, unless he shall have been for three years a citizen of this state, and for one year next preceding any election, shall be seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all debts and incumbrances charged thereon; and shall have been actually rated, and paid a tax thereon, shall be entitled to vote at any such election. And no person of colour shall be subject to direct taxation unless he shall be seized and possessed of such real estate as aforesaid.

Transcription from NYS Unified Court System website:

http://www.courts.state.ny.us/history/constitutions/1821_constitution.htm

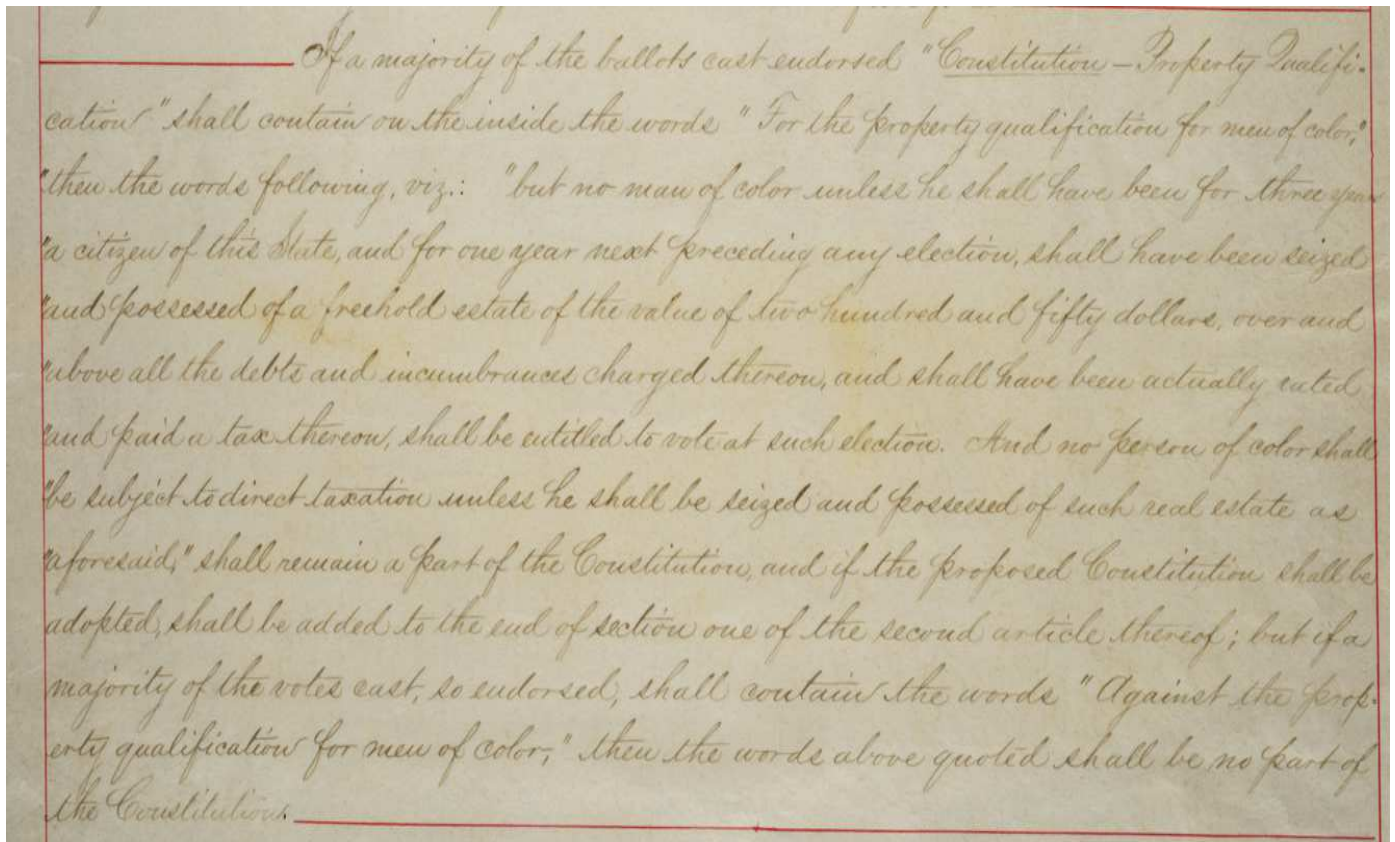
1. In what year was this document written?

2. Compared to the Constitution of 1777, how have the property requirements for white men to be able to vote changed?

3. Compared to the Constitution of 1777, how have the requirements for African-American men to be able to vote changed?

4. Before the passing of the 1821 Constitution, New York State had approximately 6,000 African-American voters. If \$250 in 1821 is the equivalent of about \$4,000 today, how many African-Americans would you guess may have been able to vote after the passing of the 1821 Constitution?

Document 4: Proposed New York State Constitution of 1868



If a majority of the ballots cast endorsed "Constitution - Property Qualification" shall contain on the inside the words "For the property qualification for men of color;" then the words following, viz.: "but no man of color unless he shall have been for three years a citizen of this State, and for one year next preceding any election, shall have been seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all the debts and incumbrances charged thereon, and shall have been actually rated and paid a tax thereon, shall be entitled to vote at such election. And no person of color shall be subject to direct taxation unless he shall be seized and possessed of such real estate as aforesaid," shall remain a part of the Constitution, and if the proposed Constitution shall be adopted, shall be added to the end of section one of the second article thereof; but if a majority of the votes cast, so endorsed, shall contain the words "Against the property qualification for men of color;" then the words above quoted shall be no part of the Constitution.

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Transcript

If a majority of the ballots cast endorsed "Constitution - Property Qualification" shall contain on the inside the words "For the property qualifications for men of color," then the words following, viz.: "but no man of color unless he shall have been for three years a citizen of this State, and for one year next preceding any election, shall have been seized and possessed of a freehold estate of the value of two hundred and fifty dollars, over and above all the debts and incumbrances charged thereon, and shall have been actually rated and paid a tax thereon, shall be entitled to vote at such election. And no person of color shall be subject to direct taxation unless he shall be seized and possessed of such real estate as aforesaid," shall remain a part of the Constitution, and if the proposed Constitution shall be adopted, shall be added to the end of the section one of the second article thereof; but if a majority of the votes cast, so endorsed, shall contain the words "Against the property qualification for men of color," then the words above quoted shall be no part of the Constitution.

1. In what year was this document written?

2. What part of the New York State Constitution are the delegates reconsidering in this excerpt?

3. Using your knowledge of history, what was going on in the United States that might have led to New York State's reconsidering the property requirements for African-American men's voting rights?

4. Do you think the property requirements for African-American men's voting were removed from the Constitution at this time? Why or why not?

Document 5: Frederick Douglass, Elector

The undersigned, a majority of the Electors of President and Vice-President of the United States, for the State of New York, at a meeting of the Electoral College of said State, held at the Capitol, in the City of Albany, on the fourth day of December, 1872, do hereby appoint Frederick Douglass of Monroe County

to take charge of and deliver one of the lists of the votes of the said College for President and Vice-President of the United States, to the President of the Senate of the United States at the City of Washington.

In Witness Whereof, We have hereunto set our hands, this fourth day of December, in the year of our Lord one thousand eight hundred and seventy-two.

Frederick Douglass	Henry R. James
Emuel Clauser	Stephen Sanford
Amos H. Woodford	Brookline
John A. Kim	Oliver Spicer
W. C. Chittenden	Samuel Campbell
H. H. Lapham	John C. Lyon
Amathias J. Peters	And. W. White
W. C. Dodge	John W. Conant
William	Richard M. Cook
Edw. H. H. H.	Barna R. Johnson
James B. Swan	George G. G.
John W. Mason	W. H. Siebel
Salmon H. Wales	Wm. Richardson
David D. Smith	Orcas P. Pratt
Stoddard Stannard	A. J. Norton
J. C. S. S.	
E. M. Brigham	
Minard Harder	
Thomas Coleman	
Isaac Mott	

Transcript

The undersigned, a majority of Electors of President and Vice President of the United States, for the State of New York, at a meeting of the Electoral College of said State, held at the Capitol, in the City of Albany, on the fourth day of December, 1872, do hereby appoint Frederick Douglass of Monroe County to take charge of and deliver one of the lists of the votes of the said College for President and Vice President of the United States, to the President of the Senate of the United States at the City of Washington.

In witness whereof, We have hereunto set our hands, this fourth day of December, in the year of our Lord one thousand eight hundred and seventy-two.

[Electors signatures listed]

1. In what year was this document written?

2. Using your knowledge of U.S. government, what is an elector in the Electoral College?

3. Using your knowledge of history, who was Frederick Douglass?

4. According to the New York State Constitution adopted in 1821, what must Frederick Douglass have owned in order to be allowed to vote?

Recommended Essay Topics:

- a. Using information and evidence from all of the documents to support your thinking, and using your own knowledge of history, write an essay that describes the gradual changes in African-American men's suffrage in New York State. Your essay should be well organized and should include an introduction, at least three paragraphs, and a conclusion.
- b. Using information and evidence from all of the documents to support your thinking, and using your own knowledge of history, write an essay comparing the African-American men's suffrage and women's suffrage movements in New York State. Your essay should be well organized and should include an introduction, at least three paragraphs, and a conclusion.

Interdisciplinary Extension Activities:

ELA/Social Studies

- As a class, play the Reconstruction Convention Simulation Game at <http://education.harpweek.com/TheReconstructionConvention/Introduction/ReconConvIntro.htm>
- Write a letter to your state senator for or against a fictitious proposed amendment to lower the voting age to 16. For complete lesson, see http://www.pbs.org/elections/kids/lessons/lesson_plan14.html.

Social Studies

- Research the women's suffrage movement in New York State and compare it to the African American suffrage movement.
- Interview a Civil Rights activist to learn about discrimination and disenfranchisement of African Americans in the 20th century that eventually led to the Voting Rights Act of 1965. For a list of possible interviewees, see <http://www.crmvet.org/vet/speakers.htm>.

Math

- Compare demographic data for a voting district in your area with demographics of voter turnout in that district. Are there any trends?

Standards

Social Studies

Standard 1: History of the United States and New York

Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments, and turning points in the history of the United States and New York.

Standard 2: World History

Students will use a variety of intellectual skills to demonstrate their understanding of major ideas, eras, themes, developments, and turning points in world history and examine the broad sweep of history from a variety of perspectives.

Standard 3: Geography

Students will use a variety of intellectual skills to demonstrate their understanding of the geography of the interdependent world in which we live—local, national, and global—including the distribution of people, places, and environments over the Earth’s surface.

Standard 4: Economics

Students will use a variety of intellectual skills to demonstrate their understanding of how the United States and other societies develop economic systems and associated institutions to allocate scarce resources, how major decision-making units function in the U.S. and other national economies, and how an economy solves the scarcity problem through market and nonmarket mechanisms.

Standard 5: Civics, Citizenship, and Government

Students will use a variety of intellectual skills to demonstrate their understanding of the necessity for establishing governments; the governmental system of the United States and other nations; the United States Constitution; the basic civic values of American constitutional democracy; and the roles, rights, and responsibilities of citizenship, including avenues of participation.

English Language Arts

Standard 1: Language for Information and Understanding

Students will listen, speak, read, and write for information and understanding. As listeners and readers, students will collect data, facts, and ideas; discover relationships, concepts, and generalizations; and use knowledge generated from oral, written, and electronically produced texts. As speakers and writers, they will use oral and written language that follows the accepted conventions of the English language to acquire, interpret, apply, and transmit information.

Standard 2: Language for Literary Response and Expression

Students will read and listen to oral, written, and electronically produced texts and performances from American and world literature; relate texts and performances to their own lives; and develop an understanding of the diverse social, historical, and cultural dimensions the texts and

performances represent. As speakers and writers, students will use oral and written language that follows the accepted conventions of the English language for self-expression and artistic creation.

Standard 3: Language for Critical Analysis and Evaluation

Students will listen, speak, read, and write for critical analysis and evaluation. As listeners and readers, students will analyze experiences, ideas, information, and issues presented by others using a variety of established criteria. As speakers and writers, they will use oral and written language that follows the accepted conventions of the English language to present, from a variety of perspectives, their opinions and judgments on experiences, ideas, information and issues.

Resources

Websites

<http://www.dos.state.ny.us/info/constitution.htm>

Current New York State Constitution.

<http://academic.udayton.edu/race/04needs/98newburg.htm>

Annotated bibliography of information, particularly legal cases, relating to the history of African American voting rights.

<http://www.aclu.org/voting-rights/voting-rights-act-timeline>

Voting Rights Act timeline from the 1700s through the 1900s.

<http://15thamendment.harpweek.com/>

Educational website from *Harper's Weekly* about the creation of the Fifteenth Amendment, including timelines, commentary, a glossary, and biographies of key people.

<http://www.loc.gov/rr/program/bib/ourdocs/15thamendment.html>

A list of links to primary documents relating to the 15th Amendment.

<http://www.ourdocuments.gov/doc.php?flash=true&doc=44>

Panning digital image of the 15th Amendment to the Constitution.

<http://education.harpweek.com/TheReconstructionConvention/Introduction/ReconConvIntro.htm>

Simulation game for classrooms simulating a fictitious convention held in Washington D.C. in 1865 in which students are asked to weigh in on the issues facing the nation at that time, including the rights of African Americans.

<http://memory.loc.gov/ammem/aahtml/exhibit/aointro.html>

Online exhibition entitled *African American Odyssey* from the Library of Congress.

<http://www.crmvet.org/vet/speakers.htm>

List of people who participated in the Civil Rights Movement who are willing to speak about their experiences to students individually or as a class.

http://www.pbs.org/elections/kids/lessons/lesson_plan14.html

Lesson plan from PBS in which students examine the history of voting rights and choose whether or not to support a fictitious proposed amendment to lower the voting age to 16.

Books

Banfield, Susan. *The Fifteenth Amendment: African-American Men's Right to Vote*. Springfield, N.J.: Enslow Publishers, 1998.

History of the 15th Amendment in a book appropriate for middle and high school students.

Douglass, Frederick. *Narrative of the Life of Frederick Douglass: An American Slave, Written by Himself*. New York: W.W. Norton and Company, 1996.

Frederick Douglass's autobiography appropriate for grades 9 and up.

DuBois, W.E.B. *Black Reconstruction in America, 1860-1880*. New York: Free Press, 1998.

Pioneering work on the subject by a well-known historian, author, and Civil Rights activist.

Hoobler, Dorothy and Thomas. *The African American Family Album*. New York: Oxford University Press, 1998.

Pictorial history of African Americans from pre-colonial Africa to the present using primary sources. Appropriate for grades 7 and up.

Frankel, Noralee. *Break Those Chains at Last: African Americans 1860-1880*. New York: Oxford University Press, 1996.

Accounts of African Americans during Reconstruction using primary documents. Appropriate for grades 8 and up.

Lewis, David Levering. *W.E.B. Du Bois, 1868-1919: Biography of a Race*. New York: Holt Paperbacks, 1994.

Biography of the well-known activist and intellectual.

McKissack, Pat. *The Civil Rights Movement in America from 1865 to the Present*. Chicago: Childrens Press, 1987.

Textbook-like account of the subject appropriate for grades 5-9.

Parker, Frank R. *Black Votes Count: Political Empowerment in Mississippi after 1965*. Chapel Hill: University of North Carolina Press, 1990.

Chronicles the continuing struggle for meaningful African American voting rights in Mississippi after the passage of the Voting Rights act of 1965.