

***The County Election: A History of Voting Rights in America***  
**Lesson #3- Who Could Vote Where and When?**  
**For Grades 9-12**

Voting laws have changed many times over the years. Students will research, analyze, and evaluate these laws as they pertained to various individuals in certain states at specified times, in order to create and present personas that illustrate what the 'voting picture' looked like at these times.

1. Divide the class into mini-groups with 4-5 students in each. Ask them to each choose a task:
  - Scribe- takes notes and fills out worksheet
  - Artist/graphics- plans props and or images
  - Researcher- gathers and organizes sources, facilitates group member participation in the research process
  - Facilitator- keeps the mini-group on task, reports findings to the entire class
  
2. Assign to each group a persona from the following list, along with the appropriate vignettes for each time period.
  - African American man or woman
  - White man
  - African American or white woman
  - Native American man
  
3. Ask the groups to collect information from their assigned vignettes about voting rights granted (or not) to their persona. They might also research further on the Internet (or the teacher can provide research for students to annotate.) The three links below the questions might be helpful for further research. If an age is given for their persona, this should be kept in mind. Students should answer the following questions:
  - In what year and in which state could your person vote?
  - What qualified him or her to vote in each place at each time?
  - What disqualified them to vote in each place at each time?

[History of Voting in America](#)

[U.S. Voting Rights Timeline](#)

[Voting in the U.S.A.](#)

4. Ask each mini-group to choose a format by which to present their persona to the rest of the class:
  - skit
  - video
  - poster
  - sculpture/3-D image
  - TedTalk
  - interview
  - other
  
5. Mini-groups present their personas.

**Optional Activity #1**

To be done after each student has examined at least one persona. Ask students to chart changes and/or write summarizing statements.

**Optional Activity #2- Voter Fraud**

George Caleb Bingham painted *The County Election* in 1852 of an election that took place in Saline County, Missouri, in 1850. He was a candidate in this election for a spot in the state legislature but he lost to E.D. Sappington- the man in blue who is tipping his hat. Bingham put himself in the picture as the man in the brown top hat who is sitting on the

steps. People were suspicious about the outcome of this election because Sappington was related to the judge and one of the clerks. He also bought liquor for some of the men to encourage them to vote for him.

1. Ask students to visit this website: [Election Fraud Worksheet](#) and examine section II. Ask the questions below.

Students might reply by discussion or in writing.

- According to today's standards, what evidence of voter fraud do you find in *The County Election*?
- How would you remedy the situation?

3. Ask students to research the allegations of voter fraud surrounding the 2020 presidential election, noting problems with the system. Then have them write about how they might remedy the problems. Students might:

- present their solutions in an OpEd article
- pretend to be the new president and write a speech about how they would tackle voter fraud. They might present their speeches via Zoom, to be followed by feedback from class members.

**Wrap-up discussion-** to be done by online discussion or as a written assignment to be shared after all have presented their personas. These questions are also in a worksheet entitled "Wrap-up Worksheet".

- What sorts of things over time have qualified a person to vote and what do you think about that? (amount, value, and length of ownership of property owned; paid taxes, race, age, literacy, length of residence, service in military or as a fireman, familiarity with English language and white society's customs)
- Who could always vote? Why? (wealthy, land-owning white men)
- What surprises you?
- If you compared today's voting requirements for several states, what interested or surprised you?
- What do you think about today's voting qualifications for our state? Should any be changed? How and why?
- What do you think is important for people to know about voting in the United States today?

#### **Optional Wrap-up activity #1- for Grades 9-10**

Divide the class in half and hold a debate. Assign each half a stance and ask each side to choose a speaker to represent them. One side will promote the idea that the Democratic process is good, and will back up their stance with evidence from the painting. The opposing side will do the same, but will promote the idea that the Democratic process is flawed.

#### **Optional Wrap-up activity #2- for Grades 11-12, or AP**

A summary of the scholarship of this painting might be done to address the idea that it reflects sentiments either for or against the American Democratic process--perhaps the pros and cons could be debated in class. Perhaps the painting suggests ambivalence to the idea that the Democratic process is either all good or all bad.

#### **Optional Wrap-up activity #3- for all grades**

Ask students to identify a present-day piece of artwork (political cartoon, painting, photo) that best represents what today's "voting picture" looks like and compare/contrast to *The County Election* for changes. Sample images that might be used:

[Joe Lamattina](#)

[Dan Arcus](#)

[The Awakening](#)

[National Voters Day](#)

[Voter Suppression](#)

[Voting by Mail](#)

#### **Optional Wrap-up activity #4- for all grades**

Ask students to create visual collages demonstrating the history of voting in regard to their persona and write a reasoning commentary explaining their choices for images and how they connect to what students learned, while also detailing the present and potentially projecting into the future.

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**Wrap-up Worksheet**

1. What sorts of things over time have qualified a person to vote and what do you think about that?

2. Who could always vote? Why?

3. What surprises you?

4. If you compared today's voting requirements for several states, what interested or surprised you?

5. What do you think is important for people to know about voting in the United States today?

## African American Man or Woman

### **Free African American man living in North Carolina, 1780**

Although you live in the south, you have gained your freedom, so you can vote in the state of North Carolina.

### **African American man living in Massachusetts, 1830**

Massachusetts no longer (as of 1821) has a property requirement to qualify to vote. Since you have paid the taxes required of you for the past two years, you can vote.

### **Property-owning African American freeman living in New York State, 1830**

You cannot vote. Although you own a house and lot worth \$200, as a "man of color", your property has to be worth at least \$250.

### **African American freeman living in Rhode Island, 1850**

You have moved around several times this year in search of work. However, you may vote because you were born in the United States and paid a tax of \$1.00.

### **Wealthy free African American man living in North Carolina, 1850**

You may not vote. According to the North Carolina Constitution, "No free Negro, free mulatto, or free person of mixed blood, descended from Negro ancestors to the fourth generation inclusive (though one ancestor of each generation may have been a white person), shall vote for members of the Senate or House of Commons." This is a change for your family. From 1776 to 1835 freemen in North Carolina had been allowed to vote.

### **23-year-old freed male slave in Virginia, 1870**

You are Richard Toler- a freed slave from Virginia who really existed. You can vote. In fact, in 1868, when you were 21, you walked 50 miles to vote for General Grant for president. You voted for him again in 1872.

### **African-American minister, college president and senator from Mississippi, 1870**

You are Hiram Rhodes Revels, an African American minister from Mississippi who really existed (1822-1901). You served in the US Senate from 1870-1871, (In fact, you remain one of only five African Americans ever to have served in the United States Senate.) You can vote now, but it will become increasingly unsafe to try to vote in the future.

### **Literate African American resident of Mississippi, 1900**

Although you can read, you were not allowed to register to vote because you could not understand the section of the Mississippi Constitution that you were required to read and interpret.

### **19-year old African American young man from Massachusetts who has been recently drafted, 1964**

This past month you have learned that you will be going to Vietnam. It has been decided that 19-year-olds are old enough to fight but too young to vote.

### **Young African American woman, aged 24, living in Leflore County, Mississippi, 1964**

This is a true story. You have attempted to register 9 times. Each time you have failed the voting qualification test administered by Leflore County. You have given up hope, but Congressman Bill Ryan has requested to see your past written tests. He thinks that your answers are better than those of some whites who were allowed to register. Finally, you do pass and are allowed to register to vote. You are the only Black person in Leflore County who is allowed to register in the summer of '64.

### **18-year-old Massachusetts soldier, 1984**

You are the son of the woman who was the only Black person in Leflore County to be allowed to register in 1964. Voting is very important to your family. You are stationed in Germany. You wonder if your absentee ballot will arrive in time for you to cast your vote.

## African American or White Woman

### **Wealthy white property-owning woman living in New Jersey, 1780**

You can vote. The New Jersey Constitution of 1776 states that anyone owning the required amount of property can vote. New Jersey is the only state which allows women to vote at this time. In 1807, you will lose the right to vote.

### **White woman from Massachusetts, 1890**

Since 1879, you can only vote in elections dealing with schools. That's it until the 19<sup>th</sup> Amendment in 1920.

### **White woman from Kentucky, 1890**

You cannot vote now. In 1893 you will become a widow. Then you will be allowed to vote only in elections dealing with schools.

### **Literate white woman in Michigan, 1890**

In 1893, as a literate woman you can vote in school, village, and city elections – just for one year; the state statute was declared unconstitutional within a year of being passed.

In 1917, you will be able to vote in presidential elections, until the 19<sup>th</sup> Amendment grants you full suffrage in 1920.

### **White woman in Wyoming, 1890**

When Wyoming became a state in 1890, women could vote.

### **Literate African American resident of Mississippi, 1900**

Although you can read, you were not allowed to register to vote because you could not understand the section of the Mississippi Constitution that you were required to read and interpret.

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## White Man

### **Struggling white farmer living in Vermont, 1780**

You rent your farm. Since you have lived in Vermont for more than a year, you can vote. As of the 1777 Vermont constitution there is no property requirement and no tax-paying requirement to register to vote.

### **Struggling white farmer living in Connecticut, 1780**

You rent your farm. Since you own neither property worth 40 pounds or land valued at 40 shillings per year, you cannot vote.

### **21-year-old white male citizen of Maryland who has just completed an apprenticeship with a silversmith, 1780**

While you come from an average (not rich or poor) family, and your father is eligible to vote, you own neither the 50 acres nor property above the value of 30 pounds which are required in order to register to vote.

### **White gentleman living in Virginia, 1780**

You can vote. You own a house on a lot in town. It is over the required "12 feet square" and you have owned this property for more than the required one year.

### **21-year-old white male citizen of Maryland who has just completed an apprenticeship with a harness maker, 1830**

Similar to your silversmith father when he was 21, you do not yet have property above the value of 30 pounds. However, there is no longer a property requirement in Maryland, so you can vote.

### **Struggling white farmer from Connecticut, 1830**

You can vote. While you rent your farm and do not own any property, you have paid the required tax and have served in the militia (town-based volunteer soldiers).

### **Poor white volunteer fireman living in New York State, 1830**

You may vote. There is no property requirement in New York if you are white. There are several ways in which one can qualify to vote. These include paying a state or county tax on real estate or personal property, being exempt from paying that tax, having performed military duty or having worked as a fireman during the past year.

### **Recent immigrant from Ireland to Rhode Island, 1850**

You are not allowed to vote. As of 1842, you would have to either own real estate worth \$134 or be renting an estate for at least \$7 per year. Since you have moved several times this year in search of work, you do not meet the voting requirements.

### **Poor white tenant farmer in the Mississippi Delta, 1900**

Although 10 years ago you would have been able to vote, you cannot pass the literacy test, you do not meet the county residency requirement, and you cannot afford to pay the poll tax so you are not allowed to vote.

### **19-year old white young man from Massachusetts who has been recently drafted, 1964**

This past month you have learned that you will be going to Vietnam. It has been decided that 19-year-olds are old enough to fight but too young to vote.

## Native American Man

### **Dakota Sioux from Minnesota, 1890**

Although your people's land had been granted to white people in 1863 and many of your people have moved further west, you were among those who stayed in Minnesota and claimed rights to Red Pipestone Quarry. Your sister married a trader of French descent, and you often visit with her family in the town of Sioux Falls. When you went to register to vote, you were not deemed to have sufficiently "adopted the language, customs and habits of civilization" in an examination before a district court judge.

### **Son of a Sioux woman and a trader of French descent, 1890**

Your mother did not move west when the Sioux lost the last of their land in 1863. She married a white Frenchman and moved to town. You grew up working in your father's store in Sioux Falls and going to the local public school. As a "person of mixed white and Indian blood who has adopted the customs and habits of civilization," you are deemed eligible to vote.