

# Voting Records: Genealogy's Best Kept Secret

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Voting records are some of the most underused records available to genealogists, but they are often wonderfully rich resources. At very least, these records locate our ancestors in a particular place and time, but at best they can reveal occupations, residences, naturalizations, migration, vital statistics, even physical descriptions.

The history of voting in America is a story of rights granted and rights denied. Consider when and where your ancestor lived, and what impact that time and place would have had on his rights. Would he or she have been allowed to vote? Here are some of the deciding factors:

**Age:** Before the Revolution, voting for the House of Burgesses and other colonial legislatures was restricted to white male property owners over the age of 21. Oral votes were tallied as "poll lists" by sheriffs and deputies, and some of these lists still exist online and in archives and libraries. After the Revolution, this exclusivity continued in most places but no federal standard was set. The new constitution left the matter to the states. However, almost all voters had to be at least 21 years old until the passage of the 26th Amendment in 1971, which lowered the age to 18. Some states did adopt a lower voting age during the mid-20th century, so check the laws in your area when considering local elections.

**Property ownership:** Many states required voters to own property, although some voters qualified by having substantial income. Pennsylvania abolished property requirements in 1776. By contrast, South Carolina demanded large land holdings and required candidates for office to possess even more property. Property-ownership requirements were eliminated in 1856.

## **Race and Ethnicity:**

Some states allowed free African-Americans to vote in the early days of the nation, only to remove that opportunity after a few years. New Jersey initially gave the vote to "free inhabitants" with few restrictions, but subsequently excluded African-Americans, women, and aliens in 1807. After the Civil War, racial restrictions to citizenship were lifted in the Confederate South, and the 15th Amendment granted the constitutional right to vote nationwide. Nonetheless, new voting restrictions arose in many states. "Jim Crow laws" were passed, using literacy tests, poll taxes, and the Grandfather Clause to prevent African-Americans from voting, and violence was an ongoing problem. Evidence of these restrictions can be found in newspapers and archives. Various court rulings challenged and altered access for these voters at the local level, culminating in the 1965 Voting Rights Act, which required

formerly restrictive states to get federal approval to change voting laws. There have been subsequent alterations to this Act.

Some Mexicans gained American citizenship when their land was annexed into Texas. Nonetheless, voting rights often continued to be restricted by the threat of violence and by required literacy tests.

The Supreme Court ruled that some Native Americans were *not* entitled to 14th Amendment rights because they were subject to tribal law, not federal law. Although treaties with the government had granted citizenship to about 2/3 of Native Americans, those on tribal land had to wait until the 1924 Indian Citizenship Act granted them the vote. However, local laws and policies continued to interfere, and because authority of the states trumped federal authority on this issue, some states continued to deny the vote to this group until 1957.

The 1882 Chinese Exclusion Act and subsequent acts prevented Chinese immigrants from becoming citizens and therefore from voting until 1943. People of Japanese descent suffered similar restrictions beginning in 1922. The McCarran-Walter Act of 1952 granted citizenship to this disenfranchised group. Asian Indians were barred from 1923 until 1946.

**Gender:** The women's suffrage movement gained momentum after the 1848 Seneca Falls Convention. Records of female voters have been found locally as early as 1868, and the Wyoming Territory granted full suffrage to women a year later. The 19th amendment was ratified in 1920, but some women were still without voting rights as a result of the 1907 Expatriation Act, which disenfranchised American-born women who married aliens. The Cable Act of 1922 changed this, but those who had lost citizenship had to complete a naturalization process in order to be repatriated. Because of this, we may find unexpected records for our American-born ancestors, sometimes filed separately from other naturalization records as "Women's Naturalizations" or "Special Naturalizations." Check naturalization statutes through 1940, when all women were able to gain independent citizenship regardless of marital limitations.

## THE RECORDS

Conflict is a genealogist's best friend, because conflict leads to records. For example, controversy over discrimination on racial and ethnic grounds has generated many documents, from newspaper articles and trial records to local petitions and state and federal legislation. There are, for example, extensive records on the Ku Klux Klan at the National Archives.

Might your ancestor have been embroiled in any religious, ethnic, racial, gender-related, work-related, economic, or other political issues? Research your ancestors' religious and other beliefs, interests and occupations, because they may have joined organizations or political movements that left documents behind. And don't forget to research the law for that time and place. That's what determined who could and couldn't vote, and what kind of proof of identity and citizenship were required. Presence on a poll list or voting register offers indirect evidence

that the ancestor met all of the qualifications of a voter, from property ownership to literacy, as defined by law.

Absence from voter lists that your ancestor qualified to appear in may offer indirect evidence of youthful age, insufficient assets, or, in our nation's fledgling days, a prohibited religion. If taxes were overdue, he may not have been allowed to vote. Look for delinquent tax lists if your ancestors' names are absent. Also check the 1870 census for an indication that his right to vote was illegally restricted.

Voting records make great census substitutes and fill in gaps for other burned or lost records. They can also document migration because one can only be legally registered to vote in a single location, so moves to a new location were often documented on the voting register or in a separate volume of transfers or removals.

**To find these records:** Google "historical election records" for your state, county, and town. "Historical voting registers" and "Poll Lists" are other good search phrases, although tax lists are sometimes called poll lists as well. A great place to look is the FamilySearch catalog (<https://www.familysearch.org/search/catalog>) and search for "voting" or "election" for the location. Also check Cyndi's List ([www.cyndislist.com](http://www.cyndislist.com)), Ancestry ([www.ancestry.com](http://www.ancestry.com)), and other genealogical websites.

At the state level, the Secretary of State has authority over elections, and although they may not hold the records, they may be able to help you locate them. At the County level, try the County Clerk, County Recorder, or the Board of Elections. These are public records, so even contemporary voter registration information should be accessible. Some older records, including British pre-Revolutionary War poll lists, have been moved to genealogical or state libraries, archives, universities, or historical societies.

Newspapers sometimes published the names of registered voters and also documented controversial issues of the day as well as the stories of political candidates and their supporters and opponents. You can also find information about candidates for political office including their platforms. The Historic American Newspaper Collection at the Library of Congress (Chronicling America), and subscription websites such as GenealogyBank, Newspapers.com, and Newspaperarchive.com are helpful resources.

To find manuscript collections pertaining to organizations your ancestors may have belonged to, search Archivegrid (<https://researchworks.oclc.org/archivegrid/>).

Voter lists have been retained all over the world, providing documentation for our ancestors before and after they crossed the pond.