

## WOMEN AND THE BALLOT IN NEW JERSEY.

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DURING the recent important discussion in the Senate upon the proposition to extend the ballot to the women of the District of Columbia, New Jersey was alluded to as a precedent. Lucy Stone and H. B. Blackwell have since published, in the *Newark Daily Advertiser*, a very interesting statement of historical facts with reference to woman's voting in that State, which we give below :

In 1709, a Provincial law confined the privilege of voting to "male freeholders having one hundred acres of land in their own right, or £50 current money of the province in real and personal estate," and during the whole of the Colonial period these qualifications continued unchanged.

But on the 2d of July, 1776, (two days before the Declaration of Independence), the Provincial Congress of New Jersey, at Burlington, adopted a Constitution, which remained in force until 1844, of which Sec. 4 is as follows: "Qualifications of Electors for members of Legislatures." *All inhabitants of this Colony*, of full age, who are worth £50 Proclamation money, clear estate, in the same, and have resided within the county, in which they claim a vote, for twelve months immediately preceding the election, shall be entitled to vote for representatives in Council and Assembly, and also for all other public officers that shall be elected by the people of the county at large.

Sec. 7. Provides that the Council and Assembly jointly shall elect some *fit person within the Colony*, to be Governor. This Constitution remained in force until 1844.

Thus, by a deliberate change of the terms "male freeholder," to "all inhabitants," suffrage and ability to hold the highest office in the State, were conferred both on women and negroes.

In 1790, a Committee of the Legislature reported a bill regulating elections, in which the words "*he or she*" are applied to voters, thus giving legislative endorsement to the alleged meaning of the Constitution.

In 1797 the legislature passed an act to regulate elections, containing the following provisions:

Sec. 9. "Every voter shall openly and in full view deliver *his or her ballot*, which shall be a single written ticket containing the names of the person, or persons, for whom *he or she votes*," etc.

Sec. 11. All free inhabitants of full age who are worth £50 Proclamation money, and have resided within the county in which they claim a vote, for twelve months immediately preceding the election, shall be entitled to vote for all public officers which shall be elected by virtue of this act, and no person shall be entitled to vote in any other township, or precinct, than that in which he, or she, doth actually reside at the time of the election.

Mr. Wm. A. Whitehead of Newark, in a paper upon this subject, read by him in 1858, before the N. J. Historical Society, states that in this same year 1797, women voted at an election in Elizabethtown for members of the Legislature. "The candidates between whom the greatest rivalry existed were John Condit and Wm. Crane, the heads of what were known, a year or two later, as the "Federal Republican" and "Federal Aristocratic" parties, the former, the candidate of Newark and the Northern portions of the county, the latter, that of Elizabethtown and the adjoining country, for Council. Under the impression that the candidates would poll nearly the same number of votes, the Elizabethtown leaders thought that, by a bold 'coup d'état,' they might secure the success of Mr. Crane. At a late hour of the day and, as I have been informed, just before the close of the poll, a number of females were brought up and, under the provisions of the existing laws, allowed to vote. But the maneuver was unsuccessful, the majority for Mr. Condit in the county being 93 notwithstanding."

The *Newark Centinel* about the same time states that "no less than 75 women were polled at the late election in a neighboring borough." In the Presidential election of 1800, between Adams and Jefferson "females voted very generally throughout the State and such continued to be the case until the passage of the act (1807) excluding them from the polls. At first the law had been so

construed as to admit single women only, but, as the practice extended, the construction of the privilege became broader and was made to include females 18 years old married, or single, and even women of color. At a contested election in Hunterdon County, in 1802, the votes of two or three such actually electing a member of the Legislature."

That women voted at a very early period, we are informed by the venerable Mr. Cyrus Jones, of East Orange, who was born in 1770, and is now 97 years old.\* He says that "old maids; widows and unmarried women very frequently voted, but married women very seldom." That "the right was recognized and very little said or thought about it any way."

In the Spring of 1807, a special election was held in Essex County to decide upon the location of a Court House and Jail—Newark and its vicinity struggling to retain the County buildings, Elizabethtown and its neighborhood striving to remove them to "Day's Hill."

The question excited intense interest, as the value of every man's property was thought to be involved. Not only was every legal voter, man or woman, white or black, brought out, but, on both sides gross frauds were practiced. The property qualification was generally disregarded; aliens and minors participated, and many persons "voted early and voted often." In Acquackanonk Township, thought to contain about 300 legal voters, over 1800 votes were polled, all but seven in the interest of Newark.

It does not appear that either *women or negroes* were more especially implicated in these frauds than the white men. But the affair caused great scandal and they seem to have been made the scapegoats.

When the Legislature assembled, they set aside the election as fraudulent, yet Newark retained the buildings. Then they passed an act (Nov. 15, 1807), restricting the suffrage to white male, adult citizens, residents in the County for the twelve months preceding and worth £50 Proclamation money. But they went on, and provided that all such, whose names appeared on the last duplicate of State or County taxes should be considered worth £50; thus virtually abolishing the property qualification.

In 1820 the same provisions were repeated and maintained until 1844, when the present State Constitution was substituted.

Thus it appears that from 1776 to 1807, a period of thirty-one years, the right of women and negroes to vote was *admitted and exercised*—then from 1807 to 1844, by an arbitrary act of the Legislature, which does not seem to have been ever contested, the Constitutional right was *suspended* and both women and negroes excluded from the polls for thirty-seven years more. The extension of suffrage, in the State Constitution of 1776, to "all inhabitants" possessing the prescribed qualifications, was doubtless due to the Quaker influence then strong in West Jersey, and then; as now, in favor of the equal rights of women.

Since 1844, under the present Constitution; suffrage is conferred upon "every white male citizen of the United States of the age of twenty-one years; who shall have been a resident of this State one year and of the County in which he claims a vote, five months next before the election," excepting paupers, idiots, insane persons and criminals.

This Constitution is subject to amendment by a majority of both houses of two successive legislatures, when such amendment is afterwards ratified by the people, at a special election.

Lucy Stone  
H.B. Blackwell

\*Appears to have been written in 1867