

African American Voting Rights and the North Carolina Constitution

Overview

Students will examine changes in African American voting rights throughout North Carolina's history. This lesson begins by reviewing key vocabulary. Students then independently research the history of African American voting rights in North Carolina using a primary source web quest or jig saw activity. Additional activities include administering a sample voting literacy test and having students create historical suffrage posters.

Grade

10

North Carolina Essential Standards for American History: Founding Principles and Civics & Economics

- FP.C&G.2.1 - Analyze the structures of national, state and local governments in terms of ways they are organized to maintain order, security, welfare of the public and the protection of citizens (e.g., federalism, the three branches, court system, jurisdictions, judicial process, agencies, etc.)
- FP.C&G.2.2 - Summarize the functions of North Carolina state and local governments within the federal system of government (e.g., local charters, maintain a militia, pass ordinances and laws, collect taxes, supervise elections, maintain highways, types of local governments, etc.).
- FP.C&G.2.4 - Compare the Constitutions and the structures of the United States and North Carolina governments (e.g., the various NC Constitutions, Bill of Rights, Declaration of Rights, Preambles, the organization of, the powers of, responsibilities, etc.
- FP.C&G.2.6 - Evaluate the authority federal, state and local governments have over individuals' rights and privileges (e.g., Bill of Rights, Delegated Powers, Reserved Powers, Concurrent Powers, Pardons, Writ of habeas corpus, Judicial Process, states' rights, Patriot Act, etc.)
- FP.C&G.3.8 - Evaluate the rights of individuals in terms of how well those rights have been upheld by democratic government in the United States.
- FP.C&G.4.5 - Explain the changing perception and interpretation of citizenship and naturalization (e.g., aliens, Interpretations of the 14th amendment, citizenship, patriotism, equal rights under the law, etc.

Materials

- African American Voting Rights and North Carolina's Constitution Power Point accompaniment; available in the Database of K-12 Resources (in PDF format)
 - To view this PDF as a projectable presentation, save the file, click "View" in the top menu bar of the file, and select "Full Screen Mode"
 - To request an editable PPT version of this presentation, send a request to CarolinaK12@unc.edu
- Materials needed if choosing to lead the African American Voting Rights and North Carolina's Constitution Web Quest:
 - African American Voting Rights and North Carolina's Constitution Web Quest, worksheet attached
 - Web Quest answer key, attached
 - Computers with internet access
- Materials needed if choosing to lead the African American Voting Rights and North Carolina's Constitution Jig Saw:
 - Primary source documents, attached
 - Ideally, teachers will photo copy each primary source on a different color of paper. This will make the transition into the second group during the jig saw activity easier.
 - African American Voting Rights and North Carolina's Constitution Jig Saw activity, handout attached
 - Jig Saw answer key, attached

- Copy of Literacy Test and answer key (attached)
- Poster paper and art supplies (optional)
- Poster Rubric (optional), attached

Essential Questions

- How has the North Carolina Constitution been amended in regards to African American voting rights?
- How were many African Americans in North Carolina disenfranchised?
- What is the relationship between state and federal governments?

Duration

One or two 60-90 minute periods (time varies based on depth of student discussion and depending on which optional activities are lead)

Student Preparation

Students should have a basic understanding of the NC State Constitution (see the “North Carolina State Constitution: Exploring the Relevance,” available in the Database of Civic Resources) as well as a basic understanding of the treatment of Africans Americans throughout American history.

Teacher Preparation

Teachers choosing to lead the web quest as an in-class activity should consider having all of the websites linked and stored on the school’s computers – this will save the time of each student having to type in each web address.

Procedure

Day One

Introduction to African American Suffrage

1. As a warm-up, project the image on the second slide of the “African American Rights and the NC Constitution Power Point” accompaniment and go over the following instructions with students:
 - Take a few moments to examine this image. Consider the following:
 - What do you imagine is taking place?
 - Who are the people you see and what are they doing? How are they feeling?
 - During what year is this action occurring and why is it occurring?
 - After you have considered the image, assume the persona of one of the people you see represented in the image and write a first-hand account of this moment and/or day, told from your character’s perspective. You can be creative, but ensure you are realistic.
2. Once students have had time to compose some thoughts, ask a few volunteers to share their writing. Further discuss the image, focusing on the correct answers to the questions below. Share with students that the image is an 1867 sketch depicting blacks voting freely in the first open elections in the South; these elections took place after the Civil Rights Act of 1866 had mandated that African Americans be given the right to vote.
3. Tell students that they are going to be exploring the history of African American voting rights through the lens of the US and NC Constitutions. Explain that you first want students to review some key vocabulary they will encounter. Project the instructions on slides three and four of the Power Point, which explains the following:
 - Write down the following words. Be sure to leave a few lines of space under each word.
 - Suffrage
 - Disenfranchise
 - Grandfather Clause
 - Poll Tax
 - Literacy Test

- Mulatto
- Take five minutes to write down WHAT YOU THINK the definition of each term is.
- When you have finished writing down what you think the definitions are, flip the paper over and draw a line down the middle to create two columns.
- Rewrite the five terms in the left hand column. Leave space under each term.

➤ **Teacher Note:** Teachers should edit vocabulary as they see fit, adding additional words students may need to know based on your lesson, or removing words your students already have a strong understanding of.

4. Once students have completed their vocabulary predictions, go over the correct answers using slides 5-11 of the power point:
 - Suffrage - The right to vote
 - Disenfranchise - To deprive someone of their right to vote
 - Grandfather Clause - a clause creating an exemption based on circumstances previously existing ; *especially*: a provision in several southern state constitutions designed to enfranchise poor whites and disenfranchise blacks by waiving high voting requirements for descendants of men voting before 1867
 - Poll Tax - A special tax, demanded by states, as a condition of voting.
 - Literacy Test - A reading and writing test given to potential voters to determine if they are eligible to vote. African Americans were often disenfranchised by literacy tests because they were given near impossible tasks to complete.
 - Mulatto – a person of mixed white and black ancestry
5. Next, tell students to take a minute to compare their original definition predictions to the actual definitions. When finished, have students turn to the side of the paper with the columns and instruct them to sketch a picture or cartoon in the right column that relates to the term in the left hand column. Explain that this will help students study and remember these important terms later.

North Carolina's Constitution and African American Voting Rights Web Quest or Jig Saw

6. Write the word "vote" on the board and discuss, noting student responses on the board:
 - Do you have the ability to vote in an election? Why or why not?
 - What are the requirements for voting in North Carolina?
 - What groups of people throughout history have not always been allowed to vote in this country? (Give students a minute to think and write their thoughts on paper. When they are finished, record their answers on the board. Answers should include African Americans, women, Native Americans, people who did not own property, people under 21, people under 18, convicted felons, etc.)
7. Tell the students that they're going to be focusing on the history of African American voting rights in North Carolina. Explain to students that African Americans were not always able to vote in North Carolina. Highlight the fact that although it is illegal today to keep people from voting based upon race, gender, etc. this was not always the case. Many early state constitutions included provisions that made it perfectly legal to disenfranchise people based upon race, gender, etc. Lead students through one of the following activity options:
8. **Option 1: Web Quest**
 - Either individually or in partners, tell students they are going to be completing a web quest. Pass out a copy of the attached web quest to each student and review the instructions:
 - Your task is to use primary resources to research the changes made to the North Carolina Constitution in regards to African American voting rights. You will also be researching how the federal government and North Carolina's government relate to one another. To answer the questions, use the links provided. Each link corresponds with the set of questions below it. You are encouraged to engage in outside research in order to gain a greater understanding of the time period in which each version of the State Constitution was written.

- Review expectations for appropriate use of the Internet, assign students a computer or laptop, and tell students to keep the vocabulary terms in mind while they are completing this activity. As students work, circulate and address any questions that arise. Encourage the students to use an online dictionary to look up any words they are unfamiliar with. Once students have completed the web quest, review the answers as a class using the attached answer key.
- **Teacher Note:** Teachers who use the web quest with their students may want to consider having all of the internet sites stored on the computers students will be using. This will alleviate the time it would take for students to correctly type in each address.
- **Optional Variations:**
 - If all students have access to the Internet outside of school, the web quest can also be assigned as a homework activity to maximize instruction time.
 - Teachers can also disseminate the information from the web quest in lecture and discussion format with the class.

9. **Option 2: Jig Saw**

- If the class does not have access to computers to complete the attached web quest, or if time is limited, copies of all the necessary handouts are attached. Students can be placed into groups of 4 or 5 and given a packet of primary source handouts and the web quest questions. They can then complete the activity using the jigsaw method.
- Either assign eight groups or have students number off from one to eight (one for each primary source). Tell students where in the room each numbered group should report to once told to do so. Assign each group one of the attached primary sources to read and analyze (allow approximately 10-15 minutes for this.)
- **Teacher Note:** To make the transition to the second groups easier, teachers may want to copy each primary source on a differed color of paper. Thus, students in the first groups will all be working on the same primary source (the same color of paper.) When students transition to the second groups in the step below, there should be 8 different colors of paper in each group (thus, 8 primary sources being taught about.)
- Once the groups have completed their analysis, re-divide students into groups of 8, with one primary source represented in each group. Each of the 8 students will take a turn teaching their new group members about their primary source. Instruct students to go in the same order as the documents are listed on the handout. By the end of the second group meeting, all students should have their entire handout filled out based on what their classmates teach them.
- Teachers should circulate as students teach one another about their primary source. If discrepancies are overheard or students seem to struggle with any particular document, do a more detailed review of those areas as a class once groups have finished, using the attached answer key.

10. After reviewing the web quest or jig saw answers, culminate with a discussion:

- Common phrases around election time include “my vote doesn’t matter” or “who cares about voting, it’s not important.” If voting is not an important part of American life, why did many states pass laws to exclude whole groups of people from voting?
- Conversely, why did many groups fight difficult struggles to gain the right to vote? How do you imagine those people who fought (and even died) for the right to vote would feel hearing such apathetic opinions?
- Why is it important to vote, in local, state, and national elections? Can one person make a difference?
- Why is it important to be aware of your state’s constitution, knowing what types of amendments are being passed?
- If we are unaware of what our legislators are doing, or what is being amended in our state constitution, what would keep such unfair laws from being passed today?

Day Two

Optional: Quiz Time! Literacy Tests

11. As a warm-up on the next day class meets, tell the students they are going to take a quiz about voting and the Constitution. Pass out the attached quiz, which is actually a sample literacy test from Alabama (do not inform students of this yet.) Students will likely grumble, but tell them they have 10 minutes to read and complete the "quiz." To really raise the stakes and heighten resentment, teachers may want to tell students that you feel the information on the quiz is so important that you will be counting it as 20% of their final grade.
12. After the allotted time, have students exchange or grade their own papers as you share the correct answers. It is likely that many students will have done poorly. Ask students the following discussion questions:
 - Did you pass the quiz?
 - Did you think it was a difficult quiz? Why or why not?
 - Why was this quiz frustrating and stressful?
13. Finally, tell students that the quiz they just took it not actually going to count as part of their grade. Explain that it is a sample literacy test from Alabama and have students restate their understanding of literacy tests, as shared in the opening vocabulary activity from the previous day of class. Give students additional information regarding literacy tests:
 - A typical test consisted of three-parts.
 - In "Part A" the applicant was given a selection of the Constitution to read aloud. The registrar could assign you a long complex section filled with legalese and convoluted sentences, or he could tell you to read a simple one or two sentence section. The Registrar marked each word he thought you mispronounced. In some cases you had to orally interpret the section to the registrar's satisfaction. You then had to either copy out by hand a section of the Constitution, or write it down from dictation as the registrar spoke (mumbled) it. White applicants usually were allowed to copy, Black applicants usually had to take dictation. The Registrar then judged whether you were able to "read and write," or if you were "illiterate."
 - In Parts "B" and "C," you had to answer two different sets of four written questions each. Part "B" was 4 questions based on the excerpt you had written down. Part "C" consisted of 4 "general knowledge" questions about state and national government.
 - Your application was then reviewed by the three-member Board of Registrars — often in secret at a later date. They voted on whether or not you passed. It was entirely up to the judgment of the Board whether you passed or failed. If you were white and missed every single question they could still pass you if — in their sole judgment — you were "qualified." If you were Black and got every one correct, they could still flunk you if they considered you "unqualified." (Source: <http://www.crmvet.org/info/lithome.htm>)
 - Explain to students that literacy tests were used in our own state of North Carolina to deny African Americans the right to vote without violating the 15th Amendment. The reasoning was that people were being denied the right to vote because they could not pass a test, not because of a person's "race, color, or previous condition of servitude." Some white males were illiterate and could not pass the tests; this problem was solved with a 'grandfather clause' which allowed people whose grandfather's voted before 1867 to vote if they did not pass the tests. African Americans were exempt from grandfather clauses because their ancestors could not vote in North Carolina before 1867 (the end of the Civil War).

Discuss (teachers may want to have students first review their web quest/jig saw handout from the previous class):

- Can you imagine how it would feel if you were forced to take a literacy test and denied the right to vote based on this unfair practice? (Allow students to share their feelings, discussing how in actuality, it is difficult for us to really imagine or understand such injustice.)

- When did the transition happen that voting became less important to people? Meaning, you just noted how angry or frustrated you would be if denied the right to vote in this way, yet because we have the right, we don't utilize it. What does this say about society?
- What did it take to get literacy tests, grandfather clauses, and other unjust laws and practices eradicated?
- What year did North Carolina pass constitutional amendments that included the use of literacy tests and grandfather clauses? (1900)
- Why do you think these laws were passed in 1900? (Tell students to remember that African Americans were granted the ability to vote under the 1868 NC Constitution. Southern "redeemer" governments came to power after Reconstruction ended. Without the Federal Government looking over their shoulder, they wanted to return the South to a lifestyle similar to one before the Civil War.)
- When were literacy tests and grandfather clauses made unconstitutional in the United States?
 - Grandfather Clauses – 1915 – *Guinn v. United States*
 - Literacy Tests – 1965 – Voting Rights Act of 1965
 - Teachers can point out the fact that the current NC Constitution still has a literacy test requirement for voting, but it is null and void because of the Supremacy Clause.
- **Optional Activity:** Pass out parts "B" and "C" of the literacy test (attached). Allow the students a few minutes to read over and complete parts "B" and "C." When the students have finished, review the answers as a class. Answer key is attached.

Proposed Voting Amendments Opinion Poll

16. Before starting this activity, designate five areas of the room for students to stand. Each area should have one of the following designations: strongly approve, approve, neutral, disapprove, and strongly disapprove. Next explain to students that they are participants in a statewide poll that is trying to gauge the public's support for proposed NC Constitutional amendments. They will listen to the proposed amendment and then move to the area of the room that expresses their opinion on the subject. After each amendment, with students remaining in their chosen area, allow volunteers to explain why they feel the way they do. Once discussion has waned, continue to the next amendment and repeat the process. Remind students the expectations for respectful participation and safe movement around the classroom before beginning. (Optionally, teachers may choose one student to record the class' responses for each amendment on the board.)
 - Proposed Amendments:
 - A "political literacy test" is being proposed as a voting requirement in NC. Every eligible voter would have to take a short quiz about the candidates' positions in the election before being allowed to vote. How do you feel about this proposed amendment?
 - Due to these tough economic times, a poll tax amendment is being reviewed in order to increase much needed revenue for the state. Every eligible voter will be required to pay a poll tax that is no less than one dollar but no more than five dollars. This would bring in an estimated two hundred million dollars for the State. How do you feel about this amendment?
 - It has been determined that teenagers are too uninvolved, immature, and unaware of the political process. Even though people in the past have fought and died for the right to vote, young people aren't turning out to vote anyway. Thus, it is proposed that the voting age be raised to age 21. How do you feel about this proposed amendment?
 - North Carolina wants to pass an amendment that voting in our state is required. If you do not show up and vote in local, state, and national elections, you will be fined and possible jailed. Should voting be a requirement? How do you feel about this proposed amendment?

Optional Culminating Activity: Proposed Amendment or Suffrage Posters

17. Post all of the proposed amendments from the previous activity on the board. Allow each student to choose one of the three amendments. Either as an in-class or homework activity, their task is to choose a stance on the amendment and to create a poster that supports their stance. Optionally, students can be told to create an historical suffrage poster. Students would choose a year during which African Americans

were unable to vote and create a poster advocating for their right to vote. The poster should be designed as if it were an artifact from that year in history. The posters should be creative, realistic and informative. Grade them using the attached rubric.

18. Once all of the students have finished creating their posters, allow a few students to volunteer to share their posters. When students have finished presenting, hang the posters around the classroom or throughout the school.

Additional Activities

- Have students research political cartoons that deal with African Americans voting. Then allow them to create their own political cartoon about the issue.

Resources

- Constitution of 1776: <http://docsouth.unc.edu/unc/uncbk1017/uncbk1017.html>
- Constitutional Convention of 1835: <http://docsouth.unc.edu/nc/conv1835/conv1835.html>
- Journal of the Constitutional Convention of the State of North-Carolina, at Its Session 1868: <http://docsouth.unc.edu/nc/conv1868/conv1868.html>
- Sample Literacy Test: <http://college.cengage.com/history/us/resources/students/primary/voting.htm>
- Veterans of the Civil Rights Movement: Sample Literacy Test: <http://www.crmvet.org/info/lithome.htm>

Name _____

Date _____

WEB QUEST: African American Voting Rights and North Carolina's Constitution

Directions: Your task is to research the changes made to the North Carolina Constitution in regards to African American voting rights using primary sources. To answer the questions, use the links or handouts provided.

NC Constitution of 1776: <http://docsouth.unc.edu/unc/uncbk1017/uncbk1017.html>

1. Read pages 8 & 9. What article(s) deals with voting rights?
2. What are the voting requirements to vote for Senators?
3. What are the voting requirements to vote for members of the House of Commons?
4. List the people you think are excluded from voting.

NC Constitutional Convention of 1835: <http://docsouth.unc.edu/nc/conv1835/conv1835.html>

5. Read page 22. What resolution did Mr. Shober propose? What resolution did Mr. Morehead propose? (Summarize in your own words.)

Shober's Resolution:

Morehead's Resolution:

6. Skim page 23. What resolution was adopted?

NC Constitutional Convention of 1868: <http://docsouth.unc.edu/nc/conv1868/conv1868.html#p232>

7. Go to page 233. What are the requirements for suffrage?
8. How do they differ from the 1776 Constitution and the 1835 Constitutional Amendments?

9. Who is eligible for public office?

10. Who is disqualified?

15th Amendment to the United States Constitution:

http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution

11. When was the 15th Amendment ratified? What is this period of American history called?

12. What was the purpose of the 15th Amendment to the US Constitution? How did it achieve this purpose?

14. How did the 15th Amendment impact the NC Constitution?

North Carolina Constitutional Amendments of 1900:

<http://core.ecu.edu/umc/Wilmington/scans/ticketThree/articleSix.pdf>

13. Read Section 4. In your own words, what two things must a person do before being able to register to vote?

14. In your own words summarize the first paragraph of section 5. What is this type of clause called?

15. Explain how sections 4 & 5 intended to keep African Americans from voting?

Guinn v United States: <https://supreme.justia.com/cases/federal/us/238/347/case.html>

16. Scroll down and read the paragraph that starts "This case is before us on a certificate....." What were Oklahoma officials accused of doing?

17. Scroll down and read the paragraph that starts, “But no person who was, on January 1st, 1866....” Summarize the meaning of the Oklahoma law in one or two sentences. (Hint: If you are having trouble understanding the language, think of question 15 above.)

18. Read the paragraph directly below the previous one. It starts “We have difficulty...” According to the Supreme Court, how does the Oklahoma law disenfranchise some people without mentioning race or color?

19. Read the paragraph that starts, “No time need be spent....” According to the Supreme Court, are literacy tests valid and legal? Why?

Voting Rights Act of 1965: <http://archive.fairvote.org/?page=1327>

20. What is the purpose of the Voting Rights Act?

21. Read Section 4c and 4d. What impediments to voting does this section eliminate?

22. Read section 10a and 10b. What impediments to voting does this section eliminate?

North Carolina Constitution of 1971: <http://www.ncga.state.nc.us/Legislation/constitution/article6.html>

23. Who may vote in North Carolina?

24. Who is barred from voting in North Carolina?

25. How did *Guinn v United States* and the Voting Rights Act of 1965 affect North Carolina law? What clause of the US Constitution made this possible?

JIG SAW: African American Voting Rights and North Carolina's Constitution

Directions: Your task is to use primary resources to research the changes made to the North Carolina Constitution in regards to African American voting rights. You will also be researching how the Federal Government and North Carolina's Government relate to one another.

- In your group, read aloud the document assigned to you. As you read, underline important points or things you find interesting. Box any words you are unfamiliar with. Write comments and questions that you have in the margin of the document.
- Find the set of questions below that corresponds with the document your group was given. Answer the questions as a group using the document. Some of the questions will require information from the other groups; you can hold off on answering those questions until later in the activity.
- It is important your group work carefully and ensure you find the correct answers to the questions, since each of you will be splitting up into new groups in the second part of this activity. In your new group, you will be responsible for teaching other students about the document you read, as well as providing them with the answers to your set of questions.
- Likewise, the members of your second group will teach you the answers to all the other questions on this handout. As students present, ensure you listen carefully and fill out your sheet.

Constitution of 1776:

1. Read pages 8 & 9. What article(s) deals with voting rights?
2. What are the voting requirements to vote for Senators?
3. What are the voting requirements to vote for members of the House of Commons?
4. List people you think are excluded from voting.

Constitutional Convention of 1835:

5. Read page 22. What resolution did Mr. Shober propose? What resolution did Mr. Morehead propose? (Summarize in your own words.)

Shober's Resolution:

Morehead's Resolution:

6. Skim page 23. What resolution was adopted?

Constitutional Convention of 1868:

7. Go to page 233. What are the requirements for suffrage?

8. How do they differ from the 1776 Constitution? The 1835 Constitutional Amendments?

9. Who is eligible for public office?

10. Who is disqualified?

15th Amendment to the United States Constitution:

11. When was the 15th Amendment ratified? What is this period of American history called?

12. What was the purpose of the 15th Amendment?

13. How did the 15th Amendment impact the NC Constitution

North Carolina Constitutional Amendments of 1900:

14. Read Section 4. In your own words, what two things must a person do before being able to register to vote?

15. In your own words summarize the first paragraph of section 5. What is this type of clause called?

16. Explain how sections 4 & 5 intended to keep African Americans from voting?

Guinn v United States:

17. Read the paragraph that starts “This case is before us on a certificate.....” What were Oklahoma officials accused of doing?

18. Read the paragraph that starts, ““But no person who was, on January 1st, 1866.....” Summarize the meaning of the Oklahoma law in one or two sentences. (Hint: If you are having trouble understanding the language, think of question 15 above)

19. Read the paragraph that starts, “No time need be spent....” According to the Supreme Court, are literacy tests valid and legal? Why?

Voting Rights Act of 1965:

20. What is the purpose of the Voting Rights Act?

21. Read Section 4c and 4d. What impediments to voting does this section eliminate?

22. Read section 10a and 10b. What impediments to voting does this section eliminate?

North Carolina Constitution of 1971:

23. Who may vote in North Carolina?

24. Who is barred from voting in North Carolina?

25. How did *Guinn v United States* and the Voting Rights Act of 1965 affect North Carolina law? What clause of the US Constitution made this possible?

History of North Carolina's Constitution Web Quest/Jigsaw Answer Key

Constitution of 1776: <http://docsouth.unc.edu/unc/uncbk1017/uncbk1017.html>

1. Read pages 8 & 9. What article(s) deals with voting rights?
 - **Section VII and VIII**
2. What are the voting requirements to vote for Senators?
 - **Freeman (doesn't specify race)**
 - **Twenty One years old**
 - **Live in county/state for one year before election**
 - **Own land (at least 50 acres)**
3. What are the voting requirements to vote for members of the House of Commons?
 - **Freeman (doesn't specify race)**
 - **Twenty One years old**
 - **Live in any county/state for one year before election**
 - **Pay public taxes**
4. List people you think are excluded from voting.
 - **Women**
 - **Slaves**
 - **People under 21**
 - **People who don't own land**
 - **Non-citizens (Native American Indians)**

Constitutional Convention of 1835: <http://docsouth.unc.edu/nc/conv1835/conv1835.html>

5. Read page 22. What resolution did Mr. Shober propose? What resolution did Mr. Morehead propose? (Summarize in your own words.)

Shober's Resolution:

- **"that free negroes and mulattoes within four degrees inclusive, be deprived of the privilege of voting for members of the Senate and House of Commons in this State."**

Morehead's Resolution:

- **"all free negroes and mulattoes, within the fourth degree, shall be excluded from voting for members of the Senate. That all free negroes and mulattoes of the age of twenty-one years, who have been inhabitants of any one county within the State twelve months immediately preceding the day of election, and possessed of a freehold within the same county of the value of dollars, for six months next before and at the day of election, and shall not have been convicted of any infamous crime or offence, shall be entitled to vote for members of the House of Commons."**

6. Skim page 23. What resolution was adopted?
 - **Shober's resolution was adopted denying all African-Americans and men of mixed race the ability to vote.**

Constitutional Convention of 1868: <http://docsouth.unc.edu/nc/conv1868/conv1868.html#p232>

7. Go to page 233. What are the requirements for suffrage?
 - **Male**
 - **US citizen (born or naturalized)**
 - **21 years or older**
 - **Live in state for 12 months**
 - **Live in county for three months**
8. How do the 1835 and 1868 suffrage requirements differ?
 - **There is no mention of race in the 1868 Constitution**
9. Who is eligible for public office?

- **Every voter**

10. Who is disqualified?

- **People who deny the existence of God**
- **Convicted of treason, felony, perjury, corruption**

15th Amendment to the United States Constitution:

http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution

11. When was the 15th Amendment ratified? What is this period of American history called?

- **February 3rd, 1870**
- **Reconstruction**

12. What was the purpose of the 15th Amendment? How did it achieve this purpose?

- **To protect the voting rights of Americans, specifically former slaves.**
- **Saying that “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.”**

13. How did the 15th Amendment impact the NC Constitution?

- **It made any race based restrictions on voting null and void.**

North Carolina Constitutional Amendments of 1900:

<http://core.ecu.edu/umc/Wilmington/scans/ticketThree/articleSix.pdf>

14. Read Section 4. What two things must a person do before being able to register to vote?

- **Read and write a section of the Constitution in English**
- **Pay their poll tax**

15. In your own words summarize the first paragraph of section 5. What is this type of clause called?

- **If you cannot read and write or pay your poll tax, you may still vote if you had a relative that was eligible to vote before January 1, 1867.**
- **Grandfather clause**

16. Explain how sections 4 & 5 intended to keep African Americans from voting?

- **Section 4: Literate African Americans could be given difficult passages of the Constitution and if they made any mistakes they would be denied the vote. Many poor African Americans could not afford a poll tax in order to vote.**
- **Section 5: According to the law from 1835 – 1868, no African Americans could vote in North Carolina. As a result, they could not be “grandfathered in” for failing a literacy test and/or not paying a poll tax.**

Guinn v United States: http://afroamhistory.about.com/library/blguinn_v_us.htm

17. Scroll down and read the paragraph that starts “This case is before us on a certificate.....”

What were Oklahoma officials accused of doing?

- **Depriving African Americans of their right to vote because of their race**

18. Scroll down and read the paragraph that starts, ““But no person who was, on January 1st, 1866.....”

Summarize the meaning of the Oklahoma law in one sentence. (Hint: If you are having trouble understanding the language, think of question 15 above)

- **It is a grandfather clause that denies African Americans the right to vote.**

19. Read the paragraph that starts, “No time need be spent....”

According to the Supreme Court, are literacy tests valid and legal? Why?

- **Literacy tests are valid and legal because they do not discriminate against a particular group of people. Their view is that if you want to vote, learn how to read and write.**

Voting Rights Act of 1965: <http://www.fairvote.org/?page=1327>

20. What is the purpose of the Voting Rights Act?

- **To enforce the 15th Amendment**
- **Protect voting rights of African Americans**
- **Protect voting rights of all Americans**

21. Read Section 4c and 4d. What impediments to voting does this section eliminate?

- **Literacy tests**

22. Read section 10a and 10b. What impediments to voting does this section eliminate? **Poll Taxes**

North Carolina Constitution of 1971: <http://www.ncga.state.nc.us/Legislation/constitution/article6.html>

23. Who may vote in North Carolina today?

- **Any person born or naturalized in the United States, who is at least 18 years old.**

24. Who is barred from voting in North Carolina?

- **Felons**
- **Non-residents of North Carolina**

25. How did *Guinn v United States* and the Voting Rights Act of 1965 affect North Carolina law? What clause makes this possible?

- **The *Guinn* ruling and the Voting Rights Act were both made at the Federal Level and under the Supremacy Clause of the Constitution, Federal law trumps state law.**

Name: _____

Date _____

(Side 1)

Voting and the Constitution Quiz

Directions: Read parts 1, 2, and 3 quietly to yourself. When you have finished reading, turn your paper over to side 2 and answer the questions on the back. Once you have turned your paper over to side 2, you MAY NOT turn it back to side 1.

Part 1. In case of the removal of the president from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President, and the Congress may by law provide for the case of removal, death. Resignation or inability, both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

Part 2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the Supreme Court shall have original jurisdiction

Part 3. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

Part 4. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction

(Side 2 – You may NOT turn your paper back over to Side 1)

(After applicant has read, not aloud, the foregoing excerpts from the Constitution, he will answer the following questions in writing and without assistance)

1. In case the president is unable to perform the duties of his office, who assumes them?

2. “Involuntary servitude” is permitted in the United States upon conviction of a crime.

(True or False)_____

3. If a state is a party to a case, the Constitution provides that original jurisdiction shall be in:

4. Congress passes laws regulating cases which are included in those over which the United States Supreme Court has _____ jurisdiction.

I hereby certify that I have received no assistance in the completion of this citizenship and literacy test, that I was allowed the time I desired to complete it, and that I waive any right existing to demand a copy of same. (If for any reason the applicant does not wish to sign this, he must discuss the matter with the board of registrars.)

Signed:_____

Voting and the Constitution Quiz Answer Key

1. In case the president is unable to perform the duties of his office, who assumes them? **The Vice President**
2. "Involuntary servitude" is permitted in the United States upon conviction of a crime. (True or False) **True**
3. If a state is a party to a case, the Constitution provides that original jurisdiction shall be in **the Supreme Court**
4. Congress passes laws regulating cases which are included in those over which the United States Supreme Court has **appellate** jurisdiction.

Sample Alabama Literacy Test - "B"

1. What body can try impeachments of the president of the United States?

2. Check the applicable definition for responsibility:

_____ a duty

_____ a speech

_____ failure

3. Name the attorney general of the United States.

4. Women may now serve on juries in Alabama state courts.

Sample Alabama Literacy Test - "B"

1. If a person charged with treason denies his guilt, how many persons must testify against him before he can be convicted?

2. At what time of day on January 20 each four years does the term of the president of the United States end?

3. If the president does not wish to sign a bill, how many days is he allowed in which to return it to Congress for reconsideration?

4. If a bill is passed by Congress and the president refuses to sign it and does not send it back to Congress in session within the specified period of time, is the bill defeated or does it become law?

Sample Alabama Literacy Test Answer Key

“B”

1. What body can try impeachments of the president of the United States? **Senate**
2. Check the applicable definition for responsibility: **a duty**
3. Name the attorney general of the United States.

As of this writing – Eric Holder

At the time the test was written – Nicholas Katzenbach

4. Women may now serve on juries in Alabama state courts. **True**

“C”

1. If a person charged with treason denies his guilt, how many persons must testify against him before he can be convicted? **Two**
2. At what time of day on January 20 each four years does the term of the president of the United States end?
12 noon
3. If the president does not wish to sign a bill, how many days is he allowed in which to return it to Congress for reconsideration? **Ten**
4. If a bill is passed by Congress and the president refuses to sign it and does not send it back to Congress in session within the specified period of time, is the bill defeated or does it become law?
It becomes law unless Congress adjourns before the expiration of 10 days.

Directions: Use the excerpts from *Guinn v US* to answer the questions on your African American voting rights worksheet.

Excerpt 1:

This case is before us on a certificate drawn by the court below as the basis of two questions which are submitted for our solution in order to enable the court correctly to decide issues in a case which it has under consideration. Those issues arose from an indictment and conviction of certain election officers of the state of Oklahoma (the plaintiffs in error) of the crime of having conspired unlawfully, willfully, and fraudulently to deprive certain negro citizens, on account of their race and color, of a right to vote at a general election held in that state in 1910, they being entitled to vote under the state law, and which right was secured to them by the 15th Amendment to the Constitution of the United States. [.....]

Excerpt 2:

The standard of January 1, 1866, fixed in the suffrage amendment and its significance. The inquiry, of course, here is, Does the amendment as to the particular standard which this heading embraces involve the mere refusal to comply with the commands of the 15th Amendment as previously stated? This leads us, for the purpose of the analysis, to recur to the text of the suffrage amendment. Its opening sentence fixes the literacy standard which is allinclusive, since it is general in its expression and contains no word of discrimination on account of race or color or any other reason. This, however, is immediately followed by the provisions creating the standard based upon the condition existing on January 1, 1866, and carving out those coming under that standard from the inclusion in the literacy test which would have controlled them but for the exclusion thus expressly provided for. The provision is this:

‘But no person who was, on January 1st, 1866, or at any time prior thereto, entitled to vote under any form of government, or who at that time resided in some foreign nation, and no lineal descendant of such person, shall be denied that right to register and vote because of his inability to so read and write sections of such Constitution.’

We have difficulty in finding words to more clearly demonstrate the conviction we entertain that this standard has the characteristics which the government attributes to it than does the mere statement of the text. It is true it contains no express words of an exclusion from the standard which it establishes of any person on account of race, color, or previous condition of servitude, prohibited by the the 15th Amendment, but the standard itself inherently brings that result into existence since it is based [238 U.S. 347, 365] purely upon a period of time before the enactment of the 15th Amendment, and makes that period the controlling and dominant test of the right of suffrage. In other words, we seek in vain for any ground which would sustain any other interpretation but that the provision, recurring to the conditions existing before the 15th Amendment was adopted and the continuance of which the 15th Amendment prohibited, proposed by in substance and effect lifting those conditions over to a period of time after the Amendment, to make them the basis of the right to suffrage conferred in direct and positive disregard of the 15th Amendment. And the same result, we are of opinion, is demonstrated by considering whether it is possible to discover any basis of reason for the standard thus fixed other than the purpose above stated. We say this because we are unable to discover how, unless the prohibitions of the 15th Amendment were considered, the

slightest reason was afforded for basing the classification upon a period of time prior to the 15th Amendment. Certainly it cannot be said that there was any peculiar necromancy in the time named which engendered attributes affecting the qualification to vote which would not exist at another and different period unless the 15th Amendment was in view. [...]

Excerpt 3:

No time need be spent on the question of the validity of the literacy test, considered alone, since, as we have seen, its establishment was but the exercise by the state of a lawful power vested in it, not subject to our supervision, and, indeed, its validity is admitted. Whether this test is so connected with the other one relating to the situation on January 1, 1866, that the invalidity of the latter requires the rejection of the former, is really a question of state law; but, in the absence of any decision on the subject by the supreme court of the state, we must determine it for ourselves. We are of opinion that neither forms of classification nor methods of enumeration should be made the basis of striking down a provision which was independently legal, and therefore was lawfully enacted, because of the removal of an illegal provision with which the legal provision or provisions may have been associated. We state what we hold to be the rule thus strongly because we are of opinion that on a subject like the one under consideration, involving the establishment of a right whose exercise lies at the very basis of government, a much more exacting standard is required than would ordinarily obtain where the influence of the declared unconstitutionality of one provision of a statute upon another and constitutional provision is required to be fixed. [...]

North Carolina Constitution of 1776

We, the representatives of the Freemen of *North Carolina*, chosen and assembled in Congress, for the express purpose of framing a Constitution, under the Authority of the people, most conducive to their Happiness and prosperity, do declare, that a Government for this State shall be established in Manner and Form following, *to wit*,

Article VI. That the legislative Authority shall be vested in two distinct Branches, both dependent on the People, *to wit*, a Senate, and House of Commons.

II. That the Senate shall be composed of Representatives annually chosen by Ballot, one for each County in the State.

III. That the House of Commons shall be composed of Representatives annually chosen by Ballot, two for each County, and one for each of the Towns of *Edenton, Newbern, Wilmington, Salisbury, Hillsborough, and Halifax*.

IV. That the Senate and house of Commons, assembled for the Purpose of Legislation, shall be denominated the General Assembly.

V. That each member of the Senate shall have usually resided in the County in which he is chosen for one Year immediately preceding his Election, and for the same Time shall have possessed, and continue to possess, in the County which he represents, not less than three Hundred Acres of Land in Fee.

VI. That each Member of the House of Commons shall have usually resided in the County in which he is chosen for one Year immediately preceding his Election, and for six Months shall have possessed, and continue to possess, in the County which he represents, not less than One Hundred Acres of Land in Fee, or for the Term of his own Life.

VII. That all Freemen of the Age of Twenty One

Years, who have been Inhabitants of any one County within the State twelve Months immediately preceding the Day of any Election, and possessed of a Freehold within the same County of Fifty Acres of Land for six Months next before, and at the Day of Election, shall be entitled to vote for a Member of the Senate.

VIII. That all Freemen of the Age of Twenty One Years, who have been Inhabitants of any County within the State twelve Months immediately preceding the Day of any Election, and shall have paid Public Taxes, shall be entitled to vote for Members of the House of Commons for the County in which he resides.

IX. That all Persons possessed of a Freehold in any Town in this State, having a Right of Representation and also all Freemen who have been Inhabitants of any such Town twelve Months next before, and at the day of Election, and shall have paid Public Taxes, shall be entitled to vote for a Member to represent such town in the House of Commons. *Provided always*, That this Section shall not entitle any Inhabitant of such town to vote for Members of the House of Commons for the County in which he may reside, nor any Freeholder in such County who resides without, or beyond the Limits of such Town, to vote for a Member for said Town.

Source: <http://docsouth.unc.edu/unc/uncbk1017/uncbk1017.html>

Fifteenth Amendment

Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

Section 2. The Congress shall have power to enforce this article by appropriate legislation.

History

The Fifteenth Amendment (Amendment XV) to the United States Constitution prohibits each government in the United States from denying a citizen the right to vote based on that citizen's "race, color, or previous condition of servitude" (i.e., slavery). It was ratified on February 3, 1870.

The Fifteenth Amendment is the third of the Reconstruction Amendments. This amendment prohibits the states and the federal government from using a citizen's race,^[1] color or previous status as a slave as a voting qualification. Its basic purpose was to enfranchise former slaves. While some states had permitted the vote to former slaves even before the ratification of the Constitution, this right was rare, not always enforced and often under attack. The North Carolina Supreme Court upheld this right of free men of color to vote; in response, amendments to the North Carolina Constitution removed the right in 1835.^[2] Granting free men of color the right of to vote could be seen as giving them the rights of citizens, an argument explicitly made by Justice Curtis's dissent in *Dred Scott v. Sandford*:

Of this there can be no doubt. At the time of the ratification of the Articles of Confederation, all free native-born inhabitants of the States of New Hampshire, Massachusetts, New York, New Jersey and North Carolina, though descended from African slaves, were not only citizens of those States, but such of them as had the other necessary qualifications possessed the franchise of electors, on equal terms with other citizens.^[3]

The original House and Senate draft of the Amendment said the right to vote and to be a candidate would not be denied or abridged by the States based on race, color or creed.^[4] This was eventually omitted due to the desire among many Northern Republicans to leave their own laws limiting black participation in government intact. The Amendment did not establish true universal male suffrage partly because Southern Republicans were afraid to undermine loyalty tests, which the Reconstruction state governments used to limit the influence of ex-Confederates.^[5]

The first African American to vote after the adoption of this amendment was Thomas Mundy Peterson, who cast his ballot in a school board election being held in Perth Amboy, New Jersey on March 31, 1870.^[6] On a per capita and absolute basis, more blacks were elected to political office during the period from 1865 to 1880 than at any other time in American history. Although no state elected a black governor during Reconstruction, a number of state legislatures were effectively under the control of a substantial African American caucus. These legislatures brought in programs that are considered part of government's duty now, but at the time were radical, such as universal public education. They also set aside all racially biased laws, including anti-miscegenation laws (laws prohibiting interracial marriage).

Despite the efforts of groups like the Ku Klux Klan to intimidate black voters and white Republicans, assurance of federal support for democratically elected southern governments meant that most Republican voters could both vote and rule in confidence. For example, when an all-white mob

attempted to take over the interracial government of New Orleans, President Ulysses S. Grant sent in federal troops to restore the elected mayor.

However, after the close election of Rutherford B. Hayes, in order to mollify the South, he agreed to withdraw federal troops. He also overlooked poll violence in the Deep South, despite several attempts by the Republicans to pass laws protecting the rights of black voters and to punish intimidation. An example of the unwillingness of the Congress to take any action at this time, is a bill which would only have required incidents of violence at polling places to be publicized failed to be passed. Without the restrictions, voting place violence against blacks and Republicans increased, including instances of murder. Most of this was done without any interference by law enforcement and often even with their cooperation.

By the 1890s, many Southern states had rigorous voter qualification laws, including literacy tests and poll taxes. Some states even made it difficult to find a place to register to vote.

Source: http://en.wikipedia.org/wiki/Fifteenth_Amendment_to_the_United_States_Constitution

Constitutional Convention of 1835

SATURDAY, JUNE 13, 1835.

The Convention met, pursuant to adjournment. Prayer by the Rev. Mr. Jamieson.

On motion of Mr. Shober, the Convention proceeded to consider the amendment reported from the Committee of the Whole, to whom was referred the 4th Resolution, proposing that a Committee be appointed to enquire whether any, and if any, what amendments are proper to be made to the Constitution as to the abrogation or restriction of the right of free negroes or mulattoes to vote for members of the Senate or House of Commons: which amendment is to strike out all of the said Resolution after the word "Resolved," and insert in lieu thereof, "that free negroes and mulattoes within four degrees inclusive, be deprived of the privilege of voting for members of the Senate and House of Commons in this State."

Mr. Morehead moved to amend the amendment by striking out all after the word "that," and inserting "all free negroes and mulattoes, within the fourth degree, shall be excluded from voting for members of the Senate. That all free negroes and mulattoes of the age of twenty-one years, who have been inhabitants of any one county within the State twelve months immediately preceding the day of election, and possessed of a freehold within the same county of the value of dollars, for six months next before and at the day of election, and shall not have been convicted of any infamous crime or offence, shall be entitled to vote for members of the House of Commons." [...]

So the Convention came to the following Resolution:

Resolved, That free negroes and mulattoes, within four degrees inclusive, be deprived of the privilege of voting for members of the Senate and House of Commons in this State.

On motion of Mr. Spaight, of Craven, the said Resolution was referred to a select Committee, with instructions to draft an amendment accordingly.

Source: <http://docsouth.unc.edu/nc/conv1835/conv1835.html>

Constitutional Convention of 1868

ARTICLE --. SUFFRAGE.

SECTION 1. Every male person born in the United States, and every male person who has been naturalized, twenty-one years old or upward, who shall have resided in this State twelve months next **preceeding** the election, and three months in the County, in which he offers to vote, shall be deemed an elector.

SEC. 2. All elections by the people shall be by ballot, and all elections by the General Assembly shall be *viva voce*.

ARTICLE --. ELIGIBILITY TO OFFICE.

SECTION 1. Every voter, except as hereinafter provided, shall be eligible to office; but, before entering upon the discharge of the duties of his office, he shall take and subscribe the following oath: "I, --, do solemnly swear (or affirm,) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North-Carolina, not inconsistent therewith, and that I will faithfully discharge the duties of my office, So help me God."

SEC. 2. The following classes of persons shall be disqualified for office: 1st, All persons who shall deny the being of Almighty God; 2d, All persons who shall have been convicted of treason, or shall have been adjudged guilty of felony, perjury, of any infamous crime, (unless such person shall have been fully pardoned,) or of corruption or mal-practice in office.

North Carolina Constitutional Amendments of 1900

Proposed article for the North Carolina State Constitution. The election for this constitutional amendment took place on August 2, 1900.

Article VI. Suffrage and Eligibility to Office – Qualifications of an Elector.

[Section 1] Every male person born in the United States, and every male person who has been naturalized, 21 years of age and possessing the qualifications set out in this Article shall be entitled to vote at any election by the people in the State, except as herein otherwise provided.

[Sec. 2] He shall have resided in the State of North Carolina for two years, in the county six months and in the precinct, ward or other election district, in which he offers to vote four months next preceding the election: Provided, That removal from one precinct, ward or other election district to another in the same county, shall not operate to deprive any person of the right to vote in a precinct, ward or other election district from which he has removed until four months after such removal. No person who has been convicted, or who has confessed his guilt in open court upon indictment, of any crime, the punishment of which now is, or may thereafter be, imprisonment in the State prison, shall be permitted to vote unless the said person shall be first restored to citizenship in the like manner prescribed by law.

[Sec. 3] Every person offering to vote shall be at the time a legally registered voter as herein prescribed and in the manner hereinafter provided by law, and the General Assembly of North Carolina shall enact general registration laws to carry into effect the provisions of this Article.

[Sec. 4] Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language; and, before he shall be entitled to vote, he shall have paid, on or before the first day of March of the year in which he proposes to vote, his poll tax, as prescribed by law, for the previous year. Poll taxes shall be a lien only on assessed property, and no process shall issue to enforce the collection of the same except against assessed property.

[Sec. 5] No male person, who was on January 1, 1867, or at any time prior thereto, entitled to vote under the laws of any State in the United States wherein he then resided, and no lineal descendant of any such person; shall be denied the right to register and vote at any election in this State by reason of his failure to possess the educational qualifications prescribed in section 4 of this Article: Provided, He shall have registered in accordance with the terms of this section prior to Dec. 1, 1908.

The General Assembly shall provide for a permanent record of all persons who register under this section on or before November 1, 1908, and all such persons shall be entitled to register and vote at all elections by the people in this State, unless disqualified under section 2 of this Article: Provided such persons shall have paid their poll tax as required by law.

[Sec. 6] All elections by the people shall be by ballot, and all elections by the General Assembly shall be viva voce.

[Sec. 7] Every voter in North Carolina, except as in this Art. Disqualified, shall be eligible to office, but before entering upon the duties of the office he shall take and subscribe the following oath: "I...do solemnly swear or affirm, that I will support the constitution and laws of North Carolina, not

inconsistent therewith, and that...I will faithfully discharge the duties of my office as...So help me God.”

[Sec. 8] The following classes of persons shall be disqualified for office: First, all persons who shall deny the being of Almighty God. Second, all persons who shall have been convicted or confessed their guilt on indictment pending, and whether sentenced or not; or under judgment suspended, of any treason or felony, or any other crime for which the punishment may be imprisonment in the penitentiary; since becoming citizens of the United States, or of corruption and malpractice in office unless such person shall be restored to the rights of citizenship in a manner prescribed by law.

[Sec. 9] That all of the provisions of the Constitution relating to suffrage registration and elections as contained in this act, amending the Constitution, shall go into effect on the first day of July, 1902, if a majority of the qualified voters of the State so declare at the next general election.

Source: <http://core.ecu.edu/umc/Wilmington/scans/ticketThree/articleSix.pdf>

Voting Rights Act of 1965

An act to enforce the fifteenth amendment to the Constitution of the United States, and for other purposes. [...]

SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color. [...]

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection [...]

(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class. [...]

SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the fourteenth amendment and section 2 of the fifteenth amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefore enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section. [...]

SEC. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than \$10,000 or imprisoned not more than five years, or both: Provided, however, That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, or Delegates or Commissioners from the territories or possessions, or Resident Commissioner of the Commonwealth of Puerto Rico.

Source: <http://www.fairvote.org/?page=1327>

ARTICLE VI
SUFFRAGE AND ELIGIBILITY TO OFFICE

Section 1. Who may vote.

Every person born in the United States and every person who has been naturalized, 18 years of age, and possessing the qualifications set out in this Article, shall be entitled to vote at any election by the people of the State, except as herein otherwise provided.

Sec. 2. Qualifications of voter.

(1) Residence period for State elections. Any person who has resided in the State of North Carolina for one year and in the precinct, ward, or other election district for 30 days next preceding an election, and possesses the other qualifications set out in this Article, shall be entitled to vote at any election held in this State. Removal from one precinct, ward, or other election district to another in this State shall not operate to deprive any person of the right to vote in the precinct, ward, or other election district from which that person has removed until 30 days after the removal.

(2) Residence period for presidential elections. The General Assembly may reduce the time of residence for persons voting in presidential elections. A person made eligible by reason of a reduction in time of residence shall possess the other qualifications set out in this Article, shall only be entitled to vote for President and Vice President of the United States or for electors for President and Vice President, and shall not thereby become eligible to hold office in this State.

(3) Disqualification of felon. No person adjudged guilty of a felony against this State or the United States, or adjudged guilty of a felony in another state that also would be a felony if it had been committed in this State, shall be permitted to vote unless that person shall be first restored to the rights of citizenship in the manner prescribed by law.

Sec. 3. Registration.

Every person offering to vote shall be at the time legally registered as a voter as herein prescribed and in the manner provided by law. The General Assembly shall enact general laws governing the registration of voters.

Sec. 4. Qualification for registration.

Every person presenting himself for registration shall be able to read and write any section of the Constitution in the English language.

Sec. 5. Elections by people and General Assembly.

All elections by the people shall be by ballot, and all elections by the General Assembly shall be viva voce. A contested election for any office established by Article III of this Constitution shall be determined by joint ballot of both houses of the General Assembly in the manner prescribed by law.

Sec. 6. Eligibility to elective office.

Every qualified voter in North Carolina who is 21 years of age, except as in this Constitution disqualified, shall be eligible for election by the people to office.

Sec. 7. Oath.

Before entering upon the duties of an office, a person elected or appointed to the office shall take and subscribe the following oath:

"I, _____, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as _____, so help me God."

Sec. 8. Disqualifications for office.

The following persons shall be disqualified for office:

First, any person who shall deny the being of Almighty God.

Second, with respect to any office that is filled by election by the people, any person who is not qualified to vote in an election for that office.

Third, any person who has been adjudged guilty of treason or any other felony against this State or the United States, or any person who has been adjudged guilty of a felony in another state that also would be a felony if it had been committed in this State, or any person who has been adjudged guilty of corruption or malpractice in any office, or any person who has been removed by impeachment from any office, and who has not been restored to the rights of citizenship in the manner prescribed by law.

Sec. 9. Dual office holding.

(1) Prohibitions. It is salutary that the responsibilities of self-government be widely shared among the citizens of the State and that the potential abuse of authority inherent in the holding of multiple offices by an individual be avoided. Therefore, no person who holds any office or place of trust or profit under the United States or any department thereof, or under any other state or government, shall be eligible to hold any office in this State that is filled by election by the people. No person shall hold concurrently any two offices in this State that are filled by election of the people. No person shall hold concurrently any two or more appointive offices or places of trust or profit, or any combination of elective and appointive offices or places of trust or profit, except as the General Assembly shall provide by general law.

(2) Exceptions. The provisions of this Section shall not prohibit any officer of the military forces of the State or of the United States not on active duty for an extensive period of time, any notary public, or any delegate to a Convention of the People from holding concurrently another office or place of trust or profit under this State or the United States or any department thereof.

Sec. 10. Continuation in office.

In the absence of any contrary provision, all officers in this State, whether appointed or elected, shall hold their positions until other appointments are made or, if the offices are elective, until their successors are chosen and qualified.

Making A Poster : Proposed Voting Amendments or Historical Suffrage Poster

Teacher Name: _____

Student Name: _____

CATEGORY	4	3	2	1
Graphics -Clarity	Graphics are all in focus and the content easily viewed and identified from 6 ft. away.	Most graphics are in focus and the content easily viewed and identified from 6 ft. away.	Most graphics are in focus and the content is easily viewed and identified from 4 ft. away.	Many graphics are not clear or are too small.
Graphics - Originality	Several of the graphics used on the poster reflect a exceptional degree of student creativity in their creation and/or display.	One or two of the graphics used on the poster reflect student creativity in their creation and/or display.	The graphics are made by the student, but are based on the designs or ideas of others.	No graphics made by the student are included.
Graphics - Relevance	All graphics are related to the topic and make it easier to understand. All borrowed graphics have a source citation.	All graphics are related to the topic and most make it easier to understand. All borrowed graphics have a source citation.	All graphics relate to the topic. Most borrowed graphics have a source citation.	Graphics do not relate to the topic OR several borrowed graphics do not have a source citation.
Content - Accuracy	At least 7 accurate facts are displayed on the poster.	5-6 accurate facts are displayed on the poster.	3-4 accurate facts are displayed on the poster.	Less than 3 accurate facts are displayed on the poster.
Attractiveness	The poster is exceptionally attractive in terms of design, layout, and neatness.	The poster is attractive in terms of design, layout and neatness.	The poster is acceptably attractive though it may be a bit messy.	The poster is distractingly messy or very poorly designed. It is not attractive.