



GEORGIA
HISTORY FESTIVAL



VOTING IN GEORGIA

The History of Voting in Georgia through the Voting Rights Act of 1965

Voting in the United States has never followed a single, uniform path. In the 18th and 19th centuries, voting rights and eligibility varied widely. Wealthy White[GU1.1] men who owned property were usually the most consistently protected voters, while other groups, including landless White men, African Americans, and women, sometimes gained access to the ballot only to lose it later through political change.

States created most voting rules, and local election officials were responsible for carrying them out. These rules often included requirements about residency, registration, taxes, citizenship, criminal convictions, property ownership, race, gender, and other qualifications. Federal voting protections were more limited and came mainly through constitutional amendments and broad national laws that protected citizens' rights and set basic requirements all states had to follow. Even after those federal protections were adopted, some states, including Georgia, used local rules, taxes, registration systems, intimidation, and other barriers to follow the letter of federal law while still preventing Black citizens from voting.

As a result, voting access expanded and contracted at different times and in diverse ways depending on the state, region, and historical period. The history of voting in the United States is not a simple story of steady progress. It is a story of conflict, political power, and changing definitions of who was allowed to participate in democracy.

Voting in Early America

During the colonial period, voting was limited to White men over age 21 who owned property and who were members of the established (Anglican or Congregationalist) church. Many leaders at the time believed that property owners had a stronger "stake" in political decisions because laws often affected land, taxes, and wealth. People without property were often viewed as less independent and more likely to be influenced by employers, landlords, merchants, or other powerful figures. This concern was especially strong because voting usually took place in public, without a secret ballot, making it easier for others to pressure or monitor voters.

By the early 19th century, on the heels of the American Revolution, there was a growing call for expanded suffrage and a greater voice in government affairs. Many Americans pushed to remove property ownership as a requirement for voting, arguing that political participation should not be limited only to wealthy or landowning men. Over time, most states eliminated property requirements. However, it did not create equal voting rights for all. While reducing property ownership requirements, states added or maintained other restrictions, including tax requirements, residency rules, and laws that excluded people receiving public assistance, people with criminal convictions, and those who had recently moved from other states, increasingly limiting voting rights to White men, excluding women, African Americans, Native Americans, and other groups from full political participation.

Voting in Georgia

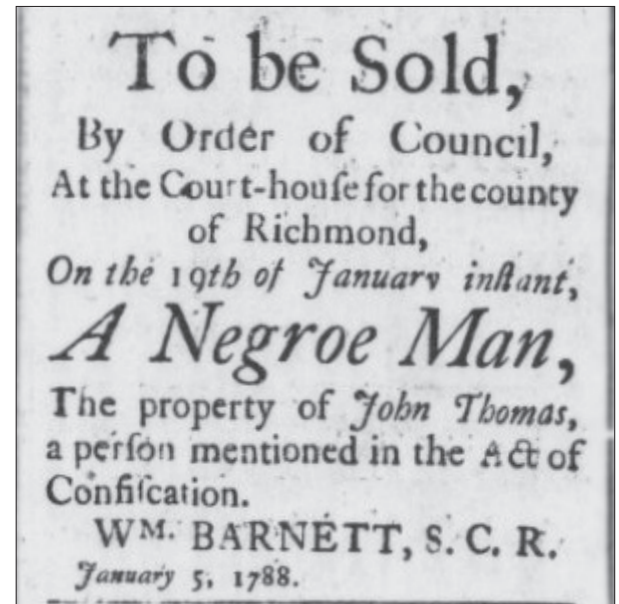
Georgia's early voting history reflected this broader pattern, but it also included some unusual experiments and restrictions. For example, Georgia attempted to establish compulsory voting in Article XII of the 1777 Constitution of Georgia.

Every person absenting himself from an election, and shall neglect to give in his or their ballot at such election, shall be subject to a penalty not exceeding five pounds; the mode of recovery and also the appropriation thereof, to be pointed out and directed by act of the legislature: *Provided, nevertheless*, That a reasonable excuse shall be admitted.

Under this system, eligible voters could be fined five pounds for failing to vote. However, this requirement was dropped in Georgia's 1789 state constitution along with Georgia's property requirement for voting.

In May 1782, Georgia's legislature passed the Georgia Confiscation and Banishment Act in which 270 Loyalist (those who supported the British during the Revolution) were found guilty of treason to the state. They were banished as citizens, "declared to be disqualified and rendered incapable to serve on a jury, or vote in any election for members of the Assembly or to serve on the same." Later, their property was seized and sold at public action. This sales advertisement from 1788 shows that this was still being enforced six years later.

Primary Source Investigation



Advertisement from *The Georgia State Gazette, or, Independent Register*. (Augusta, Ga.) 1786-1789, January 12, 1788.

<https://gahistoricnewspapers.galileo.usg.edu/lccn/sn84020084/1788-01-12/ed-1/seq-3/>

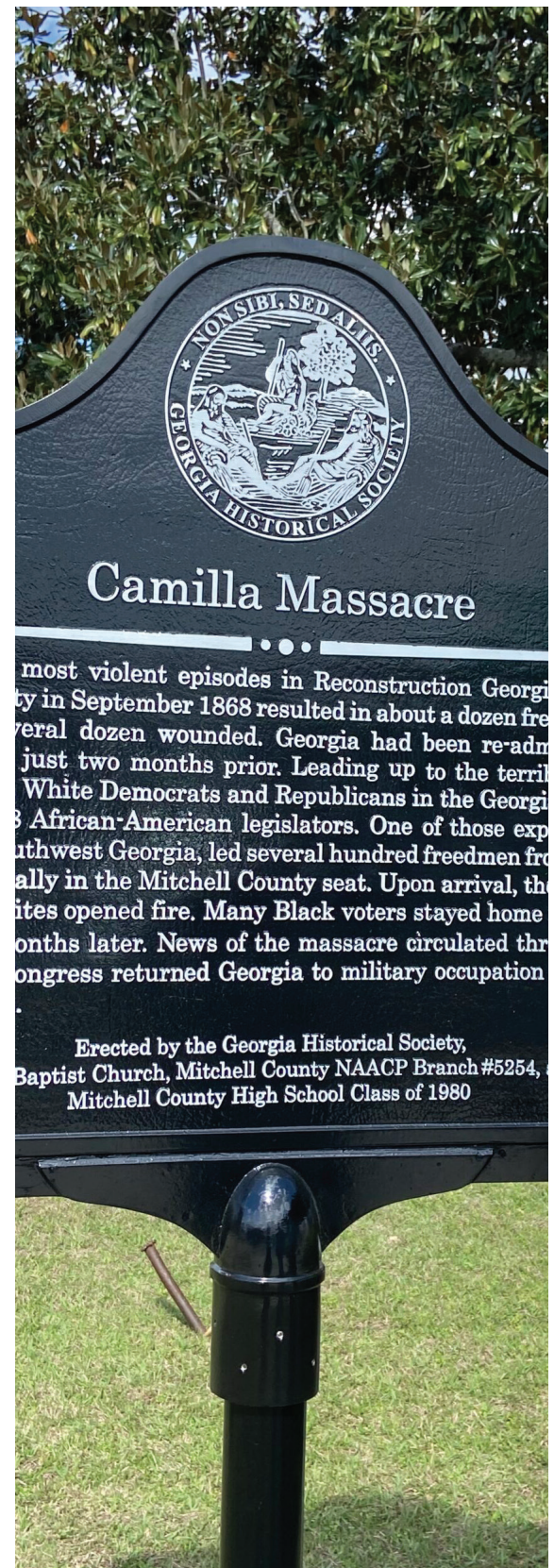
- Based on this advertisement, what can you infer about John Thomas?
- Why would the legislature create a law specifically naming and removing citizenship from Loyalist Georgians?

In 1798, Georgia established a new requirement that connected political participation to a voter's ability to pay taxes and that White voters be current on all taxes owed to the state before being allowed to vote.

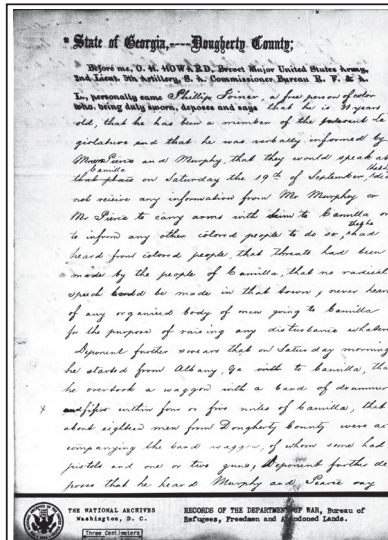
In 1860, Georgia reintroduced the land ownership requirement to disenfranchise landless White men, a decision connected to concerns about the rapidly growing Irish population in Augusta and Savannah. Unable to compete with enslaved labor, these immigrants tried to gain political power to push for legal restrictions about where slave labor could be used and protect Irish immigrant's political interest. Georgia's leaders saw this as an attack on slavery and removed the new immigrants' voting rights.

After the Civil War, Reconstruction brought major changes to voting rights in Georgia. In 1867, Black men were allowed to vote in state elections. Between 1867 and 1872, 69 African-American men were elected to Georgia's state constitutional convention or state legislature. Their election marked a major expansion of political participation in the state. However, this progress was quickly challenged. In September 1868, White Republicans and Democrats voted to expel 33 African-American [GU2.1][BM2.2]members from the Georgia legislature.

In protest, Black Georgians and their white Republican allies marched from Albany to Camilla, Georgia, for a political rally. The march can be understood as one of Georgia's first civil rights protests because participants were publicly demanding the right of Black citizens to vote, hold office, assemble peacefully, and take part in political life. When the group reached Camilla, armed White residents and local officials attacked them, killing about a dozen freedmen and wounding many others. The event, known as the Camilla Massacre, showed that civil rights were not protected by law alone. Even when Black men gained the legal right to vote and hold office, intimidation, mob violence, and local resistance were used to keep them from exercising those rights.

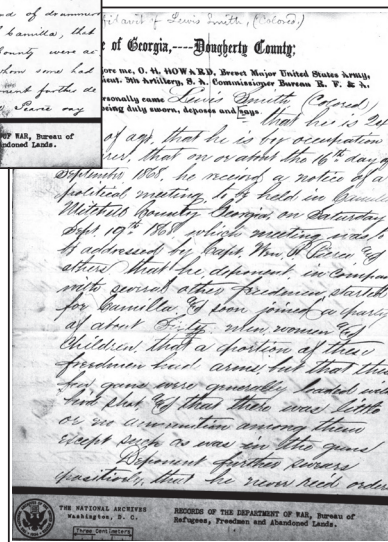


Primary Source Investigation



Affidavit of Philip Joiner (Appendix A)

- How does Philip introduce himself?
- What does Philip know about the potential of violence before the group enters Camilla?



Affidavit of Lewis Smith (Appendix B)

- How does Lewis introduce himself?
- What does Lewis say about previous interactions in Camilla?

In 1870, the 15th Amendment was ratified, the last of the three Civil War Amendments, which made the denial of voting based on race illegal. This expanded voting rights by allowing former slaves to cast ballots and have a voice in the national, state, and local elections. Considering these changes, Georgia reinstated poll taxes, and local officials often made it difficult for African Americans to pay those taxes by making them payable to the sheriff's department and creating an intimidation factor to register to vote. These tactics limited voting without directly saying that Black men could not vote. By the 1880s, many African-American voters understood that

even when they were allowed to cast ballots, their votes were not always fairly counted. In 1883, one African-American man testified before the U.S. Senate that even in places where Black voters were the majority, their votes seemed to disappear before they could affect the outcome. His testimony reflected the use of fraud, intimidation, and manipulation to suppress African-American political participation.

By 1900, Black voters in Georgia were banned from voting in Democratic primaries, creating what became known as "White Primaries." This was especially important because Georgia was

effectively a one-party state. If African-American voters could not participate in Democratic primaries, they had little real influence over who would hold political power.

In 1908, Georgia passed the Felder-Williams Act, which further restricted voting. The law included requirements connected to military service, ancestry, property ownership, literacy, and “good character.” These rules created exceptions that allowed many White voters to remain eligible, while literacy tests and poll taxes eliminated almost all Black voting in the state. By 1910, only about 4 percent of Black men in Georgia were registered to vote. While the Felder-Williams Act was designed to limit Black voting, it also limited some illiterate Whites from voting. Despite having other avenues to qualify as a voter, like military service, not completing the literacy test was acknowledging publicly that the person was illiterate. As a result, all Blacks and many lower-class Whites were no longer eligible to vote. In fact, between 1920-1944 elections in Georgia rarely had more than one-third of the eligible White voters show up to the polls.

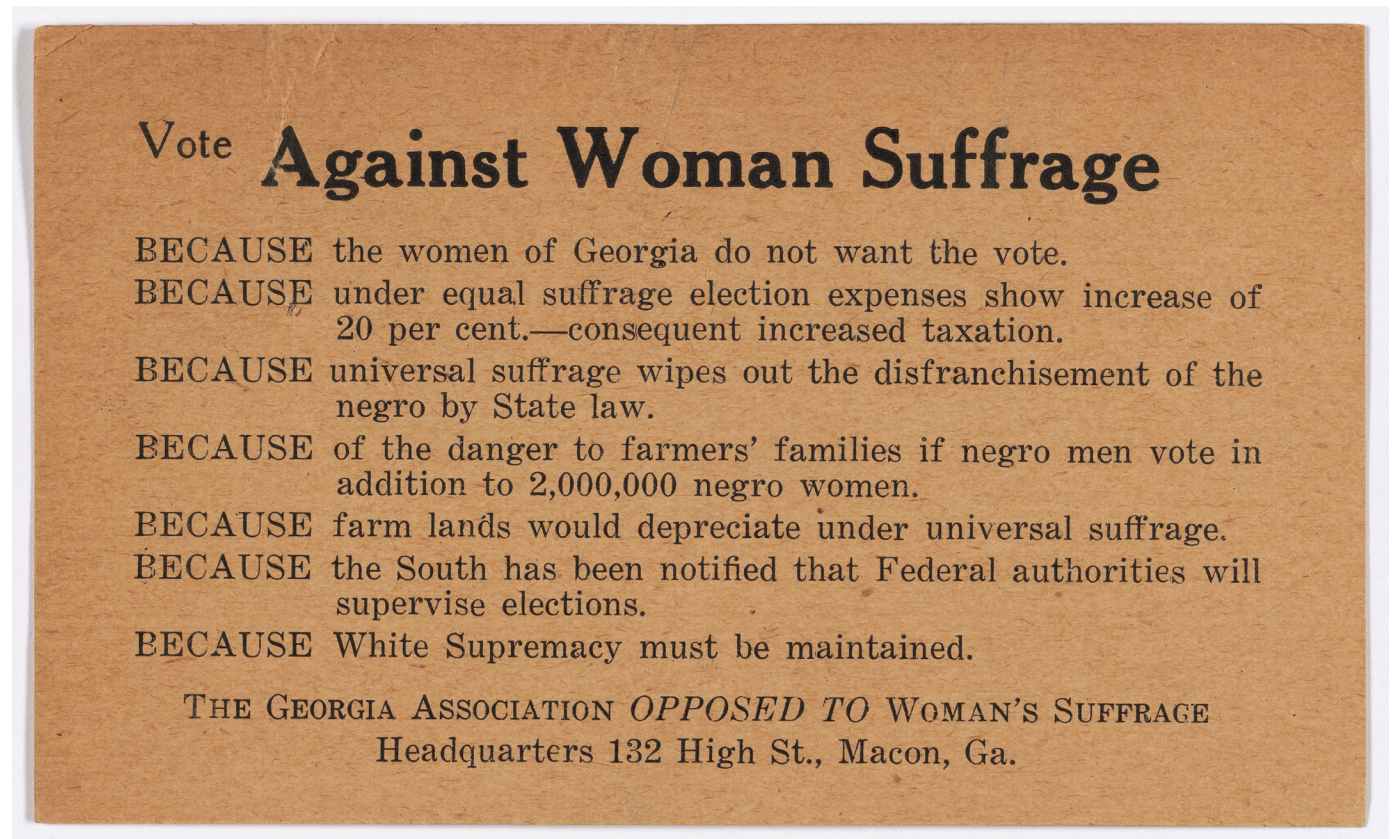
Women also faced exclusion from the political process. In 1916, as the push for women’s suffrage hit a fever pitch in the United States, the Georgia State Senate scheduled a hearing on women’s suffrage for the day after the legislature adjourned, effectively avoiding serious debate on the issue. This reflected the resistance many women and African Americans faced as they fought for the right to vote.

In 1917, Georgia adopted the county unit system through the Neill Primary Act. This system worked like the Electoral College, giving political power to counties rather than counting every vote equally statewide. As a result, smaller rural counties received outsized influence compared to large urban counties. By 1960, the small counties of Echols, Glascock, and Quitman, with a combined population of 6,980 people, had the same voting power as Fulton County, which had a population of 556,326. This gave rural counties and their more conservative views far more influence in statewide elections than their population justified.

Despite the pushback from Southern states, like Georgia, the 19th Amendment was ratified in 1920. It prohibited the denial of voting based on sex. This expanded political participation to women of all races. However, Black women faced the same literacy test and poll taxes that Black men had faced since the 1870s. They had a desire to vote and the legal standing to do so, but now the rules and regulations of the local voter registration were the final hurdle before they could cast a ballot. Despite being officially ratified in 1920, Georgia did not officially ratify the amendment until 1970, after initially rejecting it in 1919.

Primary Source Investigation

Postcard from the Georgia Association Opposed to Woman's Suffrage



- What does this postcard suggest about reasons groups were against women's suffrage?

Woman Suffrage Button

- What does this button's language suggest about the importance of women getting the right to vote?





Photograph of representatives of Georgia Young People Suffrage Association in parade with Margaret Koch driving vehicle, Georgia, not after 1920 Aug. 26

- Along with advocating for women's suffrage, this photo shows a woman driving a car. Why would that be an important image in 1915?

In 1944, the U.S. Supreme Court ruled in *Smith v. Allwright* that political parties could not exclude Black voters from primaries. Although the case came from Texas, the ruling affected White primaries across the South, including Georgia.

In addition to eliminating the White primary, Georgia eliminated the poll tax in 1945. An early state-level repeal eliminated the tax decades before the U.S. Constitution banned it nationwide for federal elections in 1964 with the 24th Amendment.

Georgia also became an early example of lowering the voting age. During World War II, Georgia lowered the voting age to eighteen, based on the argument that if young people could be drafted and sent to war, they should also be able to vote for the government making those decisions. Decades later, this same argument helped support the national ratification of the 26th Amendment in 1971.

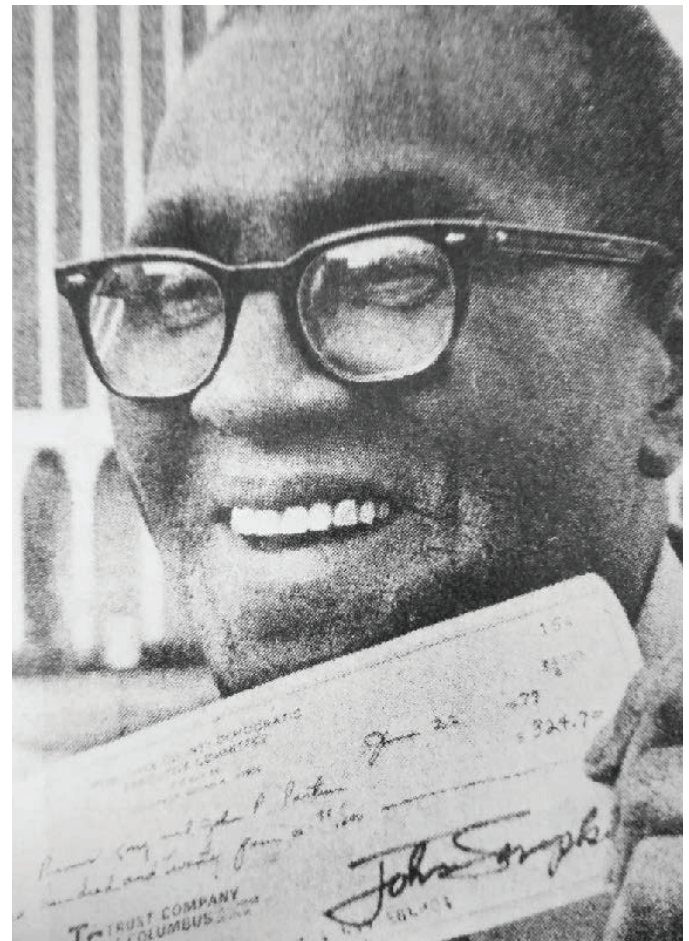
In 1945, *King v. Chapman* further challenged Georgia's White primary system. Primus King, an African-American man in Muscogee County, was turned away when he tried to vote in a Democratic primary. The U.S. District Court for the Middle District of Georgia ruled that Georgia's attempt to treat primaries as a "private affair" was illegal because primaries were an integral part of the state's electoral process. The court found that King's rights under the 14th, 15th, and 17th Amendments had been violated.

After these legal victories, Black voter registration in Georgia increased. By 1946, 118,387 Black Georgians had registered to vote. This marked an important shift, but voting rights were still not fully protected or equally accessible.

In 1963, the U.S. Supreme Court outlawed Georgia's county unit system in *Gray v. Sanders*. The Court's decision helped establish the principle of "one person, one vote," meaning that political representation should be based more

Primary Source Investigation

Photo of Primus King



Primus King in 1977, holding his check from the Democratic Party for damages sustained in being denied the right to vote in 1944. The original award was \$100, and finally paid with interest added years later. Courtesy of the *Columbus Ledger-Enquirer*.

- King was awarded \$100 plus 7% interest when he won his case in the US District court for Middle Georgia in 1945. It took almost 30 years for King to be paid.
- What year did King receive his payment?
- How much money did King receive?

fairly on population. In 1964, Georgia moved to a majority-vote system, requiring candidates to receive 50 percent plus one vote to win. If no candidate received a majority, the election moved to a runoff between the top two vote-getters.

On January 23, 1964, the 24th Amendment was ratified, making it illegal to require poll taxes in federal elections. Later, in 1966, *Harper v. Virginia State Board of Elections* made all poll taxes unconstitutional because they violated the equal protection clause of the 14th Amendment. Georgia never ratified the 24th Amendment.

The Voting Rights Act of 1965 created another major turning point. It outlawed literacy tests and enforced the 15th Amendment to guarantee the right to vote to all US Citizens.

Since 1965, two sections of the law have been altered by the Supreme Court. Section 2 of the Voting Rights Act allowed states to create majority minority districts, a process the US Supreme Court upheld in 1993 in *Shaw V. Reno*. However, the Supreme Court reversed itself in *Louisiana V. Calais* (2026), finding that creating majority-minority districts was unconstitutional. Additionally, Section 5 of the law required certain states and local governments with histories of voting discrimination, including Georgia, to receive federal approval before making changes to voting laws. This process, known as preclearance, was designed to prevent new voting rules from being used to discriminate against voters. This perversion was ruled unconstitutional by the U.S. Supreme Court in *Shelby County V. Holder* (2013).

The history of voting in the United States, and especially in Georgia, is a history of both expansion and restriction. Voting rights widened over time, but those gains were met with new barriers designed to limit political power. Many groups, including African Americans, women, poor and uneducated citizens, young people, and others, had to fight for generations to secure, use, and protect their voting rights.

Pulling it all together

Thinking about what you have learned, answer one of the questions below.

1. Why is the history of voting in Georgia better described as a story of expansion and restriction rather than a story of steady progress?
2. After the 15th Amendment, Black men had the legal right to vote, but Georgia created new barriers such as poll taxes, literacy tests, and intimidation. What does this show about the difference between having a right on paper and being able to exercise that right in real life?
3. Which event or law in the reading do you think created the most meaningful change in voting rights in Georgia? Defend your answer by explaining both what changed and what barriers still remained afterward.

Appendix A

Affidavit of Philip Joiner

Page: [1]

State of Georgia, - - - Dougherty County ;
Before me, O. H. HOWARD, Brevet Major United States Army,
2nd Lieut. [Lieutenant] 5th Artillery, S. A. [Sub Assistant] Commissioner Bureau R. F. & A.
L.[Bureau of Refugees, Freedmen, and Abandoned Lands], personally came Phillip [Philip] Joiner, a free person of color
who, being duly sworn, deposes and says that he is 31 years old, that he has been a member of the present Legislature ,and that he was verbally informed by Messrs Pierce and Murphy, that they would speak at [deleted text: that place] [added text: Camilla] on Saturday the 19th of September, [added text: that he] did not receive any information from Mr Murphey or Mr Pierce to carry arms with [deleted text: [illegible text]] him to Camilla or to inform any other colored people to do so, [added text: that he] had heard from colored people, that threats had been made by the people of Camilla, that no radical speech [deleted text: had] could be made in that town, never heard of any organized body of men going to Camillafor the purpose of raising any disturbance whatever,

Deponent further swears that on Saturday morning he started from Albany, Ga [deleted text: with] to Camilla, that he overtook a waggon [wagon] with a band of drummers + and fifers within four or five miles of Camilla, that about eighteen men from Dougherty County were accompanying the band waggon [wagon], of whom some had pistols and one or two guns, Deponent further deposes that he heard Murphy and Pearce say

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that they did not apprehend any difficulty in Camilla . Deponent states, that about three miles to the best of his knowledge from Camilla, the Sheriff of Mitchel [Mitchell] County [deleted text: the] and five other men from Camilla met the party. Deponent being behind did not hear what the Sheriff first said; but coming up soon afterwards he heard the Sheriff say that [deleted text: [illegible text]] he got a dispatch from Albany by the way of Newton that Murphy was coming to Camilla with an armed body to make a speech in Camilla anyhow. Mr Murphy told the Sheriff that he ordered nobody to bring arms; but to satisfy him, the Sheriff, and the people of Camilla, he would stop at Dr Dashers and [deleted text: make] [added text: have] the speaking there . The Sheriff said that an armed body going into Camilla was against the Governors proclamation; Murphy stated it was not an organised [organized] armed body, that he could not prevent the colored people from carrying arms if they were a mind so to do; but he had not insisted for any of them to bring them, that he would be responsible that they colored people should not hurt anybody; if they were not be interfered with, that not a chicken should be hurt by a colored person, if they were not attacked; but

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that rather than [than] have a disturbance he would prefer speaking [deleted text: [illegible text]] at Dr Dashers place .. Deponent heard of James Johns meeting the crowd before they got to Camilla, but being behind, he did not hear what was said, saw Murphy talking to Dr Dasher ; but did not hear any part of the Conversation, heard Murphy say, that Dr Dasher would not allow them to speak at his plantation, that [added text: Dr Dasher said] the Courthouse, was the place for them to speak, heard Murphy tell the colored people to go in and behave them selves, to be peaceable [peaceable] and quiet and there would be no trouble. Deponent says, they proceeded to Camilla and immediately after the band waggon [wagon] got into town, deponent being behind in a lane about 250 yards off in [added text: plain] sight of the waggon [wagon], saw James Johns, running up with a gun in his hand, saw soon afterwards a flash from his gun level with and straight forward towards the waggon [wagon], in which the band was sitting, saw a body of men to the right [deleted text: of [illegible text]] at a Store rushing out with guns and shooting immediately after Johns [deleted text: immediately] [added text: fired,] after that he saw flashes and smoke about the body of the crowd of colored people and heard firing going

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pretty lively for about one half a minute, if that long; but saw colored people running off immediately after James Johns ' firing the first gun. Deponent and Murphy had been riding together in the latters buggy from about Dr Dashers and during the heavy firing concluded that their presence could not benefit anybody or improve the condition of affairs and therefore turned on the road towards Albany to save their own lives. They, deponent and Murphy were followed by several men in pursuit, drove as fast as the horse could come at the rate of 4 or 5 minutes a mile, driving a very fast horse, heard firing behind, heard balls coming by his head, saw clouds of dust behind; but could not tell exactly wether [whether] there were white or colored people behind them, about nine miles from Camilla deponent saw that the pursuers were going to overtake the buggy, he jumped out of it and made to [deleted text: il] a field by the side of the road, saw Murphy get out of the buggy and run to an empty house by the side of the road, saw four men on horse back coming up, alight off their horses and [deleted text: saw] [added text: heard] them [deleted text: gunning] [deleted text: to] call on Murphy to come out of that house, heard them curse him for a d -- d old Radical and ask where

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that d -- d Phil. Joiner was. Deponent further swears, that he saw Murphy coming out of the house + and saw one white man [deleted text: [illegible text]] strike him acrop across the head with a gun, which he held with both hands, + heard the lick plainly, being hidden about 75 [deleted text: sleps] steps + off in [deleted text: [illegible text]] a corn field; after that deponent [deleted text: [illegible text]] crawled off "on his all fours" and after a while noticing that the white pursuers went off, after having caught their loose horses, tow ards [towards] Camilla, deponent went straight through the woods and [deleted text: [illegible text]] Mr Murphy cought [caught] up with him eight miles from the place

+ towards Gum pond. Murphy was bloody all over, had a wound about his head ;told him he got off without being killed without explaining how it happened that they did not kill him.

Phillip Philip [added text: his]

[Signed] X

[added text: mark] Joiner

Sworn to and subscribed before me, at Albany,
Ga. [Georgia], this 23d day of September, A. D. 1868 .

[Signed] O. H. Howard

Brevet Major U. S. Army,
2nd Lieut. [Lieutenant] 5th Artillery, S. A. [Sub Assistant] Commissioner,
Bureau Refugees, Freedmen & Ab'd Lands [Bureau of Refugees, Freedmen, and Abandoned Lands] .

Appendix B

Affidavit of Lewis Smith

Page: [1]

Affidavit of Lewis Smith, (Colored,)

State of Georgia, -- -- -- Dougherty County ;
[added text: 2X] Before me, O. H. HOWARD, Brevet Major United States Army,
2nd Lieut. [Lieutenant] 5th Artillery, S. A. [Sub Assistant] Commissioner Bureau R. F. & A.
L. [Bureau of Refugees, Freedmen, and Abandoned Lands], personally came Lewis Smith, (Colored) who,
being duly sworn, deposes and [added text:] says that he is 24 years of age, that he is by occupation a
laborer, that on or about the 16th day of September, 1868, he received a notice of a political meeting,
to be held in Camilla Mitchell County Georgia, on Saturday Sept. 19th 1868, which meeting was to be
addressed by Capt. Wm. P. Pierce, and others [others] . that he, deponent, in company with several
other freedmen, started for Camilla, and soon joined a party of about Sixty men, women and children,
that a portion of these freedmen had arms, but that these few guns were generally loaded with bird
shot, and that there was little or no ammunition among them except such as was in the guns

Deponent further swears positively, that he never rec'd [received] orders

Page: [2]

or instruction of any kind, to take arms with him, and that he knows of no one who had received any
such instructions: that at [deleted text: a political] [added text: the] election in Camilla, in April 1868,

the freedmen were fired on by [deleted text: the] people living at Camilla, although they, the freedmen, were at that time by Gen'l Meades [Meade's] orders, not allowed to carry arms, that although there was a squad of soldiers in the town, the inhabitants declared that Camilla was their town, and no damned man either white or black, could rule it, and defied the troops; that under these circumstances the freedmen did not dare to go to the town entirely unarmed, as they did at that time; that when the praction [procession], or Company had neared Camilla they were met by a man named James Johns (white), who said "Come on, by God, we'll meet you"! and immediately turned & rode into town; that as they, the

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freedmen entered the town, this man James Johns, walked toward the band wagon and said something, not heard by deponent, that Johns then raised a double barrelled shot gun, that he held in his hands, and taking aim at the musicians, fired; that deponent was at this time about 10 yards from him and saw it distinctly. that immediately after this shot, about 20 or 30 whites fired upon the freedmen, and not until after this, did the negroes return the fire; that deponent fled with the rest of the freedmen, to the woods adjoining the town, that they were pursued by mounted whites, who shot down the fugitives as they overtook them, that to the best of the knowledge and belief of deponent, not one half of the freedmen in the procession, had guns, and that no serious trouble was anticipated by them, nor

Page: [4]

were any of them prepared for a fight,
Lewis [added text: his] X [added text: mark] Smith
Sworn to and subscribed before me, at Albany,
Ga. [Georgia], this 24th day of September, A. D. 1868 .

[Signed] O. H. Howard

Brevet Major U. S. Army,
2nd Lieut. [Lieutenant] 5th Artillery, S. A. [Sub Assistant] Commisioner [Commissioner], Bureau
Refugees, Freedmen & Ab'd Lands [Bureau of Refugees, Freedmen, and Abandoned Lands] .
"B"

G341 RF&AL [Bureau of Refugees, Freedmen, and Abandoned Lands] [unclear text: Oct] 13, 1868

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