

A Guide to the Voting Records of Fairfax County, 1854-1936

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Fairfax Circuit Court
Clerk's Office

A Collection in the Fairfax Circuit Court Historic Records Center
Fairfax Circuit Court Historic Records Center
2017

History

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Title Statement

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Author: Meg Wilder

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Profile Description

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Descriptive Summary

Language

English

Creator

Fairfax Circuit Court Historic Records Center

Extent

4.33 linear Feet

Shelf Location

Unit 39, Shelf 5

Repository

Fairfax Circuit Court Historic Records Center

Administrative Information

Access Restrictions

The Collection is open for research.

Use Restrictions

There are no restrictions.

Acquisition Information

Permanent Record of the Fairfax Circuit Court Historic Records Center.

Processing Information

Heavily creased and folded documents were treated with humidity and flattened. Post-1870 poll books with no identifying information on the covers were described using pencil. Oversized documents were placed in flat files and stored in map drawers.

Preferred Citation

Voting Records of Fairfax County, Fairfax Circuit Court Historic Records Center

Biographical Information

The Commonwealth of Virginia ratified its first constitution in 1776, following the signing of the Declaration of Independence. Since its ratification, there have been regular amendments and six major revisions to the state's constitution: 1830, 1851, 1864, 1870, 1902, and 1971. The current constitution as of 2017 is an amended version of the 1971 constitution. These revisions to the Virginia Constitution are representative of the "political, social, regional, and racial climate of the times," according to the Virginia General Assembly.

The constitution of 1851 took significant steps in extending voting rights. In previous versions, only white male property holders could vote, but the 1851 revisions changed this law so that all white men were eligible to vote. Additionally, judges were to be elected rather than appointed and the position of Lieutenant Governor was created.

Article VII of the Constitution of Commonwealth of Virginia establishes the roles and duties of local government systems, with Section 4 of this article mandating, "There shall be elected by the qualified voters of each county and city a treasurer, a sheriff, an attorney for the Commonwealth, a clerk, who shall be clerk of the court in the office of which deeds are recorded, and a commissioner of revenue." The elections of which records are found in this collection fall under this section of the Virginia constitution.

Later significant extensions of voting rights in Virginia include granting the right to vote to African Americans under the 15th amendment to the United States Constitution in 1869, and to women under the 19th amendment in 1920. Our records of voter registration indicate that both African Americans and women in Fairfax County were eager to exercise their civic duties following the ratification of these amendments.

The voting records of Fairfax County are kept at the Fairfax Circuit Court under Title 17.1, Chapter 2 (Clerks, Clerks' Offices and Records) of the Virginia Code, which states, "The circuit court clerks shall have custody of and shall keep all court records, including books, evidence, records, maps, and papers, deposited in their offices or at such location otherwise designated by the clerk, as well as records stored in electronic format whether the storage media for such electronic records are on premises or elsewhere." The code also stipulates, "None of the records or papers of a circuit court shall be removed by the clerk nor allowed by him to be removed out of the county or city wherein the clerk's office is kept."

Scope and Content

Series 1: Poll Books, 1854 - 1914, contains the poll books of Fairfax County pre- and post-1870. Poll books prior to 1870 list the year and precinct, the candidates, their position, and the names of the voters and the votes cast (there was no anonymity in voting). The nature of how poll books were written changed in 1870, when voting became anonymous. Post-1870 poll books are simply a list of electors for each precinct—a list of those who voted but no indication of who they voted for. These documents have been grouped together due to the context in which they were used being the same.

The division of voting precincts also changed in 1870, when each precinct was assigned to a newly created district (also known as a township). The six districts were Centreville, Dranesville, Falls Church, Lee, Mount Vernon, and Providence. Pre-1870 poll books are arranged alphabetical by precinct only; Post-1870 poll books are subdivided by precinct, then arranged alphabetically by township.

The bulk of the series contains documents from 1854 to 1879. There are only two documents dating to after 1879, one from 1909 and another from 1914.

Series 2: Elections, 1858-1936, contains documents relating to the administration and results of elections in

Fairfax County. This includes notices of candidates from 1899 to 1901; various voter lists (lists of those with the right to suffrage in each district in 1861, list of voters in each district in 1866, and the registrar's notes of voter registration from 1902 to 1936); commissioners' oaths; election returns; election tickets; and a record of a contested election for Commissioner of Revenue in 1879.

The registrar's notes of voter registration starting in 1904 contain the earliest evidence in this collection that African Americans in Fairfax County were given the right to vote per the 15th Amendment to the United States Constitution, indicated by noting voter race (i.e. "Color: Black"). The registrar's notes after 1920 also contain the earliest evidence that women had gained the right to vote per the 19th Amendment, despite the Virginia General Assembly refusing its ratification until 1952, indicated by the division of registration lists into "Male" and "Female" columns.

The election returns from 1892 to 1911 contain the collection's only oversized documents, which are large tabular compilations of votes for the entire county. The largest of these tables is over 3.5 feet in length.

The election returns contain returns from votes for members of the Virginia Electoral College for the presidential elections of 1892, 1896, 1900, and 1904.

The records of the contested 1879 election of Richard F. Broadwater for Commissioner of Revenue are the only records in the collection of a contested election. The petitioners claimed that the election of Broadwater was "undue and illegal" and was the result of "false returns", demanding that the court either "award a certificate of election to Amos Fox, who received the highest number of votes legally cast... or order a new election for the said office." Broadwater denied all allegations of fraud and there are no records of the election being annulled or a new election being held.

Series 3: Petitions, 1873-1888 (three undated), contains the documentation of petitions to the Fairfax County Court. Most petitions regard the changing of election precincts or voting locations according to shifts in population distribution, or due to the inconvenience of current precincts/locations.

One 1888 petition from the people of Mt. Vernon asks Judge Sangster to appoint a new registrar, due to the "inconvenience of the location of the present registrar...who lives in an out of the way place." The petition also asks that the court order a new registration of voters, "as the old books, which have been in use nearly fifteen years, are so badly worn and mutilated as to be almost useless."

The series also contains what appears to be a draft of a petition, undated and unsigned. The petition asks for an "alteration" to the boundaries of the sixth magisterial district, and on the reverse seems to contain a crude map of said alterations.

Series 4: Capitation Taxes, 1911-1926, contains lists of persons by district and precinct who had paid their capitation taxes (also called poll taxes) for the years noted, thereby ensuring their eligibility to vote. The lists categorize voters as "White" or "Colored," and after 1920, women are included.

Although the U.S. Constitution, in Article I, Section 9, forbids the federal government from levying a capitation or other direct tax, this law did not apply to states until 1966, when the Supreme Court ruled that the poll tax as a prerequisite for voting in a state election was unconstitutional under the Fourteenth Amendment. Thus, beginning in the late nineteenth century, southern states including Virginia made payment of a poll tax a prerequisite to the exercise of suffrage. This requirement disqualified many African Americans who could not afford the tax or subjected their votes to influence by those who paid the tax for them.

Series 5: Miscellaneous, 1854-1924, contains miscellaneous documents relating to voting and elections in Fairfax County. These documents include oaths of office, certifications of votes, commissions, records of election spending, receipts, records of appointments, notices of voter registration, lists of registrars, and notes taken during the Dranesville district convention of 1897.

The contents of the collection and the years it covers are scattered, with many years missing entirely and the collection as a whole seeming incomplete. This is a result of a combination of factors over the years, one being that many documents belonging in the collection were burned or discarded, having been thought to be useless. It also seems as though previous archivists pulled certain documents from other collections and placed them with the voting records, believing them to belong there, resulting in the contents seeming slightly arbitrary. Thus, many documents in Series 5 may seem to be random additions to the collection. For example, the collection contains over 100 records of election spending from 1903, one from 1921, and one 1923. There are no other records of election spending in the collection. Another example is that there is only one record in the collection of a district convention, which took place in Dranesville in 1897, although presumably there was more than one district convention in Fairfax County between 1854 and 1936. Any guess as to how, when, and why the courthouse came to be in possession of the documentation of this specific district convention would be conjecture.

Index Terms

F.W. Richardson, F.D. Richardson, Judge J. Sangster

Fairfax Circuit Court, local courts

Voting, elections, petitions, voter registration, capitation taxes, Presidential elections of 1892, 1896, 1900, 1904

Fairfax County

Poll books, voting lists/tallies, correspondence, clerk's records, booklets, certificates, tax bills/receipts, ballots, election tickets, notices of candidates, petitions, oaths

Paper, cardstock, ink, graphite, staples and string binding

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