

The Dog That Did Not Bark: The Failed Attempts to Disenfranchise African Americans in Early Twentieth Century Maryland

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ABSTRACT

We examine the multiple attempts by the Maryland Democratic Party to disenfranchise African Americans between 1901 and 1911. The Democrats sought to disenfranchise African Americans because they were a vital part of the Republican Party, which had recently challenged Democratic electoral dominance in the state. These disenfranchisement attempts took two forms. First, the Democrats tried to manipulate the ballot in 1901 and 1904 to make it more difficult for African Americans to vote. Second, the Democrats tried to amend the state constitution on three different occasions — 1905, 1909, and 1911 — to make it more difficult for African Americans to vote. While the state legislature passed disenfranchising measures, a popular referendum was needed to complete the amendment process, and each time the voters of Maryland rejected it. After a thorough documentation of this history, we conduct an empirical analysis of all disenfranchising efforts. We first show that the ballot reforms initiated in 1901 brought about a significant drop in turnout and increased rolloff in down-ballot races. And in an analysis of the referendum results, we find evidence of a “racial

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threat” pattern of voting in which support for disenfranchisement increased in more diverse locations.

Keywords: Maryland; disenfranchisement; ballot reforms; constitutional referendums; African Americans

Introduction

In the early twentieth century, following similar efforts in the South, leaders of the Democratic Party in Maryland attempted to disenfranchise African American voters (Callcott, 1969; Halpin, 2019). Their efforts largely centered around the imposition of literacy tests, first indirectly through ballot manipulation and then more directly and explicitly through altering the state constitution via amendment. A literacy test would strike at the heart of the African American community (who were overwhelmingly Republicans) due to their disproportionate illiteracy compared to White citizens. In terms of a constitutional amendment, a grandfather law exclusion was permitted to allow poor, illiterate Whites to continue voting. In this way, the literacy test plus grandfather law strategy was a means by which Democratic leaders could sidestep the 15th Amendment and yet still disenfranchise by race.

However, unlike their ex-slave state cousins in the South, Democratic leaders in Maryland failed in their disenfranchising attempts. Their manipulation of the ballot did not provide clear dividends. And their pursuit of a disenfranchising amendment came up short three separate times.¹ The problem was not the state legislature, where the Democrats were able to achieve the super-majority needed for a constitutional amendment. The difficulty was that *the people* also had a say, as a simple majority vote by popular referendum was required to approve any constitutional amendment. And a majority of the Maryland voting public said “no” three times — in 1905 (59.8%), 1909 (54.3%), and 1911 (65.5%).

The Maryland voters’ rejection of a disenfranchising amendment was somewhat unique. Only the citizens of one other state (Oklahoma, another Border State) rejected a disenfranchising amendment via a popular referendum — and only after they previously approved a similar disenfranchising amendment that was ultimately struck down by the US Supreme Court. In the ex-Confederate South, citizens of Alabama, Arkansas, Georgia, North Carolina, South Carolina, Texas, and Virginia — some on multiple occasions — voted

¹On the third occasion, Democratic leaders shifted away from a literacy test plus grandfather law strategy in favor of a property test requirement for non-White citizens. While this was of dubious constitutionality, it did not get close to winning majority support among the populace.

in support of disenfranchisement via a popular referendum (Gray and Jenkins, 2024).

In this paper, we explore the decision by Democratic leaders in Maryland to pursue disenfranchisement — and the timing of their efforts. Maryland was different than the ex-Confederate states in three respects. First, while Maryland was a slave state prior to the Civil War and possessed a sizable constituency of pro-Confederate sympathizers, the state never seceded. Second, for much of the late-nineteenth century, the Republican Party in Maryland was very weak and thus never posed a serious electoral challenge to the Democratic Party. Third, a significant third-party threat — like that posed by the Populist Party in the South and West — never developed in Maryland to put the Democrats' control at risk.

The key change occurred in the last decade of the nineteenth century, when the national electoral realignment of 1894–1896, which led to a prolonged period of Republican dominance, also filtered down to the state level in many parts of the country. Maryland was one of those places, as the Republicans emerged from their longstanding minority slumber and took control of the State House and governorship in the 1895 elections and the State Senate in the 1897 elections. While the Democrats quickly regrouped and regained unified control of government in the 1899 elections, party leaders were chastened by the Republicans' electoral surge and sought to prevent any kind of reoccurrence. After a couple of attempts at tweaking ballot laws in the state, Democratic leaders followed the lead of the Southern states and tried to add qualifications for voting to the state constitution.² And, as noted, their attempts failed three times, as the voters of Maryland refused additional voting qualifications.

We first provide a lengthy and detailed history of the politics in Maryland, wherein the Democrats initially tried strategic ballot manipulation in 1901 and 1904 before seeking to add a disenfranchising amendment to the state constitution in 1905, 1909, and 1911. We then conduct an extensive empirical analysis. We show that ballot reforms brought about a significant drop in turnout and increased rolloff in down-ballot races. Then, in an analysis of the referendum results, we find evidence of a “racial threat” pattern of voting in which support for disenfranchisement increased in more diverse locations.

The History

Maryland in the Third-Party System was a Democratic enclave (Kleppner, 1979). The close Democrat-Whig battles during the Second-Party System gave way to electoral uncertainty by the 1850s, with the Know-Nothing Party

²On these attempts in the South, see Kousser (1974) and Perman (2001).

gaining key victories in Baltimore and surrounding counties. Due to their anti-Catholic attitudes, however, the Know Nothings also pushed other previously Whig-leaning counties into the Democratic column (Anbinder, 1992). More importantly, Know-Nothing strength prevented the Republican Party from generating any meaningful following. Millard Fillmore (NY) — running as a Know-Nothing — won the state in the 1856 presidential election, while John C. Frémont (CA) — the Republican candidate — won just 0.33% of the vote. Even as the Know-Nothing Party fell apart after 1856, Republican support crept up only marginally. In 1860, Abraham Lincoln (IL) won just 2.5% of the vote, as Democrat Stephen A. Douglas (IL) edged out Constitutional Unionist (and former-Whig) John Bell (TN) to win the state.

The coming of the Civil War ended any chance of a vibrant Republican Party emerging in Maryland for generations. Strong Southern sympathies existed in parts of the state, and support for secession was high in population centers like Baltimore (Clark, 1952). By May 1861, martial law was declared, and Baltimore was occupied by Union troops under the command of General Benjamin Butler. Over the next several years, President Lincoln — fearing Maryland Democrats might pursue secession — oversaw the imprisonment of a third of the state legislature and one US House member (Democrat Henry May), while suspending the writ of habeas corpus, as a means of holding Maryland in the Union and leveraging its infrastructure in support of the North's military effort (Wagandt, 1964). While most Maryland residents who fought did so for the Union, a non-trivial percentage cast their lot with the Confederacy.

Unionist or not, Maryland voters condemned the Republicans for the state's harsh treatment during the war. As a result, the post-war Republican Party failed to launch. As Table 1 indicates, the Democrats swept the state legislative elections in 1867 and 1869. This followed largely from the position of African Americans in the Maryland electorate. As Callcott (1969, p. 3) notes: "Although Negroes had voted in great numbers in the Southern States since 1867, Maryland Negroes did not receive the franchise until after the ratification of the Fifteenth Amendment in 1870." Thus, beginning in 1871, Republicans began to build a following in the state, thanks to the votes of African Americans. And while the GOP made some electoral inroads in the following years, they remained a distinct minority. Overall, the Democrats — thanks to their domination of Baltimore City — retained unified control of state government through the early 1890s.

While Maryland Democrats in the early 1890s had some difficulties — infighting between the agrarian and business wings of the party over property reassessment and taxation, for example — what they could not anticipate was the national wave that would realign voting blocs in the country for two generations. The Realignment of 1894–1896 — or System of 1896 (Burnham, 1970, 1981; Schattschneider, 1960) — saw the American electorate choose the

Table 1: Election outcomes in Maryland, 1867–1919.

Election year	State Senate	State House	Governor
1867	25D, 0R	86D, 0R	Oden Bowie (D)
1869	25D, 0R	86D, 0R	
1871	24D, 1R	70D, 12R	William Whyte (D)
1873	23D, 3R	64D, 20R	
1875	19D, 7R	58D, 26R	John Carroll (D)
1877	18D, 5R, 3O	65D, 19R	
1879	19D, 7R	63D, 21R	William Hamilton (D)
1881	16D, 10R	60D, 31R	
1883	14D, 12R	63D, 28R	Robert McLane (D)
1885	22D, 4R	80D, 10R, 1O	
1887	22D, 4R	71D, 20R	Elihu Jackson (D)
1889	18D, 8R	59D, 32R	
1891	22D, 4R	81D, 7R, 3O	Frank Brown (D)
1893	21D, 5R	68D, 23R	
1895	14D, 12R	21D, 70R	Lloyd Lowndes, Jr. (R)
1897	8D, 18R	42D, 49R	
1899	15D, 11R	65D, 26R	John Walter Smith (D)
1901	17D, 9R	51D, 44R	
1903	19D, 8R	71D, 30R	Edwin Warfield (D)
1905	18D, 8R, 1O	51D, 46R, 4O	
1907	17D, 9R, 1O	71D, 30R	Austin Crothers (D)
1909	21D, 6R	70D, 31R	
1911	19D, 8R	60D, 41R	Phillips Goldsborough (R)
1913	18D, 9R	79D, 23R	
1915	16D, 11R	56D, 44R, 2O	Emerson Harrington (D)
1917	14D, 13R	47D, 55R	
1919	15D, 12R	56D, 46R	Albert Ritchie (D)

Note: Blue indicates Democratic control; Red indicates Republican control

Republicans over the Democrats on a range of issues like money (gold versus silver), the protective tariff, the role of labor unions, banking, and control of immigration. In this new Fourth-Party System, every region of the country (outside of the South) was either comfortably controlled by the Republicans or in play for the GOP. The Mid-Atlantic — including Maryland — fell in the latter category.

In 1895, the Republicans in Maryland won majority control of the lower chamber of the General Assembly and the governorship, as well as other important state offices like comptroller and attorney general. The following year, Maryland voters backed William McKinley for president and elected Republicans to three of the state's six US House seats. And in 1897, the Republicans completed their sweep of state government by adding the upper chamber of the General Assembly. Finally, in Baltimore City, the Republicans elected successive mayors in 1895 (Alcaeus Hooper) and 1897 (William T. Malster).

While the Republicans produced some administrative and policy reforms once in office, internal squabbles between competing factions and the inability to integrate African Americans adequately into partisan governing arrangements made their control tenuous. Democrats were also intent on driving them from office. And it happened quickly. The 1899 elections saw the Democrats regroup at the state and city (Baltimore) levels around “White supremacy.” African Americans were portrayed as a menace to the peace and good order of the state, and Democrats sowed fear that there would be a total breakdown of law and order if Republicans were returned to office.³ And Maryland voters seemingly agreed, removing the GOP from all state-level offices — and thus handing unified control of state government back to the Democrats — and the mayoralty of Baltimore.⁴

Back in power, Democratic leaders in 1900 were intent on staying in the majority. And their plan for accomplishing this was to disenfranchise African Americans. The justification was straightforward: disenfranchisement would eliminate the Republican Party as a viable electoral alternative, as African Americans made up a large proportion of the GOP. It would also preclude the opportunity for dissident Democrats to disrupt the internal operations of the party by threatening to seek external fusion arrangements. To support this plan, Democrats also turned up the volume on racial invective in subsequent campaigns.

The Democrats' strategy for disenfranchising African Americans was twofold. First, they pursued an indirect strategy of altering the ballot to

³ *Baltimore Sun*, August 3, 1899.

⁴ Republicans continued to do well at the federal level, even as they were relinquishing control across state offices. The GOP maintained majority control of the US House delegation for the next six years. And Maryland voters backed McKinley again in 1900 and Theodore Roosevelt in 1904.

make it more difficult for illiterate citizens (the largest proportion of whom were African Americans) to vote. This could be implemented by simple statute, as the state constitution required that voting be done by ballot but was silent on the ballot's form or structure. Second, the Democrats pursued a direct strategy of adding a literacy test — and an exclusion for select Whites — as a qualification for voting. This necessitated an amendment to the state constitution, as qualifications for voting were enumerated and required supermajorities in the General Assembly and majority assent by the people (through a constitutional referendum) to change.

Each of these strategies — and how they played out — is discussed in detail below.

Ballot Manipulation

As progressive changes swept the country in the 1870s and 1880s, one area targeted was in election administration. Balloting had been the province of the parties themselves, with each party printing and distributing (often color-coded) ballots prior to an election (Evans, 1917). These party ballots gave party leaders and their henchmen the ability to control the process — which lacked all secrecy — and created an optimal arrangement for the distribution of patronage. Party jobs were given out to those party “healers” who turned out voters, and party ballots provided proof — in the open — of how those voters voted. Party ballots also allowed citizens who could not read to vote easily.

By the late-1880s, a new ballot initiative had arrived in the United States known as the Australian ballot (Ware, 2002). This ballot was the province of the state itself and listed all candidates for all offices — not just those of any single party. This “official” ballot thus differed from party ballots in meaningful ways, and it was seen by many as an indirect literacy test. That is, one had to be able to read to use it, although parties identified various work-arounds with time. For example, a kind of Australian ballot called a “party column” provided — in a two-party election, for example — all candidates for office for one party on the left and all candidates for office for the other party on the right.

Maryland first adopted — under the Democrats — a party-column-based Australian ballot in 1890.⁵ Secrecy provisions were limited, however, and the coverage extended only to a particular set of counties.⁶ Full state coverage came 2 years later.⁷ When the Republicans took control of the state, they

⁵*Laws of Maryland*, 1890, Chapter 538, pp. 614–31.

⁶Carroll, Baltimore, Garrett, Talbot, Kent, Caroline, Dorchester, Montgomery, and Harford counties were exempted.

⁷*Laws of Maryland*, 1892, Chapter 300, p. 420.

expanded the Australian ballot in 1896 to its full potential. As Callcott (1969, p. 92) notes:

The election law of 1896 . . . was a high point in election regulation in Maryland. The law provided a stringent tightening of secret ballot procedures, so that, after its passage, voting secrecy was not merely permitted but required. Voting booths, closed and curtained, replaced the open voting shelves of earlier practice; and the privacy of the booth was enforced by forbidding entry to everyone except the individual voter, unless aid from an authorized election official was needed. Ballots had to be folded to hide their markings before they could be deposited in the prescribed plate-glass ballot boxes. Provisions for uniform ballots, printed and distributed by the state, and for easy straight-ticket voting were retained.

The 1896 law also allowed party emblems to appear on the ballot, a feature that provided helpful voting cues for illiterate voters. On the whole, there was widespread support for the 1896 law, and it received the endorsement of the Reform League of Baltimore, an important bipartisan civic organization.

Upon regaining control of the state in 1900, the Democrats sought to roll back the 1896 law. They bided their time until the special session of the legislature in February 1901, when they pushed through a new election law.⁸ It prohibited party emblems from appearing on the ballot and shifted the design of the ballot from a party column to an office bloc. These two features, Democrats believed, would make it more difficult for illiterate voters to mark their ballots.⁹

The Democrats found, however, that Election Law of 1901 did not produce clear dividends. The first signs were in the Baltimore city council election in May 1901. As Callcott (1969, p. 105) explains:

Republicans had prepared for the election by opening schools in every precinct to teach illiterate Negro voters how to recognize and pick out the work 'Republican' on the ballot. Democrats tried the same tactic, but with little success; most of their illiterate constituents were white and were unwilling to submit to instruction that the Negroes accepted eagerly.

Republicans ended up carrying the city by a plurality of 2,000. They then extended their representation in the lower chamber of the General Assembly in the fall 1901 elections. Democrats believed a revision of the election law

⁸*Laws of Maryland*, Extraordinary Session, 1901, Chapter 2, pp. 4–23.

⁹*Baltimore Sun*, January 27, 1900. The shift from the party column to the office bloc put a premium on literacy and thus eliminated easy straight-ticket voting.

was needed but resorted to virulently racist campaigns in the interim (Halpin, 2019). Their election success in 1903 — where they won the governorship and two-thirds majorities in both chambers of the General Assembly — set them up for a new ballot manipulation effort.

When the new General Assembly met in 1904, Governor Edwin Warfield laid out his two-pronged vision for the party: producing (1) a new election law and (2) a constitutional amendment to add qualifications for voting. (We discuss the constitutional amendment strategy in the next sub-section.) Democrats in the General Assembly took Warfield's charge and produced a new election law. Dubbed the "Wilson ballot law," after its sponsor, House Delegate William R. Wilson (D) of Queen Anne's County, it prohibited the use of party emblems, party names, or party designations of any kind on the ballot.¹⁰ This meant that candidates for office were identified only by their place of residence. Moreover, the Wilson ballot law did not apply to the entire state but only to 11 counties — Ann Arundel, Calvert, Charles, Frederick, Garrett, Kent, Prince George's, St. Mary's, Somerset, Talbot, and Worcester — which had a history of strong African American and/or Republican turnout. It was clear, as a *Baltimore Sun* editorial stated, that "the new law is intended to prescribe indirectly an educational test for voters" and directly target areas of Democratic opposition.¹¹ The Wilson ballot law remained in effect until 1918,¹² and in the interim period various counties moved in and out of the law's coverage.¹³

The full effect of the Wilson ballot law was unclear — although we tackle this question in the next section — but initial assessments were that it reduced turnout in Maryland elections, for both Blacks and Whites. Many initial advocates came to believe that it was largely ineffective as a partisan tool, as it did not systematically depress Republican (African American) voting at the expense of Democratic (White) voting. Both parties had become skilled in navigating changes in the balloting environment and doggedly kept illiterate and semi-illiterate voters from being excluded. As a result, the majority Democrats turned their attention from ballot manipulation to the second prong of Governor Warfield's partisan strategy: the adoption of a constitutional amendment to add qualifications for voting. The chosen qualifications Democrats settled on initially were a literacy test plus a grandfather clause exemption.

¹⁰*Laws of Maryland*, 1904, Chapter 339, p. 601.

¹¹*Baltimore Sun*, April 9, 1904.

¹²*Laws of Maryland*, 1918, Chapter 51, p. 76.

¹³In 1906, Frederick and Garrett counties dropped out of the Wilson ballot law coverage and returned to the provisions of the 1901 law. In 1908, Dorchester and Queen Anne's counties were added to the coverage of the Wilson ballot law. In 1914, only Anne Arundel, Calvert, Charles, Prince George's, and St. Mary's stayed under the coverage of the Wilson ballot law. See *Laws of Maryland*, 1906, Chapter 498, p. 973; 1908, Chapter 737, p. 103; and 1914, Chapter 307, p. 458.

Constitutional Amendments

Between 1904 and 1911, the Democrats would attempt, but fail, to amend the Maryland constitution to disenfranchise African Americans. They pursued three different amendments — each time obtaining the 3/5 majority in each chamber of the General Assembly — only to see the citizens of the state reject their efforts in a referendum. Popular approval was by simple majority, but each amendment failed to secure the necessary votes. (See the Online Appendix for the provisions of each amendment.)

As noted, while initially putting significant effort into manipulating the ballot, Democrats eventually wanted more certainty from their disfranchisement efforts and decided to push for a constitutional amendment. The first attempt was the Poe amendment — named after the author, John Prentiss Poe of the University of Maryland Law School — which would impose a literacy test (a reading test and an understanding clause) with a grandfather clause (allowing a person who could vote in 1869 or any male lineal descendant) as an exemption. The reading test required a person to be able to read and to give a “reasonable explanation” of any section of the Maryland constitution submitted to him by a registration officer. If a person could not read, they could still vote if they were able “to understand and give a reasonable explanation” of a section of the Maryland constitution read to them by a registration officer — a provision adopted by Mississippi in 1890 and South Carolina in 1894. The grandfather clause — which had been adopted by Louisiana in 1898 and North Carolina in 1900 — provided an exemption for most White citizens who could not read or understand what was read to them.

A difficulty was that a non-trivial percentage of White male citizens in Maryland had come of age and were naturalized after 1869, many of whom had foreign-born fathers who had not qualified for suffrage prior to 1869. These individuals would not be eligible to vote under the grandfather clause as written. And while the framers of the Poe amendment did not seek to disqualify this group of White voters — and stated that they would have no problem voting by virtue of the understanding clause, which would be applied liberally to them — an intense skepticism and distrust was created. As Callcott (1969, p. 116) notes: “the Poe amendment, in attempting to eliminate 20 percent of the state’s electorate, which was Negro, was at the same time posing a serious threat to another 15 percent, which was white.”

Despite its controversial nature, the Poe amendment sailed through the General Assembly in March 1904 on pure party-line votes in each chamber.¹⁴ It was placed on the November 1905 ballot, and it “created more excitement in Maryland than any other political issue since Reconstruction days” (Callcott, 1969, p. 122). While Democratic leaders put pressure on all candidates

¹⁴The votes were 17-7 in the upper chamber and 64-27 in the lower chamber. *Senate Journal*, 1904, p. 499; *House Journal*, 1904, pp. 821–30.

(down to the ward level) to support the amendment, they were also split at the time on various economic issues and thus struggled to coordinate around one strategic theme. Republicans were actively opposed, led by African American institutions like the Negro Suffrage League and the (Baltimore) *Afro-American Ledger*, one of the nation's leading Black papers. Black churches and women's groups also invested heavily in mobilization efforts. They were joined by independent organizations like the Democratic Anti-Poe Amendment Committee and the Maryland League of Foreign-Born Citizens. Republican leaders — like Charles J. Bonaparte, President Theodore Roosevelt's recent pick to be Secretary of the Navy — strategically framed the decision not as an attack on African American voters but on foreign-born White voters (Phelps, 1959).

Finally, on November 7, 1905, the Poe amendment was presented to the people in a referendum, and they voted 70,227 for and 104,286 against it.¹⁵ The Democrats were thus foiled in their first attempt at disenfranchisement. The *Voice of the Negro*, the monthly journal of the Niagara Movement, noted the historical importance of the Poe amendment's defeat: "Maryland is the first Southern state to turn down the Negro disfranchisement amendment when passed by the legislature and submitted to the people."¹⁶

Over the next two years, the Democrats changed in various ways. Top leaders from the past had died, and an assortment of new leaders emerged who wished to continue with the disenfranchisement strategy — but pursue it in a more strategic way. In particular, they sought to allay any concerns that all White citizens (regardless of their background) would be able to vote. The Democrats announced that they were "steadfast in [their] determination to eliminate the negro voter" at their state convention in August 1907.¹⁷ And they turned to Isaac Lobe Straus, the newly elected Democratic attorney general, to do the drafting. Straus's efforts led to the Straus amendment, which designated six classes of people who could vote, the first four including (1) anyone who could vote in January 1869 and (2) any male lineal descendant of such person plus, (3) any foreign-born citizen naturalized between January 1869 and the amendment's adoption date and (4) any male lineal descendent of such person. This elaboration effectively covered *all* White citizens of the state, whether native born or not. Beyond these four classes, one could vote if he passed a literacy test (a civics-based writing test) or owned \$500 of

¹⁵ *The Baltimore Sun Almanac for 1906*, p. 86. <https://babel.hathitrust.org/cgi/pt?id=uiuo.ark:/13960/t24b5r57n&seq=500>. Only five of 23 counties — Howard, Kent, Somerset, Wicomico, and Worcester — provided majority support for the amendment. And Baltimore City went against the amendment by an almost two-to-one margin.

¹⁶ "Maryland, my Maryland," *Voice of the Negro* 2, no. 12 (December 1905): 33. Quoted in Halpin (2019, p. 127).

¹⁷ *Baltimore Sun*, August 7, 1910.

assessed real or personal property. These latter two categories were the de facto qualifications for African American voters.

The General Assembly passed the Straus amendment in February 1908 on pure party-line votes in each chamber.¹⁸ Republicans were organized against the amendment,¹⁹ led once again by Black churches and women's groups, the League of Foreign-Born Voters, the *Afro-American Ledger*, and the Negro Suffrage League. They were joined by a variety of other prominent local and national citizens who spoke out in favor of Black voting rights — and against the disenfranchisement effort — including the James Cardinal Gibbons, the Catholic archbishop of Baltimore, and President William Howard Taft. Democrats, however, had put aside their prior disagreements and coordinated around disenfranchisement. A new frame was “reform,” with the argument being that the amendment would “elevate the electorate” and push from the voting pool those who were ill-equipped (i.e., illiterates) to contribute to democracy (Crenson, 2019). Some Democrats even argued that the Straus amendment would *help* African Americans by making them better citizens through the pursuit of thrift and education (Halpin, 2019).

The Straus amendment went on the ballot as a popular referendum the following year. And on November 2, 1909, the citizens of Maryland voted 89,801 for and 106,512 against the amendment.²⁰ The margin was closer than in 1905, but the result was the same — the Democrats were defeated yet again.

Almost immediately after the Straus amendment failed, the Democratic governor, Austin Crothers, announced that he would ask the General Assembly to try yet again. This time the Democrats' efforts to draft a successful amendment fell to House Delegate Walter M. Digges (D) of Charles County. Digges produced an explicitly racial amendment, conferring voting rights on all White men in the state but requiring Black men to have owned and paid taxes on at least \$500 worth of real or personal property for at least two years prior to registration. In attempting to nullify the Fifteenth Amendment and deny African Americans the right to vote by virtue of their race, Halpin (2019, p. 134) argues that “the Digges plan was stunning in its naked ambition

¹⁸The votes were 18-9 in the upper chamber and 68-24 in the lower chamber. *Senate Journal*, 1908, p. 361; *House Journal*, 1908, p. 410.

¹⁹(Halpin, 2019, p. 130) notes that while White Republicans in Maryland opposed the Straus amendment, they also became less hospitable to Black Republicans both in general and specifically in seeking leadership roles in the party. He notes that these attitudes developed as civil rights reached a nadir in the country during the first decade of the twentieth century, when Republican presidents moved away from demanding fair and equitable treatment for African Americans.

²⁰*The Baltimore Sun Almanac for 1910*, p. 160. <https://babel.hathitrust.org/cgi/pt?id=njp.32101058591932&seq=164&view=1up>. Ten of 23 counties — Anne Arundel, Caroline, Cecil, Howard, Montgomery, Prince George's, Queen Anne's, Somerset, Wicomico, and Worcester — provided majority support for the amendment. And Baltimore City went against the amendment by a sizable margin.

and racism.”²¹ At the same time, the Democrats went all-in on their White-supremacist strategy and passed a law that would limit voter registration in 1911 to Whites only. This drew rebukes from the *Afro-American Ledger*, left-leaning national periodicals like *The Nation*, and even White supremacist politicians in the South who believed the Maryland Democrats were flaunting the Fifteenth Amendment too explicitly (and thereby threatening the Southern Jim Crow system). Eventually, Governor Crothers had to acknowledge the unpopularity of the Whites-only registration law and veto it, which left the Digges amendment — which was adopted by the General Assembly in April 1910²² — to face the judgment of the Maryland citizenry,

On November 7, 1911, the Digges amendment was presented to the people in a referendum, and they voted 46,220 for and 83,920 against it.²³ For the Democrats, the story was the same — they were foiled a third time and by the largest margin yet.

This was the last time the Democrats would attempt a disenfranchisement amendment. At the same time they defeated the Digges amendment, the citizens of Maryland elected Republican Phillip Goldsborough to the governorship. Goldsborough’s election, and the wide margin of defeat of the Digges amendment, soured the Democrats on any repeated “White supremacist” strategy. As Callcott (1969, p. 132) notes: “The political liability of the issue had finally been recognized by Democrats, and a Republican governor at the helm for the next 4 years made the futility of continued agitation clearly apparent.”

Empirical Analysis

We conduct two sets of quantitative analyses to examine the Democrats’ disenfranchising efforts.²⁴ First, we analyze Maryland’s evolving ballots from the 1880s through the 1910s, drawing on the qualitative analysis in the preceding sections of the paper. We show in both descriptive presentations and regression analyses that Maryland experienced a significant drop-off in turnout after the adoption of the 1901 ballot. Additionally, we show minor differences between

²¹Supporters of the Digges amendment argued that since Maryland did not vote to ratify the Fifteenth Amendment in 1870, the state should not be covered by its provisions (Halpin, 2019). This argument almost certainly would not pass federal constitutional scrutiny.

²²The votes were 19-0 in the upper chamber and 61-18 in the lower chamber. *Senate Journal*, 1910, p. 1682; *House Journal*, 1910, p. 675.

²³*The Baltimore Sun Almanac for 1912*, p. 134. <https://babel.hathitrust.org/cgi/pt?id=nc01.ark:/13960/t5bd0t03s&seq=136>. Only two of 23 counties — Somerset and Worcester — provided majority support for the amendment. And Baltimore City went against the amendment by an almost two-to-one margin.

²⁴Data for these analyses are drawn from various issues of the *Baltimore Sun Almanac*, the 1910 *Statistics for Maryland* produced by the US Census Bureau, the 1920 Census Bulletin for Population: Maryland, as well as Cao and Richardson’s (2024) dataset of annual population estimates in US counties from 1890 to 1950.

the 1901 ballot and the 1904 Wilson ballot that counties had the option to use. These differences were likely heterogeneous based on the racial demographics of the counties. Second, we analyze the three referendums pursued by Maryland Democrats after the 1901 and 1904 ballot changes yielded apparently inadequate results for their goals. All three referendums failed — in 1905, 1909, and 1911 — but they scored their highest outcomes in places with a majority White population but also a meaningfully large African American population, which was roughly the average condition in Maryland at the time. This supports the idea that Whites in Maryland were more aggressively in favor of disenfranchisement when they lived in “diverse” areas that featured a substantial African American presence and the resulting political, economic, and social competition.

Ballots and their Effects

We begin with a descriptive analysis of voter registration and turnout in Maryland as ballot methods changed between 1882 and 1916. Voting in the United States is a two-step process: first, registering, and second, casting a vote. It is possible, for example, that an electoral rules change could influence one, both, or neither of these two steps. Raising the difficulty of registration may substantially reduce the registration rate while having no meaningful effect on the rate of turnout for those registered. Similarly, an electoral reform might work solely through discouraging turnout without changing registration rates.

Maryland’s first ballot innovations occurred in 1890, but they were only partially adopted by about half of the state’s counties, before being fully adopted in 1892. Between 1892 and 1904, all Maryland counties ran their elections under the same ballot law, with changes in 1896 and 1901 that were constant across the counties. Only in 1904 did county-level variation re-emerge. Thus, we begin our analysis with state-level results from 1884 to 1916 and then proceed to county-level results for the subset of the period in which counties meaningfully varied on their ballot type.

First, to have the most stable comparison, we look at turnout in presidential elections, which featured the highest turnout of any election type. In this graph, we define “turnout” as the fraction $\frac{\text{total votes cast}}{\text{Voting Eligible Population}}$. The numerator is precisely reported by the tabulation of state election results. The denominator is an interpolated estimate based on census data on the adult male citizen population. In Figure 1, we plot Maryland’s turnout for each presidential election year with black connected circles. Starting with 1904, Maryland’s counties differed on their ballot choices, and so we additionally present counties using the 1901 ballot type as green squares, and we present those counties which adopted the 1904 Wilson ballot as purple hollow squares.

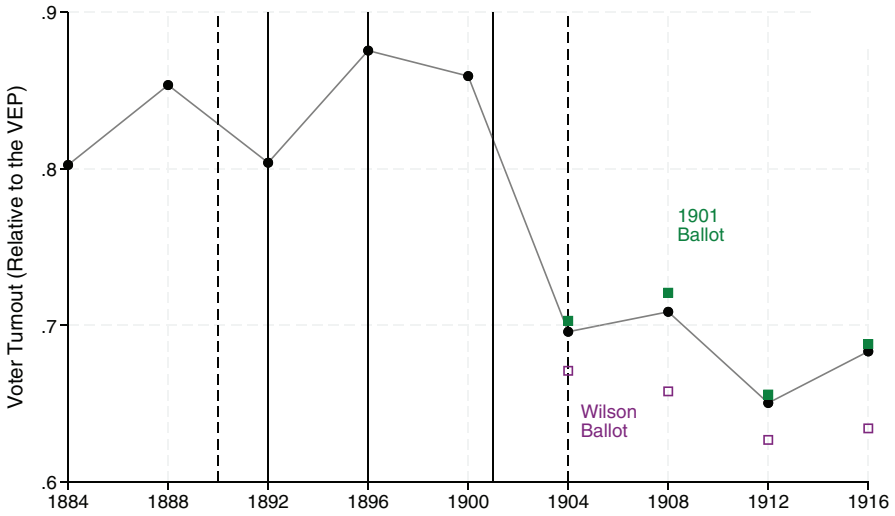


Figure 1: Turnout in presidential elections declined after the 1901 ballot reforms in Maryland, 1884–1916.

Note: Dashed vertical lines indicate the start of a period with mixed ballot types across Maryland counties, while solid vertical lines indicate the start of a period with a new standard ballot type across Maryland counties.

Three things stand out. First, statewide turnout in Maryland was consistently high through the 1880s and 1890s, never dropping below 80% in presidential elections. Second, overall turnout dropped considerably in the four elections after the 1901/1904 ballot changes, in comparison to the five preceding elections. Instead of turnout percent in the mid-80s, the state only achieved percent in the mid-60s to low 70s. This is a stark difference, corresponding to tens of thousands of fewer votes. Second, counties that used the Wilson ballot created in 1904 consistently had the lowest turnout observed in the state during the period of analysis, running 2 to 5 percentage points lower than counties using the 1901 ballot. Because the most populous counties used the 1901 ballot, the statewide numbers closely resemble the turnout for those counties, despite that just under half of the state’s counties used the Wilson ballot in 1904.

Presidential contests, while relatively stable in terms of interest (as opposed to the fluctuations of Congressional elections) did not fall in the first period of ballot variability in Maryland, which began in 1890, but ended before the 1892 election. Thus, we separately consider elections to the US House as well as gubernatorial elections in Maryland, which fall in different years. House elections occur regularly, every other year, but have a clear alternating

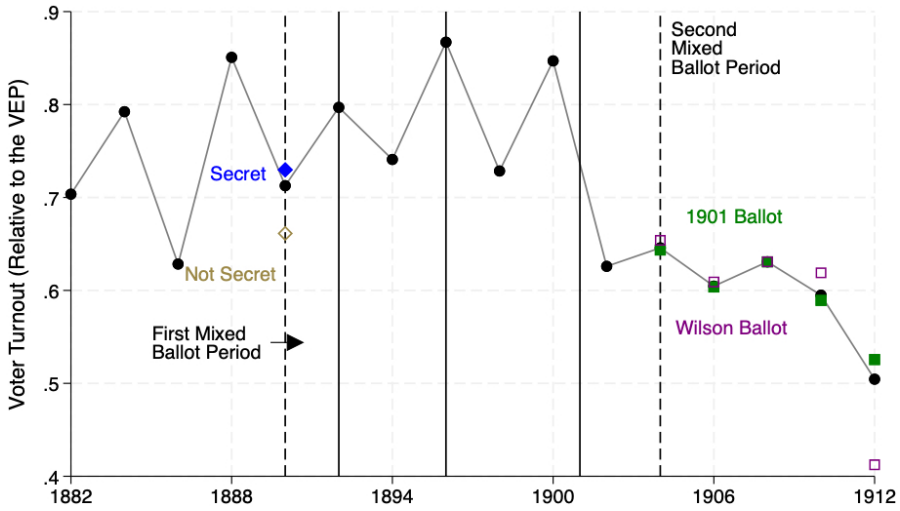


Figure 2: Turnout in house of representatives elections declined after the 1901 ballot reforms in Maryland, 1882–1912.

seasonality in which turnout is higher in years that coincide with presidential elections. Maryland’s gubernatorial elections at the time fell in odd-numbered years, meaning they did not coincide with major federal races. House election results at the county level are not as exhaustively available as statewide races are, and so the House election data end with the 1912 election, while the gubernatorial election data go to the 1915 election. We present House election data in Figure 2 and gubernatorial election data in Figure 3. In each graph, we follow the presentational design of Figure 1, with one addition. Because elections in 1890 and 1891 featured county-level ballot variation, we add a blue diamond for counties which adopted the secret ballot in 1890 or 1891, in advance of the statewide adoption in 1892. We also add a brown hollow diamond for states that remained on the non-secret ballot system in 1890 and 1891.

Interestingly, House and gubernatorial elections did not exhibit identical patterns. In both, we do see the drop-off after 1901, and the lowest turnout coming in counties that used the Wilson ballot, but otherwise the patterns diverge. In the 1890 House elections, secret ballot counties had higher turnout than those that had not yet adopted the secret ballot, while in the 1891 gubernatorial election, this relationship was reversed. It is also notable that turnout fell more in the House elections than it did in the gubernatorial (and presidential) elections. To assess this, we consider “rolloff” in elections during presidential election years, defined as the difference: Presidential Turnout – Congressional

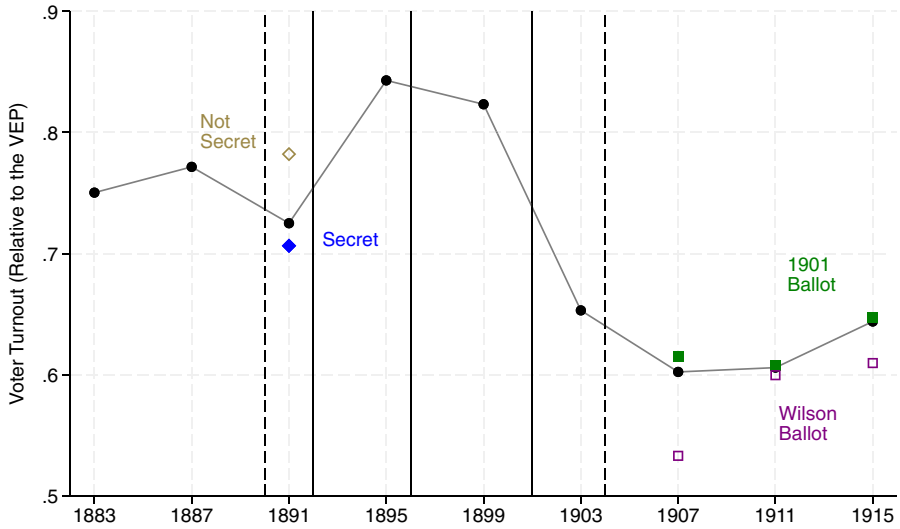


Figure 3: Turnout in Gubernatorial elections declined after the 1901 ballot reforms in Maryland, 1883–1915.

Turnout. We present the results, continuing the graphical presentation style from previous figures, in Figure 4. The graph shows what was clear from Figures 2 and 3: rolloff increased significantly after the adoption of the 1901 ballot. Almost everyone who voted for president voted for a House of Representatives candidate before 1904. Starting in 1904, this jumped to 5%, and by 1912, this had jumped to 15% statewide. The Wilson ballot counties appear to have lagged the other counties, but by 1912 rolloff in those counties had also soared, reaching higher than 20%. These descriptive statistics point to a well-known feature of ballot design: ballot designs that give more freedom to voters, and thus demand more from them independently, also raise the barrier to voting, and this has the largest effects in lower-profile races.

Finally, we consider the fact that reduction in turnout (as we define it) can come not just from reduced rates of showing up, but also from reduced rates of registration to vote. In Figure 5, we plot the rates of voter registration, both overall in Maryland over the time period for which we have data and split by the different ballot types. We see that voter registration rates tended downward over the period, reaching numbers near 100% in the late 1880s before falling beneath 85% at the end of the period of study. As with the previous figures, registration rates indicate a significant change with the 1901 ballot law. Beginning in 1902, registration rates were systematically lower

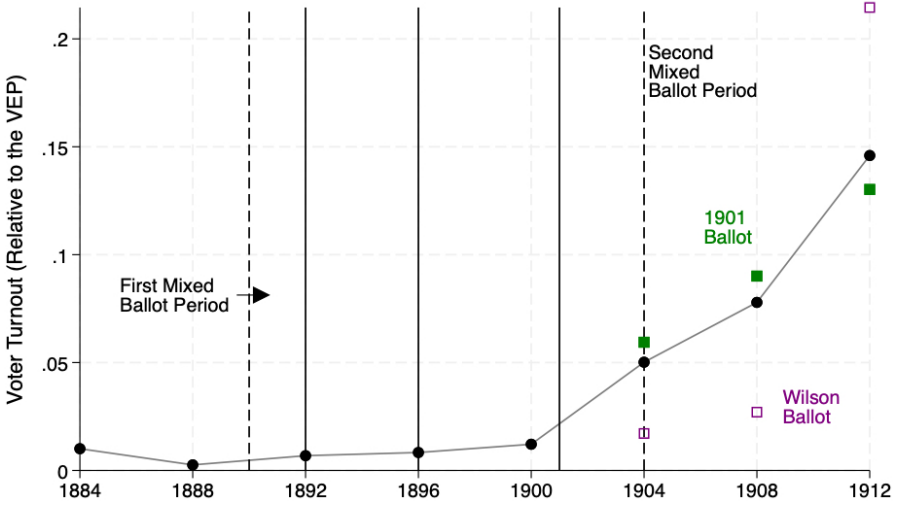


Figure 4: Rolloff increased significantly after the 1901 ballot reforms in Maryland, 1884–1912.

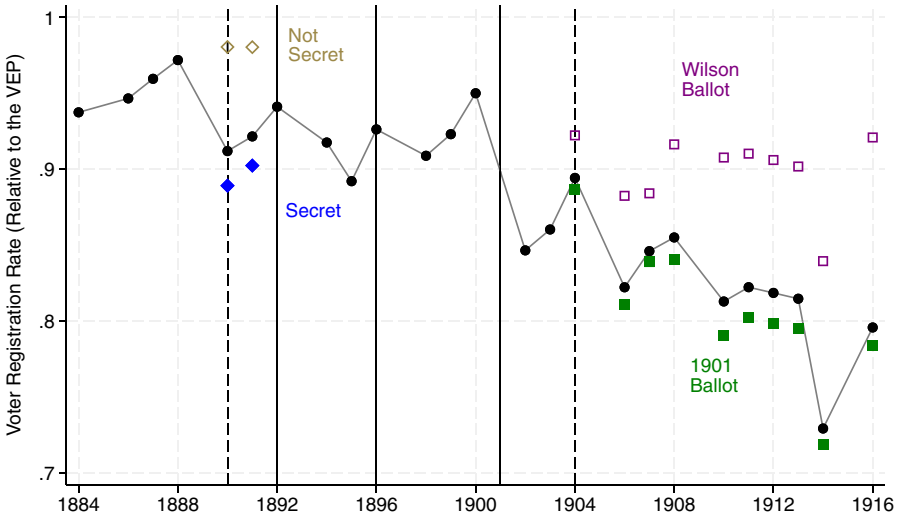


Figure 5: Voter registration rates in Maryland declined after the 1901 ballot reforms, 1884–1916.

than they had been before. Counties that adopted the Wilson ballot after 1903 had higher registration rates than those that remained on the 1901 ballot.

Next, we consider these same election measures in regression analyses. Our primary limitation — besides the limited number of elections and counties in Maryland during this time period — is that variation within years is only present in a subset of elections. Thus, the difference in turnout or rolloff under different ballot systems when those ballots were uniform across the state cannot be properly identified separate from the year-to-year fluctuations in interest that occur in all elections. In such a case, descriptive statistics as provided by the preceding figures are likely the best we can do. However, it is important to note the threats to inference inherent in such an approach, especially when analyzing the periods of split ballots. Counties elected to use or not to use certain ballots, and this selection process can produce implied relationships that are, in fact, spurious. For example, we show that counties that had the Wilson ballot after 1903 had higher registration rates, but it may be that counties with high registration rates (for other reasons) were more likely to opt into the Wilson ballot, without the ballot affecting voters' interest in registering to vote.

In the years beginning in 1904, in which counties used varied ballot types, regression analyses may improve on the simple descriptive figures we have already presented. This allows us to identify changes owed from switching from one model to the other. We estimate the effect of switching to the Wilson ballot in the period when that was possible. We estimate this in the context of a two-way fixed effects difference-in-differences model. This necessarily draws information from the switching between methods, which occurred in eight counties. Two counties switched twice within the period. We assess the effect of the Wilson ballot on turnout (both relative to the Voting Eligible Population and to the registered electorate). In each year, we take turnout from the most important election on the ballot (assuming an order of importance of: President > Governor > Senate > House of Representatives). Thus, even in years with multiple elections (such as the Presidency and the House of Representatives), the year is only in our dataset once, with the turnout in the most important election. We further estimate the effect of ballot type on Rolloff (the turnout gap between the presidential and House of Representatives elections in a given general election) and on registration rates (as the percentage of the estimated VEP that was registered to vote). We present the results of these Ordinary Least Squares (OLS) regressions in Table 2.

We find only weak evidence of a meaningful difference caused by the Wilson ballot that came available in 1904. Adopting the Wilson ballot caused more rolloff (11 percentage points, though we reject the null only under a weaker

Table 2: Regression analyses of ballot changes in Maryland counties, 1904–1916.

	All elections (turnout relative to VEP)	All elections (turnout relative to voter registration)	Rolloff (Presidential — House Turnout)	Voter- registration rate
Wilson Ballot	-0.04* (0.02)	-0.02 (0.03)	0.11^ (0.06)	-0.01 (0.02)
<i>N</i>	264	240	72	240
<i>R</i> ²	0.65	0.64	0.64	0.63
Base category		1901 Ballot		
Fixed effects		County, Year		

Note: ^ 0.05 < *p* < 0.10. *0.01 < *p* < 0.05, ***p* < 0.01.

p < 0.10 threshold) and lesser turnout (4 percentage points, *p* = 0.05). We are unable to reject the null hypothesis of no effect with regards to the voter-registration rate, as well as the turnout relative to that rate. In sum, these results point to muted effects, likely around zero. This is less stark than the results in the statewide descriptive figures, which may reflect that counties selected into their ballot regimes and this selection effect drove those observed divergences.

The historical record makes clear that ballot changes were not made in an untargeted fashion: they were intended to increase the barrier to voting for African Americans who largely voted for the Republican Party at the time. We can re-analyze each of the models in the preceding table with interaction terms for each ballot type and the Black Population of the county. These are population estimates based on interpolations from the decennial censi, thus they are made with some measurement error. Because demographics introduce variation within years in which there was no ballot-use variation, we run two different models for each in the prior table: one with all years and one only with the years from 1904 on with county-level ballot variation. We present the results of these OLS regressions in Tables 3 and 4.

Table 3’s results lack a clear pattern. We find that the 1896 ballot corresponded with a rise in voter registration and turnout relative to the VEP, and that subsequent ballot reforms coincided with increases in rolloff down-ballot. Table 4 provides a better identified analysis of the specific features of the 1901 and Wilson Ballots. Counties using Wilson Ballots generally had higher turnout than counties using the 1901 Ballot, though this pattern was reversed in counties with substantial African American populations. These estimates need to be made carefully, however, as the models are interactive, with multiple moving variables at a time. To aid interpretation, we present

Table 3: Regression analyses of ballot changes and demographics in Maryland counties.

	All elections (turnout relative to VEP)	All elections (turnout relative to voter registration)	Rolloff (Presidential — House turnout)	Voter- registration rate
1892 Ballot	0.03 (0.03)	0.02 (0.03)	0.00 (0.01)	0.01 (0.02)
1892 Ballot X Black%	-0.09 [^] (0.06)	-0.02 (0.05)	0.02 (0.05)	-0.09* (0.04)
1896 Ballot	0.16** (0.02)	0.03 (0.02)	0.01 (0.02)	0.16** (0.02)
1896 Ballot X Black%	0.03 (0.04)	0.08 [^] (0.04)	-0.03 (0.04)	-0.06 (0.04)
1901 Ballot	0.02 (0.03)	-0.00 (0.03)	0.21** (0.04)	0.04 (0.04)
1901 Ballot X Black%	0.14* (0.07)	0.14 [^] (0.08)	0.26 (0.16)	-0.01 (0.06)
Wilson Ballot	0.02 (0.05)	0.05 (0.05)	0.41** (0.07)	-0.07 (0.06)
Wilson Ballot X Black%	0.01 (0.08)	-0.16 [^] (0.09)	-0.38* (0.15)	0.32* (0.12)
Black Percent	0.97** (0.23)	1.07** (0.25)	0.20 (0.50)	-0.24 (0.34)
<i>N</i>	672	648	192	648
<i>R</i> ²	0.74	0.65	0.69	0.60
Base category		Pre-1892 Ballot		
Fixed effects		County, Year		

Note: [^]0.05 < *p* < 0.10, *0.01 < *p* < 0.05, ***p* < 0.01.

the combined estimates of the effect of adoption of the Wilson ballot after 1903 in Figure 6. Specifically, we look at its effect on turnout relative to the VEP, based on Model 1 in Table 4. Notably, we find that though the overall effect is small (estimated at negative-4 percentage points in Table 2, Model 1), this is because it balances more substantial effects at the extremes of the demographic distribution. In homogenously White counties, turnout increased by 6 or 7 percentage points upon the adoption of the Wilson ballot. However, in the most diverse counties in Maryland in the period (where about half of residents were White and half were Black), the effect was in the opposite direction: about a 13-percentage-point decrease in turnout. In the average county, the effect was about zero and indistinguishable from zero under conventional assumptions.

Table 4: Regression analyses of ballot changes and demographics in Maryland counties, 1904–1916.

	All elections (turnout relative to VEP)	All elections (turnout relative to voter registration)	Rolloff (Presidential — House turnout)	Voter- registration rate
Wilson Ballot	0.07* (0.03)	0.08* (0.03)	0.12 (0.08)	0.01 (0.03)
Wilson Ballot X Black%	-0.34** (0.09)	-0.30^ (0.17)	-0.08 (0.44)	0.01 (0.03)
Black Percent	1.08 (0.75)	1.90* (0.82)	-1.99 (2.72)	-1.77 (1.25)
N	264	240	72	240
R ²	0.66	0.70	0.65	0.64
Base category	1901 Ballot			
Fixed effects	County, Year			

Note: ^ 0.05 < p < 0.10, * 0.01 < p < 0.05, ** p < 0.01.

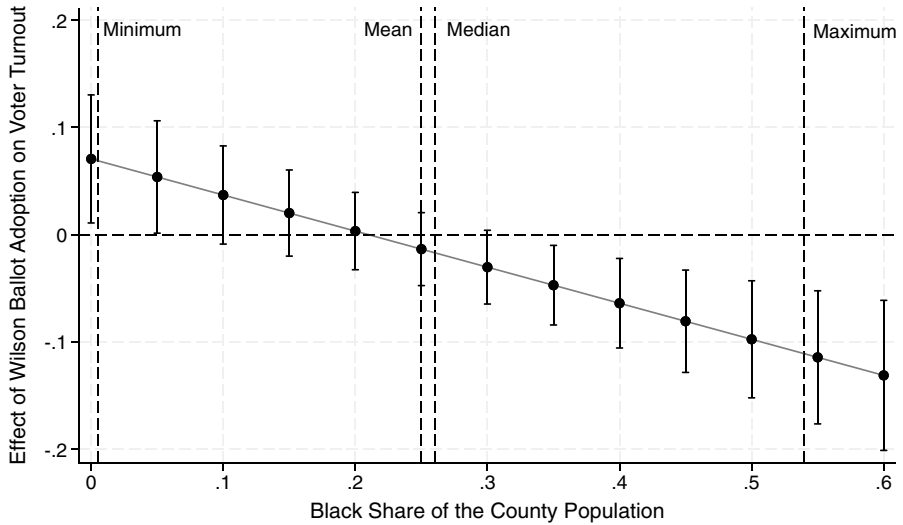


Figure 6: Wilson Ballot adoption corresponded with different turnout effects in diverse and homogeneously White counties, 1904–1916.

Assessing the Referendums: Who Voted to Disenfranchise?

Another important question is who voted for the disenfranchising referendums when they were offered. Though they failed, many Marylanders voted to raise the barriers to voting by a considerable margin. We investigate county-level returns on the three (1905, 1909, and 1911) referendums, and analyze whether county demographics can explain the results. With 23 counties, plus the county-equivalent unit of Baltimore City, across three referendums, we have 72 data points to analyze. Our dependent variable is the “Yes” vote share in a specific county-referendum.

As a key independent variable, we consider the Black Share of the Population, again imputed based on the decennial censi. Other work on disenfranchising provisions (Gray and Jenkins, 2024) has shown that in almost all southern and border states that held disenfranchising referendums, there was a positive relationship between the Black share of the electorate and the percent voting for the amendment. There are three major possibilities that would yield such an outcome: African Americans could have supported disenfranchising amendments targeted at themselves, there could have been widespread voter fraud or vote suppression, or these elections may have displayed some version of the voting dynamic known as “racial threat.” In a “racial threat” scenario, increased interaction and competition drives more hostile behavior between racial groups. Thus, White voters in more diverse counties would be more likely to vote in favor of disenfranchising than White voters in homogeneously White counties. However, as the Black percentage of the electorate increases, the ceiling for overall amendment support declines absent substantial African American support. While ecological inference difficulties make it challenging to sort out these competing and somewhat observationally equivalent possibilities, one voting pattern does match one but not the other two: an inverse-U-shaped curve, which increases for some time before declining as the White share of the population declines having already maxed out White support. This implies a nonlinear relationship. So, we include Squared Black Share of the Population, which would capture such an inverse-U-shaped relationship if it exists.

We also consider a key variable related to the substance of the amendment: literacy. A naïve expectation is that illiterate citizens would be unlikely to support an amendment that would make literacy a requirement to vote. Thus, we include an 1899 measure of the Illiteracy Rate in Maryland’s counties.²⁵ This measure was not re-estimated annually, and we use the 1899 measure for all 3 years. We must assume then that these numbers remained similar for the 12 years between the measurement and the final amendment vote. We also include (in a separate model) the illiteracy rate separated by race (Black Illiteracy Rate and White Illiteracy Rate). The goal was to disenfranchise the

²⁵See *Baltimore Sun Almanac*, 1901, p. 86.

Table 5: Regression results for support of disenfranchising amendments: 1905, 1909, and 1911.

Dependent variable:	Referendum support (1)	Referendum support (2)	Referendum support (3)	Turnout (4)
Black Share of the Population	1.43** (0.18)	0.87** (0.21)	0.99** (0.18)	0.21 (0.29)
Black% Squared	-2.31** (0.39)	-2.36** (0.34)	-1.91** (0.31)	0.07 (0.56)
Illiteracy rate		0.76** (0.20)		
White illiteracy			0.27 (0.19)	-0.74** (0.23)
Black illiteracy			0.32** (0.08)	0.36** (0.10)
<i>N</i>	72	72	72	72
<i>R</i> ²	0.61	0.74	0.74	.61
Fixed effects	Year, Ballot Type			

Note: $^{\wedge} 0.05 < p < 0.10$, $* 0.01 < p < 0.05$, $** p < 0.01$.

most reliable Republican Voters, which was, at the time, Black voters. Thus, we investigate the possibility that voters responded to the actual vulnerability of the targeted African American population in their county. Finally, we recognize that referendum results depend not just on who people choose to vote for, but also who chooses to show up to vote. Thus, in our final model, we use Turnout as a dependent variable. We present the results of these OLS regressions in Table 5.

We find substantial evidence of the “inverse-U-shaped” support graph for the amendments. Support for the amendments increased over smaller values of Black Share of the Population, and this marginal increase declined to zero around the middle of the observed range before turning negative. This remains true even with the addition of illiteracy-rate data in Models 2 and 3. Thus, there is not a simple linear story of increased support the larger the African American share of the county was, but rather a nuanced story where the largest levels of support came in places where African American population was around the statewide median. Additionally, we find that demographics offer no explanation of turnout separate from literacy rates.

To visualize this nonlinear curve, we present Figure 7, which plots the predicted level of support for an amendment as the Black share of the population changed, based on Model 3 in Table 5. We see a peak around 25% of the population being African American and 75% White, right around the average

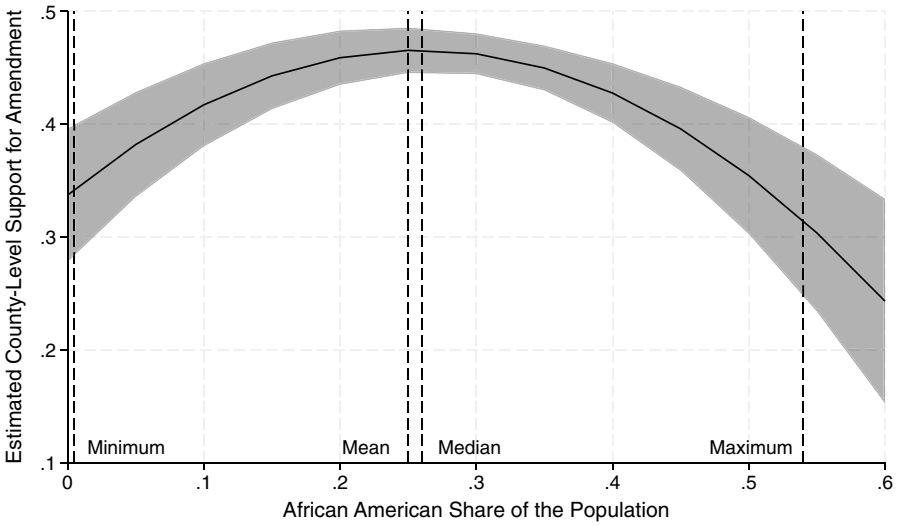


Figure 7: Amendment support peaked in moderately diverse counties.

of the state’s counties. In counties more homogenously White or more diverse than 25%, support was lower. In the former case, this is because White voters in homogenously White counties did not support disenfranchisement at high rates, and in the latter case it is because even though White voters did support disenfranchisement, they made up an insufficient share of the population to carry the day. The peak area is the point of the distribution in which White support and White population share were sufficiently large to produce the highest results.

On the subject of illiteracy rates: we see a counter-intuitive result that support increased with higher illiteracy rates, even controlling for the racial demographics of the county. This implies that people voted for the amendment in the places where more voters were more likely to be disenfranchised by its success. In Model 3, we see that this is driven by increases associated with the Black illiteracy rate. Our models do not enable us to reach definitive conclusions, but one possibility is that support was highest in counties with large and uneducated Black populations, where locals believed they would be able to entrench themselves if they could legally exclude African Americans from voting. In areas with relatively higher education levels among African Americans, local White voters may have seen less to gain from the amendment.

On the question of turnout in Model 4, we find a very interesting cross result for different types of illiteracy. In counties where the White illiteracy rate was high, voter turnout was significantly decreased. In counties where the

Black illiteracy rate was high, voter turnout was significantly *increased*. While we cannot provide a definitive explanation for this with available data, the results do reinforce the findings throughout this paper that White enthusiasm for disenfranchisement was likely highest in places with large populations of mostly disadvantaged African Americans.

One other interesting result emerges in Model 4 that does not appear in Table 5. Controlling for demographics and illiteracy rates, counties using the Wilson Ballot had turnout 8.6 percentage points lower than those using the alternative 1901 Ballot. This is a larger difference between these two sets of counties than we found in our preceding sections on turnout in major competitive elections in Maryland during this same time period.

Finally, we are further able to consider who voted for these ballot questions by comparing them to results of other votes held on the same day (and on the same ballot) by looking at rolloff. In two of the three referendum vote years (1905 and 1909), no other major office was on the ballot, but in 1911, the referendum coincided with a gubernatorial election. In total in Maryland, 215,967 people voted in the gubernatorial election, while only 130,140 voted for the disenfranchising referendum on the same ballot.²⁶ Simply, about 40% of people who showed up to vote did not participate in the referendum. This was fairly evenly distributed across Maryland's counties, though it appears that Democrats lost the lion's share of votes through rolloff. Consider the example of Baltimore City, where 42,958 voters cast their ballot for the Democratic gubernatorial candidate, Arthur Gorman, Jr., but only 22,517 voted for the Democratic-supported referendum, a difference of over 20,000 votes. Compare that to Republicans, who received 44,827 votes for Phillips Goldsborough, their gubernatorial candidate, while 36,247 people cast their votes against the referendum, which the Republican Party opposed. This represented only about 8,600 fewer votes. Many other counties followed similar patterns, but with smaller populations and vote totals. Statewide, tens of thousands of Democrats showed up to vote, but did not vote "yes" on the referendum to disenfranchise.

Conclusion

Maryland Democrats pursued a variety of methods to alter their state electoral system in the decades surrounding the turn of the twentieth century with the hope of obtaining perpetual political power. After significant Republican electoral successes in the mid-to-late 1890s, the Democrats pushed a ballot reform in 1901 to reduce African American voting, which we find substantially reduced turnout and increased rolloff in the state. Further Republican

²⁶Data here come from *The Baltimore Sun Almanac* for 1912, p. 134.

competitiveness coincided with Democrats pursuing the kind of constitutional reforms for disenfranchisement that were common in the former Confederate South. Unlike in those states, however, the voters of Maryland rejected three different attempts to enshrine disenfranchisement in the Maryland state constitution. These provisions were strongly opposed in the homogeneously White counties of Maryland as well as in the counties with very large Black populations, achieving substantial support only in those places where Whites represented a sizable but not overwhelming majority.

Ultimately, Maryland was the “Dog That Did Not Bark.” It had been a slave state, and it practiced substantial economic and social segregation. But its voters consistently rejected broad disenfranchisement for its African American citizens. While similar to its southern neighbors in many ways, Maryland differed in a one important respect: it never pursued political segregation and suppression to the same degree as it did economic and social segregation. As we show, this was not for want of the Democratic Party trying, but rather because the wider population did not accept it.

The irony is that despite failing in their efforts, the Democratic Party of Maryland ultimately got what it sought, and far more so than its southern counterparts would. After the flurry of Republican successes in the mid-to-late 1890s, the Democratic Party has never again lost control of the Maryland Senate. For more than 120 straight years, the Democrats have maintained that majority. No person alive today lived during a time of Republican control of the Maryland legislature. In the House, that streak of success stands at about a century. Democrats have held a lock grip on legislative control throughout their own evolution as a party against civil rights for African Americans to one supporting civil rights. In that time, Democrats have also held the governor’s mansion a supermajority of the time, only ceding to several moderate Republicans who were forced to govern in conjunction with hostile state legislatures. Maryland is a fascinating story both for what did not happen — systematic disenfranchisement of African Americans — and for what did: the enduring political dominance of the Democratic Party.

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