

VIRGINIA ELECTION RECORDS

Presidential and Congressional Election Returns at the Library of Virginia

Presidential Elections

The election of the president of the United States is considered the most important political event in the life of the nation. Elections have been held for this office every four years since 1789. The existence of the carefully preserved historical election returns for the offices of president and vice president is an indication of the significance attached to this office.

Official compilations of returns do not exist at the Library of Virginia for the presidential elections of 1789, 1792, and 1796. In these elections, Virginia chose presidential electors by popular vote. The state was divided into electoral districts. The voters in each district selected one presidential elector, who was then certified to the governor by the sheriffs of the counties comprising that district. After the sheriffs ascertained the name of the winning elector, they signed the election certificate and returned the poll books to the clerks of the counties. There was no statutory law providing for the recordation of the total popular vote of a county or a district. The election certificates contained only the names of the winning electors.

After the 1796 election, this system was abandoned and the voters at large chose the entire slate of electors. In contests prior to 1804, the electors did not vote separately for president and vice president. Instead, the candidate who garnered the majority of the electoral vote was elected president, and the candidate with the second largest number of votes became the vice president. The election of 1800 showed the weakness of this system. Thomas Jefferson and Aaron Burr each received the same number of electoral votes, and the election had to be resolved by a state delegation vote in the House of Representatives. The adoption of the Twelfth Amendment in 1804, which required the electors to cast separate votes for president and vice president, rectified this problem. This constitutional change marked the beginning of political parties, with two persons running on the same ticket for the two different offices.

The earliest extant voting records in the Secretary of the Commonwealth Collection in the Archives are those of the 1800 elections. Some polls for earlier elections may be found in extant county records. For many of

the early elections, results were published in various issues of the *Richmond Enquirer* as they were received. The Archives staff compiled master tabulations of the popular votes cast in Virginia for presidential electors, 1800–1832, by consulting the official county abstracts of votes transmitted to the governor and the *Richmond Enquirer*. In many cases, the official returns were somewhat informal and small variations occurred. Beginning with the 1836 election, published statements of votes exist.

In 1848, printed tickets with a slate of candidates and electors for each party were distributed. In some cases these tickets are attached to the county abstracts. The abstracts were handwritten through 1852. In 1856, printed slates of electors were distributed to counties for recordation of the electoral vote for the first time. The commissioners filled in the name of the county and the vote. The abstracts were once again handwritten in 1860.

Virginia did not participate in the presidential election of 1864 and under military rule could not participate in the 1868 election. Beginning in 1872, the secretary of the commonwealth again printed forms for recording the election returns. The completed forms were bound and the records remained in this format through the 1972 election. Beginning in 1976, loose returns of abstracts of votes are filed alphabetically by locality. In addition, published sources and websites exist for presidential election returns. Consult the Library's reference bibliography on published election returns and the finding aid in the Archives Research Room for appropriate sources and websites for each election year.

United States Senate

Prior to 1916, U.S. senators were chosen by state legislatures. At the beginning of the twentieth century, a widespread reform movement gained popularity and many states amended their laws to allow voters to designate their preference for U.S. senators. The legislatures generally elected the candidate with the majority of the popular vote in party primaries. The Virginia Democratic Party held primaries for the senate in August 1905 and September 1911. Statements of votes for these primaries may be found in the *Report of the Secretary of the Commonwealth*. With the adoption of the Seventeenth Amendment to the U.S. Constitution in 1913, senators were to be elected by popular vote. The first popular election of a U.S. senator from Virginia occurred in the general election held on November 7, 1916. The Library of Virginia has original returns for all senatorial elections since 1916.

Proceedings of elections for U.S. senators by the General Assembly may be found in the journals of the Virginia House of Delegates and Senate. The Library of Virginia has abstracts and statements of votes beginning with the 1916 election. The statements of votes from 1916 to 1960 are on miscellaneous microfilm reel 386. The original statements for these years are held by the State Board of Elections. Consult the Library's reference bibliography on published election returns and the finding aid in the Archives Research Room for appropriate sources and websites for each election year.

United States House of Representatives

The first census, taken in 1790, dictated the apportionment of members of the House of Representatives as specified by the Constitution. Based on inexact population figures, Virginia was initially allotted ten members. Beginning with the third Congress in 1793, the number of representatives from Virginia increased to nineteen and later to twenty-three. The number of representatives varied through the years, depending on population figures of the state versus the total population of the United States. For further information on reapportionment, see *United States Congressional Elections, 1788–1997*, and *Congressional Quarterly's Guide to U.S. Elections*.

States have jurisdiction over the federal electoral process for both senators and representatives. Congress has enacted various laws about elections but has never mandated that returns be sent to Washington. Prior to the twentieth century, election results for the different offices were kept separately. The vote for the president and vice president was duly recorded and the secretary of the commonwealth kept the results. In contrast, the vote for the House of Representatives was recorded in deed books and poll books in each county. Extant manuscript records are filed with the county records in the Archives. These records are incomplete, not indexed, and fragile. Virginia sent certificates of election to the Elections Committee of the House of Representatives. Records of this committee may be found in Record Group 233 at the National Archives and Records Administration.

Records of the secretary of the commonwealth contain no manuscript returns for Congressional elections prior to 1853. Election returns for Virginia up to that time were sporadically published in state newspapers. Incomplete data exists for the years 1853 and 1857. Beginning with the year 1870, election returns are housed in the Archives. The statements of votes for 1920 to 1956 are on miscellaneous microfilm reel 386. Consult the Library's reference bibliography on published election returns and the finding aid in the Archives Research Room for appropriate sources and websites for each election year.

Accessing the Records

Manuscript returns at the Library of Virginia generally consist of abstracts, certificates, poll books, and statements of vote. *Abstracts* originate in each county or congressional district and list the names of all candidates and the total vote each received. A *certificate of election* also originates in the county or congressional district. It names the winning candidate, but usually does not list the opponent's name or a vote count. A *poll book* is a precinct record listing the names of the persons who voted and the candidate for whom they cast their vote. A *statement of votes* is the final, official compilation of the votes cast for all candidates in each county and in the state as a whole.

The election records in the Archives were initially filed with the records of the secretary of the commonwealth. The State Board of Elections was created by an act of the General Assembly in 1946. The act granted the board supervisory powers over elections earlier exercised by the secretary of the commonwealth and the Board of

State Canvassers. The State Board of Elections supervises and coordinates the work of county and city electoral boards and registrars, thereby assuring uniformity in election proceedings and legality in all elections. After an election, the State Board of Elections transfers returns and other relevant records of the previous election to the Library of Virginia. Although most of the records are available at the Library of Virginia in downtown Richmond, some are housed at the nearby State Records Center. Check with the Archives Reference Services staff at 804.692.3888 for additional information on availability.

The State Board of Elections website (<http://www.sbe.virginia.gov/>) shows statements of votes by locality and precinct. As of the date of this publication, the statements begin with 1995.

To locate individual acts about elections, consult the *Index to Enrolled Bills of the General Assembly of Virginia, 1776 to 1910*; *Index of Acts of the General Assembly of the Commonwealth of Virginia*; and *Digest of Acts of the General Assembly of Virginia, 1980–present*.

Sources for election laws include: the 1950 *Code of Virginia* (see title 24.2, with major revisions in 1970 and 1993); *Extracts from the Election Laws of the Commonwealth of Virginia, 1881–1912*; *Report of the Commission to Revise and Codify the Election Laws of the State, Primary and General* (1932); and *Report of the Election Laws Study Commission to the Governor and the General Assembly*, House Document 15 (1973).

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