

2003 DRAFTING REQUEST

Assembly Amendment (AA-AB32)

Received: **01/26/2004**

Received By: **agary**

Wanted: **01/27/2004**

Identical to LRB:

For: **Garey Bies (608) 266-5350**

By/Representing: **Andrew Nowlan (aide)**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - highways**

Extra Copies: **PJH**

Submit via email: **YES**

Requester's email: **Rep.Bies@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Ezekiel Gillespie in lieu of Harriet Tubman Memorial Highway

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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FE Sent For:

<END>

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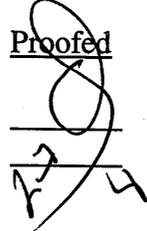
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FE Sent For:

<END>

1/26/04

He w/ Andrew 6-5350

- Rep. Bies :

AB32 → a leader
a

- same form

- will send e-mail ;

for floor tomorrow

Gary, Aaron

From: Nowlan, Andrew
Sent: Monday, January 26, 2004 4:10 PM
To: Gary, Aaron
Subject: harriet tubman/sherman booth bill

Aaron,

Due to objections on the floor, we need to yet again change the name on our bill, AB 32 to Ezekiel Gillespie.

Ezekiel Gillespie was a leader of Milwaukee's black community. He tried to register to vote in the 1865 election after the first state legislature had passed a black suffrage law and authorized a referendum on the law in 1849. The law was approved 5265 to 4075 but fewer than half of all voters casting a ballot at the election voted on the suffrage issue, therefore, the law failed.

Ezekiel Gillespie tried to register to vote in 1865 because his attorney wanted to test the 1849 referendum. The supreme court sided with Gillespie in Gillespie v. Palmer (1866) ruling that "because suffrage had received a majority vote in 1849, blacks had been entitled to vote in WI since that time."

<http://www.slavenorth.com/wisconsin.htm>

Andrew Nowlan
Research Assistant
Office of Rep. Garey Bies

Introduction**RACE in WISCONSIN****Slavery in the North**

Wisconsin was one of the first states to establish black suffrage, but this was accomplished only through a Supreme Court decision after suffrage had been defeated repeatedly at the polls. Like many in the North, Wisconsin residents disliked slavery, but they also felt no desire to integrate with blacks, whom they felt were inferior.

Northern Emancipation**Denying the Past**

A committee of the 1846 statehood convention proposed an article granting suffrage to "white citizens of the United States," foreign residents who intended to become citizens and certain Indians. A few idealists urged that the word "white" be deleted, but they were opposed by the majority. The convention ultimately agreed to submit to the voters a separate article allowing black suffrage. The 1846 constitution was voted down for various reasons unrelated to suffrage; but the suffrage article also was defeated decisively, with only 34 percent in favor.

Connecticut**Delaware****Massachusetts Slavery**

The 1847-48 constitutional convention resolved the suffrage issue by agreeing that the Legislature could allow black suffrage at any time, provided that the law was "submitted to the vote of the people at a general election, and approved by a majority of all the votes cast at such election." The compromise appealed to the delegates because a vote for it could be defended as a vote for popular sovereignty rather than black equality or abolitionism.

Massachusetts Emancipation**New Hampshire**

The first state Legislature promptly passed a black suffrage law and authorized a referendum, which took place in 1849. The law was approved by a vote of 5,265 to 4,075. However, fewer than half of all voters casting ballots at the election voted on the suffrage issue; therefore, the law had failed. The Legislature passed new suffrage laws in 1857 and again in 1865. The voters rejected both laws, although the pro-suffrage vote increased to 41 percent in 1857 and 46 percent in 1865.[1]

New Jersey**New York Slavery**

Ezekiel Gillespie, one of the leaders of Milwaukee's black community, tried to register to vote in the 1865 election. He did so partly to publicize the suffrage issue and partly at the suggestion of his attorney, Byron Paine, who wanted to test the 1849 referendum. "To almost everyone's surprise, in *Gillespie v. Palmer* (1866) the supreme court accepted Paine's argument and ruled that because suffrage had received a majority in 1849, blacks had been entitled to vote in Wisconsin since that time." [2]

New York Emancipation**Pennsylvania Slavery****Pennsylvania Emancipation**

"The pattern of weak racial liberalism which Wisconsin established between 1846 and 1866 continued for the next century," historian Joseph Ranney writes. "Wisconsin never countenanced de jure discrimination, but de facto segregation and discrimination were common."

Race Relations in Pennsylvania**Rhode Island**

When the Civil War ended, nineteen of 24 Northern states did not allow blacks to vote. Nowhere could they serve on juries before 1860.

Vermont

They could not give testimony in 10 states, and were prevented from assembling in two. Several western states had prohibited free blacks from entering the state. Blacks who entered Illinois and stayed more than 10 days were guilty of "high misdemeanor." Even those that didn't, debated it and had discriminatory ordinances on the local level.

A Missed Chance

Northern Profits from Slavery

Fugitive Slaves

Ohio

Illinois

Indiana

Wisconsin

Back to Africa

Keeping the North White

Bibliography

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1. John G. Gregory, "Negro Suffrage in Wisconsin," Transactions of the Wisconsin Academy of Sciences, Art and Letters, XI (1898), pp. 94-101.
 2. Joseph A. Ranney, "Wisconsin's Legal History" Wisconsin Lawyer, Madison, Wis.: Wisconsin Supreme Court, 1998.

2003 - Slavery in the North - About the Author



Needed
1/27
A.M.

**ASSEMBLY AMENDMENT,
TO 2003 ASSEMBLY BILL 32**

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 1, line 2: delete "Harriet Tubman" and substitute "Ezekiel Gillespie".

3 ✓ 2. Page 1, line 4: delete "Harriet Tubman" and substitute "Ezekiel
4 Gillespie".

5 ✓ 3. Page 1, line 7: delete "Harriet Tubman" and substitute "Ezekiel Gillespie".

6 ✓ 4. Page 1, line 8: delete the material beginning with that line and ending with
7 page 2, line 2, and substitute "Ezekiel Gillespie, a leader in Milwaukee's black
8 community whose efforts to register to vote in 1865 and whose legal challenge, based
9 on the first state legislature's passage of a black suffrage law and the referendum on
10 that law in 1849, led the supreme court to proclaim in 1866, in Gillespie v. Palmer,
11 that blacks had been entitled to vote in Wisconsin since 1849."