

Preface to “The Recollections of Maria Southgate”

Maria Southgate wrote her recollections during the period just during and after the end of the Civil War. It is a startling account of life in the Southern United States in the middle of the 19th century, and sometimes shocking to modern sensibilities. The 19th century was characterized by vast social upheaval. Slavery was abolished in much of Europe and the Americas. Because there is so much polarization in our politics today, it might be useful to review what citizens used to think was normal.

Reflect how much society and outlooks have changed since Abigail Adams wrote to her husband John Adams who was working in Philadelphia in the Continental Congress,

"In the new code of laws which I suppose it will be necessary for you to make, I desire you would remember the ladies and be more generous and favorable to them than your ancestors. Do not put such unlimited power into the hands of the husbands."

John Adams replied, "As to your extraordinary code of laws, I cannot but laugh. We have been told that our Struggle has loosened the bands of Government everywhere... Depend upon it, We know better than to repeal our Masculine systems."

1701 The first sexually integrated jury hears cases in Albany, New York.

1769 American colonies based their laws on the English common law, which was summarized in the Blackstone Commentaries. It said, "By marriage, the husband and wife are one person in the law. The very being and legal existence of the woman is suspended during the marriage, or at least is incorporated into that of her husband under whose wing and protection she performs everything."

1777 All states pass laws which take away women's right to vote.

1789 United States Constitution ratified. The terms "persons," "people" and "electors" are used, allowing the interpretation of those beings to include men and women.

1839 The first state (Mississippi) grants women the right to hold property in their own name, with their husbands' permission.

1848 At Seneca Falls, New York, 300 women and men sign the Declaration of Sentiments, a plea for the end of discrimination against women in all spheres of society.

1855 In *Missouri v. Celia, a Slave*, a Black woman is declared to be property without a right to defend herself against a master's act of rape.

1866 The 14th Amendment is passed by Congress (ratified by the states in 1868), saying "Representatives shall be apportioned among the several States according to their respective members, counting the whole number of persons in each State, excluding Indians not taxed. . . . But when the right to vote . . . is denied to any of the male inhabitants of such State . . . the basis of representation therein shall be reduced in proportion." It is the first time "citizens" and "voters" are defined as "male" in the Constitution.

1869 The first woman suffrage law in the U.S. is passed in the territory of Wyoming.

1870 The 15th Amendment receives final ratification, saying, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." By its text, women are not specifically excluded from the vote.

1870 The first sexually integrated grand jury hears cases in Cheyenne, Wyoming. The chief justice stops a motion to prohibit the integration of the jury, stating: "It seems to be eminently proper for women to sit upon Grand Juries, which will give them the best possible opportunities to aid in suppressing the dens of infamy which curse the country."

1873 *Bradwell v. Illinois*, 83 U.S. 130 (1872): The U.S. Supreme Court rules that a state has the right to exclude a married woman (Myra Colby Bradwell) from practicing law.

1875 *Minor v Happersett*, 88 U.S. 162 (1875): The U.S. Supreme Court declares that despite the privileges and immunities clause, a state can prohibit a woman from voting. The court declares women as "persons," but holds that they constitute a "special category of nonvoting citizens."

1879 Through special Congressional legislation, Belva Lockwood becomes first woman admitted to try a case before the Supreme Court.

1890 The first state (Wyoming) grants women the right to vote in all elections.

1900 By now, every state has passed legislation modeled after New York's Married Women's Property Act (1848), granting married women some control over their property and earnings.

"The past cannot be cured." Elizabeth I of England 1485 -1603.