

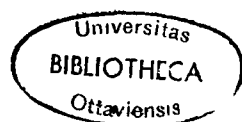
**THE DEVELOPMENT OF PUBLIC EDUCATION FOR NEGROES  
IN LOUISIANA**

**by Mohamed J. Shaik**

**Thesis presented to the School of  
Psychology and Education of the  
University of Ottawa as partial  
fulfillment of the requirements  
for the degree of Doctor of  
Philosophy**



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## CURRICULUM STUDIORUM

Mohamed Joseph Shaik was born in New Orleans, Louisiana, on October 27, 1919. He received the Bachelor of Science degree from Xavier University in New Orleans in 1941. In 1956, after making A Study of the Changes in Occupational Classifications Among Negroes in the Labor Force in New Orleans from 1940 to the Present Time, Xavier University awarded him the Master of Arts degree in Education with an emphasis in Guidance and Counseling.

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## INTRODUCTION

One of the problems receiving national and international attention concerns the complete integration of the American Negro into all phases of society in the United States. The success of this endeavor depends upon, first of all, the realization by all individuals of the brotherhood of men and the Fatherhood of God and, secondly, an educational system which will develop each individual to his maximum capacity so that he may become an integral and functioning part of that society.

The objective of this study is to investigate the development of public education for Negroes in Louisiana in light of the racial and social problems which conditioned its origin and patterned its growth.

Although one may be strongly tempted to moralize on various issues, there is no intention, in this study, of condemning or condoning the righteousness of the events which occurred. This is the task reserved for the courts of the State and the Nation. It is desired, however, that this study will serve (1) to provide an understanding and an appreciation of some of the major problems encountered by Negroes in securing an education at the expense of the State of Louisiana, (2) to apprise the public of some of the salient factors which account for the Negro's lower economic, social, and cultural standards, (3) to provide a point of

departure for further studies relating to specific educational eras and contributions of individual Negro leaders, and (4) to motivate Negro youth to further educational achievements by inspiring them with the progress which has been made by their predecessors.

ti. Very little scientific writing has been done concerning the effect of racial segregation upon the development of public education for Negroes in Louisiana. An objective investigation of the many articles on education during the Reconstruction Period discloses a number of writings displaying emotionalism.

~~Among~~ Of the books written on public education in general in Louisiana, the following two deserve special mention.

History of Education in Louisiana<sup>1</sup> by Edwin W. Fay, a nephew of Edwin H. Fay, 'State Superintendent of Public Education from 1880 to 1884, traces the earliest efforts at public education in Louisiana into the critical years of civil strife and reconstruction. Its significance to this study lies in the fact that public education for Negroes began during these years. The Story of Public Education in Louisiana<sup>2</sup> was written in 1924 by Thomas H. Harris, then Superintendent of

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1 Edwin W. Fay, History of Education in Louisiana, Washington, D.C., Government Press, 1898, 264 p.

2 Thomas H. Harris, The Story of Public Education in Louisiana, New Orleans, Printing Department, Delgado Trade School, 1924, vii-118 p.

Public Education, as a Master's thesis at Louisiana State University. Subsequently, it was published by the Printing Department of the Delgado Trade School in New Orleans. On reading its pages, one is confronted with the personal opinions of this elected public official towards the education of Negroes. The fact that he remained in office thirty-two years, from 1908 to 1940, indicates that his philosophy was acceptable to the majority of the voters of the State at that time, and affords some insight into the many problems which faced the Negro in securing an education.

Betty Porter wrote the History of Negro Education in Louisiana<sup>3</sup> as a Master's thesis in 1938 at Louisiana State Normal College. It was later published in the Louisiana Historical Quarterly. This thesis surveys elementary, secondary, and higher education, both public and private, for Negroes in Louisiana. How segregation has affected these educational levels and systems is not discussed.

In 1944, Sister Mary David Young, in partial fulfillment of the Master of Arts requirements at Louisiana State University wrote A History of the Development of Catholic

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<sup>3</sup> Betty Porter, "The History of Negro Education in Louisiana", in the Louisiana Historical Quarterly, Vol. 25, No. 3, issue of July 1942, p. 728-821.

Education for the Negro in Louisiana,<sup>4</sup> a chronological history of the development of Catholic schools. Herein are listed the various religious orders which fostered the development of the outstanding Catholic educational institutions for Negroes now in existence throughout the State and the contribution which each made. A chapter is devoted to the work of the Sisters of the Holy Family and one to the Sisters of the Blessed Sacrament, the two orders to whom the advancement of Catholic education for Negroes in Louisiana to its present level can be attributed.

The Journal of Negro Education, in 1947, published an article by J.B. Cade, Dean of the School of Education of Southern University, entitled, "Education of Negroes in Louisiana".<sup>5</sup> This is a summary of inequalities which existed in the education of whites and Negroes during the 1929-30 school year and some of the adjustments which had occurred by the 1944-45 session. In this article, Dr. Cade compares statistics taken from Bulletin No. 186, Eighty-First Annual Report for the Session 1929-30<sup>6</sup> and Bulletin

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4 Sister Mary David Young, A History of the Development of Catholic Education for the Negro in Louisiana, unpublished Master's thesis, presented to the School of Education of Louisiana State University, Baton Rouge, 1944, 117 p.

5 J.B. Cade, "Education of Negroes in Louisiana", in The Journal of Negro Education, Vol. 16, No. 3, Summer Issue, 1947, p. 361-369.

6 State Department of Education of Louisiana, Bulletin No. 186, Eighty-First Annual Report for the Session 1929-30, Baton Rouge, State of Louisiana, 1930, 224 p.

No. 585, Ninety-Sixth Annual Report for the Session 1944-45.<sup>7</sup>

In 1956 David C. Marshall wrote A History of the Higher Education of Negroes in the State of Louisiana.<sup>8</sup> This thesis, written in partial fulfillment of the requirements for the Doctor of Philosophy degree at Louisiana State University, traces the development of the colleges and universities for Negroes in Louisiana.

Although many histories of education in Louisiana have been written, and a few devoted exclusively to education of Negroes, none has attempted to determine the effect of racial segregation upon the development of public education for them. The treatises written have surveyed the complete scope of education for Negroes, elementary, secondary, and college, both public and private; they have traced the development of his higher education. The development of Catholic schools for Negroes has been explored. A limited number have considered the development of elementary and secondary education over a short period of time. There existed a need for an investigation of the effects of racial

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<sup>7</sup> State Department of Education of Louisiana, Bulletin No. 585, Ninety-Sixth Annual Report for the Session 1944-45, Baton Rouge, State of Louisiana, 1945, 193 p.

<sup>8</sup> David C. Marshall, A History of the Higher Education of Negroes in the State of Louisiana, unpublished Doctoral thesis presented to the School of Education of Louisiana State University, Baton Rouge, 1956, xi-210 p.

segregation upon the development of public education of the Negro in Louisiana. The writer has endeavored to fulfill this need with the present thesis.

The scope of public education is outlined in the Louisiana State Constitution as follows:

The educational system of the State shall consist of all public schools and all institutions of learning supported in part by appropriations of public funds.<sup>9</sup>

The term Negro is used to include not only full-blooded Negroes, but

(...) also persons of mixed White and Negro parentage and persons of mixed Indian and Negro parentage unless the Indian blood very definitely predominates or unless the individual is accepted in the community as an Indian.<sup>10</sup>

All persons who are not Negroes are accepted in Louisiana as belonging to the white race.

The Negro in Louisiana occupies a vital place in the economy of the State. According to the census taken in 1960, there are 1,039,207 Negroes in Louisiana or the Negro population accounts for approximately one-third of the population of the State.<sup>11</sup> More than that, its very existence is

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<sup>9</sup> Constitution of the State of Louisiana of 1921, as amended through the election of November 2, 1954, Baton Rouge, published by Authority, 1955, p. 277-278.

<sup>10</sup> United States Bureau of the Census, Seventeenth Census of the United States: 1950, Vol. 2, Washington, U.S. Government Printing Office, 1952, p. xvi.

<sup>11</sup> -----, U.S. Census of Population: 1960, General Population Characteristics, Louisiana, Washington, U.S. Government Printing Office, 1961, p. 20-27.

attributable to the hard work and sacrifice of this group of people. The colony founded by the French, having as its basic industry agriculture, would never have succeeded were it not for the Negro slaves who were brought from their homeland and sold here to work the soil and thus make farming a profitable industry. Negro farm hands still account, to a great extent, for the cotton, rice, and sugar exports of the State.

A vast number of homes throughout the State have been built by Negro artisans and craftsmen, whose skills were nurtured from generation to generation through apprenticeship training at their fathers' sides.

In shipping and commerce, Negro labor is a determining factor. New Orleans, the major city of the State, located at the mouth of the Mississippi River, is the third ranking port in the nation judged by the tonnage of shipping it handles. It occupies a controlling position for all water traffic through the center of the United States. Ocean-going vessels leave here daily for South American, European, and Asiatic ports. This commerce would be impossible without the vast supply of Negro labor serving as stevedores and wharf workers. Because of its strategic position, many Negro merchant mariners have chosen to make their homes and rear their children in New Orleans.

New Orleans International Airport is rapidly becoming a center for air traffic through North, Central, and South America, and the islands of the Caribbean. It has been called the "Hub of the Americas". People of all nationalities and racial origins pass through here daily.

Other than the postal employees, hired by the United States Government, Negroes are employed only in the menial service occupations, such as porters, sky caps, and the like, around the airport. There are not many Negroes in the semi-professional or skilled occupations such as pilots, mechanics, or traffic control operators.

There is a scarcity of Negroes in the professional occupations. Negro doctors and medical specialists are sorely needed to care for their increasing populace. There is much need for Negro scientists and engineers in our society. The economic skills of Negro businessmen, while there is some slight increase, still do not meet the demands of the Negroes' buying power.

The Louisiana School Directory for the Session 1962-65<sup>12</sup> lists 286,605 Negro children as registered in the public elementary and secondary schools during the 1961-62 session.

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<sup>12</sup> State Department of Education of Louisiana, Bulletin No. 975, Louisiana School Directory, Session 1962-1965, Baton Rouge, published by Authority, 1962, p. 146.

How has racial segregation affected the development of public education for these young people, the future citizens of this growing metropolis? What gave the impetus for the initiation of the system of education now in existence, and what social and economic influences patterned its growth? In what direction does it seem to be headed? These questions are of vital importance not only to the Negro and the State of Louisiana but to the United States and the free nations of the world as well.

The integrity of the United States in the profession of our foreign policy is judged to a great extent by the manner in which we treat our minority groups. We cannot censure other nations for their seeming disregard for their populace when the largest minority group in the South is not sharing in the rights of full citizenship. We are not able to justify the expressed ideals of our democratic government if it is not adequately providing for all of its citizens. With this incentive, the President of the United States and the Attorney General have deemed it prudent to investigate cases of discrimination where constitutional rights are being withheld. Foremost among them are cases dealing with education in the South.

Southern Negroes have reached a stage of self-realization. They are aware that gross inequalities of opportunity have existed, and that economic, social, and

cultural privations have contributed to the limited educational progress of the group.

Until very recent years a notable harmony of race relations in Louisiana had prevailed. But this was still the era of farmer and share-cropper, hotel manager and porter, madame and the cook. A lack of opportunity to prepare for any type of work beyond the menial occupations precluded a better economic and social level for the group.

With the responsibility of full participation in the Armed Services of the nation and the opportunity to participate in the support of local, state, and federal government through the payment of taxes and the ballot, enlightened southern Negroes are striving to secure for their children and themselves a truly representative State government and increased opportunities for self-development.

With this picture of the present day Negro in mind, the writer hypothesized that racial segregation has retarded the development of public education for Negroes in Louisiana to such an extent that it became necessary to take steps to abolish the dual system of education. It appears that, due to racial segregation, through the years, the Negro has not enjoyed the same educational opportunities as other groups within the State. In order to partake of these advantages the abolition of the dual system of education became necessary.

The subject was divided for study into several chronological periods identified by their prevalent conditions. The chapters and their relationship to the development of the thesis are as follows:

1. **Background and Beginnings of Public Education for Negroes in Louisiana**  
This chapter provides the social climate in which education for Negroes was to develop.
2. **Education During Reconstruction**  
The racial antagonism which resulted from the mixing of the races in the schools firmly implants the desire to provide separate schools for Negroes.
3. **Education During Home Rule**  
The removal of Federal troops permits racial segregation to become a reality and later receives the approval of the United States Supreme Court.
4. **"Separate but (not) Equal" Education**  
The basic stipulation for racial segregation, "separate but equal", is not followed. Since education for the Negro race is always inferior to that provided for the white race, Negro leaders begin to think in terms of desegregation.
5. **Present Status - The Beginning of Desegregated Education**  
The steps taken and progress made towards the abolition of the dual system of public education are given, thereby approaching the desire for equalization of educational opportunities.

Data from these periods were collected, subjected to external and internal criticism, and interpreted in the light of the then prevailing conditions. Major sources were the Constitutions of the State of Louisiana since they are basic documents upon which all public school legislation depends, the Acts of the Legislature, Summaries of Court

Cases, Annual Reports of the State Superintendent of Public Education, the Louisiana Education Association Journals, newspaper articles, and personal interviews.

If this study has pointed out some of the detrimental effects to education of Negroes in Louisiana caused by racial segregation, it will have served its purpose. The task then remains for educators to become cognizant of these conditions and assist in alleviating them. It is impossible for the United States to maintain its position of leadership in the free world if, because of racial segregation and class status, the educational potential of one of its largest minority groups is not being fully developed.

## CHAPTER I

### BACKGROUND AND BEGINNINGS OF PUBLIC EDUCATION FOR NEGROES IN LOUISIANA

Prior to studying the effect of racial segregation upon the development of public education for Negroes in Louisiana, it is necessary to look into the historical development of the State to understand what influences have set the Negro apart from all other ethnic and racial groups in the State. It is also necessary to review the social climate which precluded Negro participation when public education began. Finally, to complete the background, a summary of the conditions which developed and precipitated public education for the Negro is given.

This chapter is divided into four sections: (1) a racial and social background of the people of Louisiana; (2) the beginning of education of the masses which did not include Negroes; (3) the Civil War period during which public education for Negroes began; and (4) a summary.

In the first section it will be seen that the Negro did not migrate to Louisiana with the hope of improving his condition, as was the case with all other races. Rather, he was brought there as a slave to work the soil for his white master. Because of this servile status his education was not considered when public education of the masses began, as will be seen in the second section. Also discussed,

herein, will be the attitude of the people in regard to accepting and financing public education. Section three will point out the conditions under which public education for Negroes began. Here will be seen how the effects of the Civil War, the freedom of the slaves and the education of Freedmen by the Freedmen's Bureau, finally coerced state authorities to provide public education for Negro citizens.

#### 1. Racial and Social Background of Louisiana.

An educational system develops according to the cultural pattern of the society which it serves. Kandel tells us that it is "impossible to understand any educational system and the differences between systems without going behind them to discover the influences that helped to shape them".<sup>1</sup> Louisiana and the other southern states of the United States, where a system of slavery permeated the lives of the people, afford typical examples where influences of this former social system are felt even though the system has been abolished for one hundred years.

Although Louisiana had been explored by Spanish adventurers as early as 1519, it was not until 1682 that the new land was claimed by France when LaSalle and a band of fifty men descended to the mouth of the Mississippi River

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<sup>1</sup> I. L. Kandel, The New Era in Education, Cambridge, Houghton Mifflin, 1935, p. 46.

and named the territory Louisiana, in honor of their king, Louis XIV.

Settlement was very slow and the French soon found their new colony to be quite expensive. As a means of promoting its development and to eliminate its drain upon the coffers of France, in 1712 the king of France consigned to Antoine Crozat, a wealthy French merchant, exclusive rights for trading in the Louisiana territory for fifteen years. He was also given the privilege of sending a ship to Africa once a year for Negro slaves. He was permitted to work any mines found in Louisiana, provided one-fourth of the profits went to the king of France, and of owning forever any land which he might cultivate. In payment for these privileges he was obliged to send two shiploads of colonists to Louisiana every year and, after nine years, to assume all expenses for the administration of the colony.

The lucrative enterprise which Crozat had envisioned only led to his downfall. The precious minerals which he sought could not be found. Trade relations with the Spanish could not be established. He was plagued by jealousy among his peers and quarrels among the officers of the colony. Furthermore, the merchant could not fulfill the obligation which he had assumed. Who could be encouraged to colonize a wilderness, devoid of precious minerals, where toil and hardship were the order of the day? Realizing the futility

of his efforts he requested to be relieved of his responsibilities. This was granted by the cancellation of his charter in August, 1717.

France still wished to preserve and develop the colony of Louisiana. It had been proven in the case of Crozat, however, that her development was too great an enterprise for a private individual. It was therefore decided that the administration of Louisiana be entrusted to a company.

Quick to seize advantage of this opportunity was John Law, a crafty Scotsman. He wasted no time in organizing the Company of the Indies. Nor was he wanting for greedy stockholders who were speculating on his money making schemes. By painting a beautiful picture of the New World abroad, the company enticed many persons to come to Louisiana.

These persons, upon their arrival, were exceedingly disappointed but after having endured such a long and arduous journey usually decided to remain and try to work the soil. Many of them were refugees from the poorest sections of France and had no alternative. In the summer of 1718, the Company of the Indies sent numerous shiploads of colonists to Louisiana. After arriving, however, the Company discovered that many of these people were not fit for such a rugged pioneering life. Many sickened and died. If the colony was to prosper a sturdy supply of laborers was needed.

The American Indian could not be depended upon either as a slave or a salaried worker. In order to satisfy this deficiency, the Company of the Indies looked to Africa for a supply of slave labor. This they found readily available to them.

The African slaves, brought to the colony, readily adapted themselves to the climate and the working conditions which confronted them. Although they had no alternative they labored very satisfactorily in bondage. They proved such an asset to the agricultural development of the colony that the Company of the Indies imported many shiploads of slaves thereby increasing to a great extent the population of the colony.

To protect the colonists from any danger which might arise due to the presence of such a large number of Negro slaves, Governor Bienville, in 1724, promulgated the Code Noir, a set of laws drawn up for regulation of Negroes on the Island of Santo Domingue. Its provisions were not, on the whole, severe, the most stringent penalties being imposed for offenses imperiling the safety of whites; on the other

hand, slaves were protected from the possible cruelty and injustice of their masters.<sup>2</sup>

Although colonization of the Louisiana Territory increased under the Company of the Indies, it was a financial loss to the stockholders. In January, 1731, the Company of the Indies petitioned the king to return its charter or it would completely break down under the obligation which it had assumed.

Thus did the India Company close her books after a laborious existence of fourteen years. She had failed as signally as her predecessor, Crozat, although, having superior means, she had accomplished more for the colony. She had founded New Orleans, which she had so named in compliment to her great patron, the Duke of Orleans, Regent of France, and she had made important settlements of Natchez, at the Tchoupitoulas, Cannes Boulees, Baton Rouge, Manchac, and Point Coupee. She had taken Louisiana with a white population of about five hundred souls and twenty Negroes, and she left it with a population of about five thousand whites and about two thousand five hundred Negroes. It is to be remembered, however, that for the last ten years since 1721, the white population had remained stationary; the Negroes alone had increased, their number having swollen from about six hundred to over two thousand.<sup>3</sup>

The efforts of the Company of the Indies greatly facilitated the development of a stable colony in the

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<sup>2</sup> Francis-Xavier Martin, A General Digest of the Acts of the Legislature of the State Territory of Orleans and of the State of Louisiana, and the Ordinances of the Governor under the Territorial Government, "The Black Code: An Act Prescribing the Rules and Conduct to be Observed with Respect to Negroes and Other Slaves of This Territory", New Orleans, published by a resolve of the Legislature, 1816, p. 600-690.

<sup>3</sup> Charles Gayarre, History of Louisiana, Vol. 1, New York, Redfield, 1854, p. 454.

Louisiana Territory. Although there was much disappointment at the lack of precious minerals, agriculture was made a profitable industry. The increase in the number of people residing in the Territory dispelled any doubts which the king of France may have harbored concerning the possibility of its development.

This increase in population was not out of love for the colony, however. Few people who resided therein considered Louisiana as home. Gayarre states that:

With the exception perhaps of the Acadians and of the Germans whom Law had sent to the colony in 1722, those whom she received in her lap were not grateful for her hospitality, and deemed themselves to be miserable exiles. All the military officers and other persons employed by the government had but one objective in view, that of availing themselves, to obtain promotions, of their services in the distant country and of the reputation of perils which they were really exposed to, or were supposed to have encountered, and they also besought themselves nothing else than making money, by fair or foul means, according to their different dispositions, in order to return, with increased honors, or with ample means of enjoyment, to their cherished native country, to the beautiful France, which they could not forget. With regard to the part of the population which was not composed of officials, a good many had been transported to Louisiana by force, and detested a country which they looked upon as a prison. Others, whose coming had been the result of their own volition, had been deceived by wild hopes, by unrealized promises, and by exaggerated representations of what they were to expect in the land to which their immigration had been solicited. They smarted under the anguish of disappointment and if they labored at all, it was to acquire a means to go back, before closing their career to their birth-place in Europe, and they had even impregnated their off-spring with these notions. Unfortunately, Louisiana was a mere place of transient and temporary sojourn, nothing better than a hostelry, a caravansary, but no home for anyone. How could it be loved, improved and beautified?<sup>4</sup>

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<sup>4</sup> Gayarre, Op. Cit., Vol. 2, p. 354-355.

Except for a few plantations Louisiana was slow to develop and continued to be a burden upon the mother country. Besides having trouble with the Indians, she found herself enclosed between England on the east, who was continuously pressing westward, and Spain on the west. Anticipating the loss of Canada to the British as a result of the Seven Years War, Louis XV, in 1762, made a gift of the Island of New Orleans and all of Louisiana lying west of the Mississippi River, to his cousin, Charles III of Spain. This was confirmed by the Treaty of Paris in 1763.

The Spanish laid claim to the Louisiana Territory from 1763 until 1803. Although few changes were made in the government of the colony, the effects of the Spanish domination are still visible in the architecture of the State.

The people of Louisiana never completely accepted their Spanish rulers. They felt that their king had treated them unfairly by secretly relinquishing them to a foreign power. They resented hearing the Spanish language spoken and hoped one day to again be claimed as loyal subjects by their native France. Although unsuccessful, many conspiracies to overthrow the government occurred among the most influential men.

By 1803 France had become fairly stabilized from the effects of the French Revolution and Napoleon had assumed the leadership of the country. His ambition led him to seek

more colonies in the New World. Taking advantage of the weakness of Charles IV's rule and the love which the colonists continued to foster for their mother country, Napoleon, with the aid of one of his ministers, Talleyrand, who had spent some time in the United States, was successful in regaining Louisiana from Spain.

The re-acquisition was short lived, however. The slave uprising in Santo Domingo and the heavy toll which had been placed upon Napoleon's army by Toussaint L'Ouverture, their Negro leader, and the yellow fever, made a defense of the colony against an impending war with the British impossible. So, in April, 1803, twenty days after his acquisition, when approached by the United States with an offer to purchase the colony, Napoleon sold the whole Louisiana Territory for ten million dollars to eliminate the possibility of losing it to the British.

Although sparsely populated, when the United States assumed control of the Louisiana Territory, it comprised many ethnic groups. Besides the Indians and the original French settlers, there were the Acadians whom the British had expelled from Nova Scotia. Many Germans entered the colony during the period that John Law operated the Company of the Indies. A few American settlers had entered from the east. During the Spanish regime many persons from Spain had made their home in the Territory. Then there were the

Creoles who resulted from the intermarriage of the French and Spanish with the Indians. By far the largest ethnic groups and the groups which were to cause the most concern to the government of the prospective State were the Negro slaves and the Free-People-of-Color.

Slavery had been introduced in large numbers while John Law operated the Company of the Indies. During the slave rebellion in Santo Domingue many wealthy persons escaped to Louisiana bringing with them their valued possessions and their slaves. This not only increased the number of slaves already in the territory but it also augmented the number of persons belonging to a new class that had formed, the Free-People-of-Color. This group of people were generally of mixed heritage, white and Negro, but were not slaves. They fell into one of the following categories. Although marriage was not permitted between the races, where fraternization between the French or Spanish with a Negro woman resulted in an offspring, she was usually given her freedom so that her child would be protected by not being born into slavery; slaves were frequently given their freedom for some heroic act or for working very well for their masters for a number of years; and then there were the refugees, mentioned in Governor Claiborne's letter, who migrated to the Territory after first seeking asylum in Cuba during the slave rebellion in Santo Domingue, many of whom were wealthy and

well educated persons of mixed blood. These people not only served to increase the number of Free-People-of-Color in Louisiana but they also afforded economic stability and guidance to this group and also to the slaves.

## 2. Public Education of the Masses Does Not Include Negroes. (1803-1861)

### a) Education in Territorial Louisiana (1803-1812).-

At the time it was purchased by the United States, no system of public education existed in Louisiana. The French who settled there had opened many private schools because they believed that education was the responsibility of the family and the church. Under the Spanish domination a system of public education was inaugurated but the loyal French resented the Spanish language and consequently would not attend their schools.

As far as the Negro was concerned, his education was not considered at all. Under the Code Noir of Bienville, which had remained in effect, education of a slave was considered unlawful. This does not mean that all Negroes were completely uneducated. Many were taught to read and write by Catholic organizations, as this knowledge was necessary for them to learn their catechism. This was not considered education but rather religious instruction and met the approval of the government. Foremost among these religious orders was that of the Ursuline Nuns.

During the slave insurrection in the West Indies many Free-People-of-Color, who were well educated and also had the resources necessary to send their children to France for an education, came to Louisiana. At this time education was confined only to the wealthy few. Private tutoring or travelling to France for an education was a luxury in which many could not participate.

When Claiborne became territorial governor he realized that if Louisiana was to one day become a state, education of the masses was necessary to ensure a republican form of government. This he expressed in a letter to President Madison, dated January 2, 1804, in which he deplored the frivolous diversions and the show of wealth displayed by the merchants and the planters of the Territory. Claiborne gave as one of his first objectives the establishment of some system of education under the sponsorship of the government. Although the French people considered education a private affair, the Governor felt that left to their own devices very little would be accomplished by the people towards bringing education to the masses.<sup>4</sup>

By an Act of Congress passed March 26, 1804, the Louisiana Territory, ceded by France to the United States,

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<sup>4</sup> Dunbar Rowland, (Ed.), Official Letter Books of W.C.C. Claiborne, Jackson, Miss., State Department of Archives and History, Vol. 1, 1917, p. 327.

was divided into two parts, namely, the Territory of Orleans which was placed under the governorship of William C.C. Claiborne, and the District of Louisiana which was placed under the jurisdiction of the governor of the Indiana territory.<sup>5</sup>

On April 19, 1805, the Territorial Legislature met and passed an Act to institute a university in the Territory of Orleans. Section 4 of the Act required the regents of the university so organized to:

(...) establish within each county of this territory, one or more academies for the instruction of youth, in the French and English languages, reading, writing, grammar, arithmetic and geography (...);<sup>6</sup>

and Section 5 required them to establish whatever academies they deemed necessary

(...) for the instruction of youth of the female sex, in the English and French languages, and in such branches of polite literature, and such liberal arts and accomplishments as may be suitable to the age and sex of the pupils.<sup>7</sup>

The source of revenue for this accomplishment is given in Section 8:

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<sup>5</sup> Collection Containing the Declaration of Independence, the Constitution of the United States and its Amendments, The Treaty of Cession Between the United States and the Republic of France, New Orleans, published by Authority, 1810, p. 49-58.

<sup>6</sup> Territory of Orleans, "An Act: To institute a University in the Territory of Orleans", in Acts of the Legislature, First Session of the Legislative Council, 1805, p. 314.

<sup>7</sup> Ibid. p. 314-316.

That for the establishment and support of the institutions contemplated by this act, there shall be raised annually a sum not exceeding fifty thousand dollars by two lotteries.<sup>8</sup>

The returns from the lotteries were not as profitable as expected and the university and its affiliated academies were slow getting started. To promote their more rapid growth Governor Claiborne, in his address before the Legislature on March 24, 1806, praised the plan adopted by some of the States in the Union, that of establishing a school in every neighborhood and supporting them by a general tax. He recommended that a similar plan be inaugurated in the Territory of Orleans and that it would be financed by a tax placed upon every individual in proportion to his wealth.<sup>9</sup>

The result of centralized organization and operation of the schools at this time was not satisfactory. It was thought that more responsibility for the functioning of the schools should rest with the persons who were directly benefited by them.

On May 2, 1806, the Legislature met and passed an Act to provide for the establishment of free public schools in the several counties of the Territory. This Act was to amend those sections of the previous Act dealing with the establishment of academies in the counties by requiring the

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<sup>8</sup> Territory of Orleans, "An Act: To institute a University in the Territory of Orleans", Op. Cit., p. 318.

<sup>9</sup> Rowland, Op. Cit., Vol. 3, p. 278.

fathers of the families in a specific county to meet and elect a board of five commissioners whose duty would be to adopt a plan for establishing free public schools in said county which would be most convenient to the population, and in keeping with their needs and resources. The schools so established would be supported by the county. A general report of the county's educational activity would be presented to the Territorial Legislature at the beginning of its next session by the county's representative. For the County of Orleans these duties would be performed by the Regents of the University of Orleans.<sup>10</sup>

This increased impetus placed upon education by the Legislature was of little value to the public schools. It did, however, incite the proud fathers of the Territory to give increased interest to the education of their children. Its effects were recognized in Governor Claiborne's speech to the two Houses of the Assembly, delivered on Saturday, January 14, 1809.

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<sup>10</sup> Territory of Orleans, "An Act: To provide for the establishment of free public schools in the several counties of the Territory", in Acts of the Legislature, First Session of the First Legislature, 1807, p. 8-10.

I do not learn, Gentlemen, that the 'act to provide for the means of establishing public schools in the Parishes of the Territory' is likely to produce the desired effect. In the Parish of Point Coupee, it is understood, that provision has been made for support of two or more public schools; but I fear that few other parishes will profit by so worthy an example. I have observed with pleasure, that schools for private instruction have of late greatly increased and that fathers of families seem impressed with the importance of educating their off-spring.<sup>11</sup>

On January 31, 1811, the Legislative Council in answer to a speech which Governor Claiborne had delivered two days earlier, lamented the fact that "thus far no plan had been fallen on that could be carried into execution for the promotion of Education in the Territory".<sup>12</sup>

The inhabitants of the Territory of Orleans had been promised self-government and statehood upon an equal footing with the thirteen original states whenever it could be ascertained by an actual census that the number of free inhabitants amounted to sixty thousand. A census of the population taken August 6, 1810, revealed that there were 76,556 inhabitants in the Territory.<sup>13</sup> The Territorial Legislature met in New Orleans on January 22, 1812, and drew

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<sup>11</sup> Rowland, Op. Cit., Vol. 4, p. 293.

<sup>12</sup> Ibid., Vol. 5, p. 28.

<sup>13</sup> Garnie W. McGinty, A History of Louisiana, New York, Exposition Press, 1949, p. 112.

up a constitution in keeping with that of the Constitution of the United States and, by an Act of Congress, approved by President James Madison on April 8, 1812, and going into effect on April 30, 1812, the Territory of Orleans was admitted into the Union as the State of Louisiana.<sup>14</sup> Claiborne remained as governor of the new state. The first constitution included nothing on education. The persons responsible for its existence were too preoccupied with meeting those requirements which would make them acceptable to the Union. Also, free school attendance was still regarded as a mark of poverty and a voluntary social stratification. Thus, in spite of the efforts expended and the growing recognition of the need for educating the white masses, at the time Louisiana was admitted into the Union no system of public education for white nor Negro youth existed in the State.

b) Education During Early Statehood (1812-1861).-

Claiborne held the office of governor until 1816. Although unable during his period of public life in Louisiana to accomplish the task of establishing a satisfactory system of public education, he did succeed in demonstrating the need for education of the masses to many other public officials.

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<sup>14</sup> McGinty, Op. Cit., p. 113.

In 1819, the Legislature passed an Act granting to all parishes within the State, except the parish of Orleans, in which schools had been established three months or more, an annual stipend of \$600 to be paid to the police juries. These juries were to serve as the school administrators and were to deliver an accurate account of their expenditures to the general assembly through the respective parish representatives.<sup>15</sup>

Endeavoring to refine school administration in the parishes even more, and to encourage more parishes to inaugurate local systems, the Legislature in 1821 passed an Act raising the stipend allotted to a parish from \$600 to \$800 to be paid out of State funds. Police juries were given authority to levy taxes for educational purposes, within their respective parishes, not to exceed \$1,000 per annum. Jurisdiction over the schools, however, was taken away from the police jury and placed under a Board of Trustees consisting of five men. Their duties were to visit the schools in their parish at least twice a year, to examine the school buildings, to check teacher qualifications, to verify the number of students reported in each school, and to

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<sup>15</sup> State of Louisiana, "An Act: To amend several laws enacted on the subject of Public Schools within this State, and for other purposes", in Acts of the Legislature, First Session of the Fourth Legislature, 1819, p. 52.

prorate their allotment among the schools of their parish. Individual school administrators were made accountable to the Board of Trustees for all monies received. District Court judges were to charge their grand juries to inquire into the use of all money received by Boards of Trustees, at least once a year, and trustees were to make all records available to them. As a further incentive for the establishment of schools, Boards of Trustees in parishes where no school houses existed were permitted to draw \$800 from the state treasurer for this purpose.<sup>16</sup>

The manner of appropriating educational allotments to the parishes was decisively changed in 1827. An Act was passed by the General Assembly allotting to each parish two and five-eighths of a dollar for every voter it contained, based on the last census. For the support of schools, however, no parish was to receive a yearly sum greater than \$1,350 nor less than \$600. The police jury of each parish was to appoint five persons, not among their members, to act as a board of administrators. The administrators were to appoint three trustees in each police jury ward who would be responsible for hiring qualified teachers and the general

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<sup>16</sup> State of Louisiana, "An Act: To extend and improve the system of public education in the State of Louisiana", in Acts of the Legislature, First Session of the Fifth Legislature, 1821, p. 62-66.

condition of schools. No teacher would be paid without a certificate attesting to his good moral character and the fulfillment of his duties. The trustees of each ward were to semi-annually submit to the administrators a detailed report of the condition and operation of the schools in their ward, and the administrators were to publish and post an account of the number and condition of the schools in their parish, the money drawn from the State treasury for their support and how it was spent. The administrators were made responsible for the apportionment of the funds to the several wards of their parish.<sup>17</sup>

Two great problems which retarded the development of an adequate system of public education were inadequate administrative planning and the reluctance of those who needed it to accept free schooling. They felt that attendance therein was a clear admission that they belonged on a lower social stratum than the wealthy land owner whose children either paid to attend the same schools or were educated in private academies or by tutors.

These problems are brought out in the following excerpt from Governor A.B. Roman's message to the Legislature

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<sup>17</sup> State of Louisiana, "An Act: To provide for the support and administration of parish schools and for other purposes", in Acts of the Legislature, First Session of the Eighth Legislature, 1827, p. 80-82.

of 1831.

We have a great number of statutes concerning public education; but we must admit none of them have as yet, attained the end proposed. Our primary schools, the object of which was the diffusion of knowledge among the poorer classes of society, have nowhere answered our expectations: (...) If the want of common education is so much felt among us, it cannot be attributed to the poverty of the State; it is rather because a good and orderly plan has not, as yet, been adopted. To remedy this evil, we must, probably, think less of making large appropriations, than of employing more usefully those which have already been made.

In some of our parishes, the poorer class of parents, although in the neighborhood of a school, refuse to send their children because it is repugnant to their feelings to have them educated gratuitously. They suppose that by accepting such an education for them, they reduce them to the miserable situation of those who are forced to depend on alms for a living.<sup>18</sup>

Although school finances were limited, money was not a determining factor in the caliber of education provided for the populace. What was of vital concern, however, was the inefficient manner in which those monies allotted to education were spent. A re-appraisal of the use of the educational allotment was necessary if the State was to provide adequate schools to meet the needs of the children.

It must be remembered that all of these Acts had bearing only upon the education of whites. No provisions were made as yet for the education of slaves or Free-People-of-Color.

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<sup>18</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1864, "Governor A.B. Roman's message to the Legislature of 1851", New Orleans, published by Authority, 1864, p. 5-6.

Although many of the Free-People-of-Color were on an economical, social, and cultural plane equivalent to or above that of the whites at the turn of the century, great political pressures and restrictions were placed upon them by the enforcement of the provisions of the Black Code and many left the State.<sup>19</sup>

A great impetus was given to public education in 1841 by the passing of an Act authorizing the Municipalities of the City of New Orleans to establish public schools therein. This Act required each municipality to establish one or more public schools for the gratuitous education of the children residing in its area. The respective Councils were directed to enact whatever laws they deemed necessary for the organization and administration of these schools. They were also empowered to levy taxes in order to provide for their support.

Under the terms of this Act, each municipality was granted an annual sum of two and five-eighths of a dollar from state funds for each taxable inhabitant, the same as was given to the other parishes, for the support of schools. No municipality, however, was to receive a sum greater than ten thousand dollars. A yearly report to the Secretary of State who served in the capacity of Superintendent of Public Education, was to be submitted by the Council of each

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<sup>19</sup> Martin, Op. Cit., p. 600-690.

municipality. This report would include the disposition of school funds and any other pertinent information related to public education.<sup>20</sup>

Thus public schools were opened to all white children in New Orleans. The city was divided into four municipal districts and each one was responsible for maintaining its respective system of schools.

The drain upon the State Treasury was reaching enormous proportions. In order to alleviate these conditions to some extent, the Legislature in 1842 passed an Act to retrench the expenses of the State of Louisiana and to reduce the salaries and emoluments of certain officers. Sections 5, 6, and 7 affected the State's educational allotment.

Those regulations required that after the parish judge had certified to the governor that a sum not exceeding four hundred dollars nor less than two hundred dollars had been raised for public education in a parish, the governor would authorize the treasurer of the State to pay double this amount to that parish, to supplement its educational funds.

The police jury was authorized in each parish, except that of Orleans, to levy taxes for the support of public

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<sup>20</sup> State of Louisiana, "Act No. 20. An Act: To authorize the municipalities of the city of New Orleans to establish schools therein", in Acts of the Legislature, First Session of the Fifteenth Legislature, 1841, p. 21.

schools within its respective parish; and the yearly maximum aggregate sum granted to the municipalities of the Parish of Orleans was reduced from ten thousand dollars to seven thousand five hundred dollars and each municipality was required to raise an aggregate yearly sum of three thousand seven hundred and fifty dollars for the support of its own schools. A certificate attesting to the fact that the required sum had been raised was to be signed by the Mayor of the City of New Orleans rather than the parish judge.<sup>21</sup>

By now Louisiana had enjoyed some experience with self-government as a sovereign state. Her administrators were able to realize many revisions and additions needed in her first Constitution.

These leaders were cognizant of the fact that education of the masses was necessary to continue the Republican form of government. It was also quite obvious that private schools alone could not satisfy the educational needs of all of the people but, at best, could only serve as a supplement to a State-supported system of public education. The result of their deliberations was the Constitution of 1845. Public education was included as an integral part of this

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<sup>21</sup> State of Louisiana, "Act No. 155. An Act: To retrench the expenses of the State of Louisiana and to reduce the salaries and emoluments of certain officers", in Acts of the Legislature, Second Session of the Fifteenth Legislature, 1842, p. 446-450.

Constitution and written under Title VII. Articles 133 through 135 which are pertinent to this study are quoted below:

Article 133. There shall be appointed a Superintendent of Public Education who shall hold his office for two years. His duties shall be prescribed by law. He shall receive such compensation as the Legislature may direct.

Article 134. The Legislature shall establish free Public Schools throughout the State, and shall provide means for their support by taxation on property or otherwise.

Article 135. The proceeds of all lands heretofore granted by the United States to this State for the use or support of schools, and of all lands which may hereafter be granted or bequeathed to the State, and not expressly granted or bequeathed for any other purpose, which hereafter may be disposed of by the State, and the proceeds of the estates of deceased persons to which the State may become entitled by law, shall be held by the State as a loan, and shall be and remain a perpetual fund, on which the State shall pay an annual interest of six per cent; which interest, together with all the rents of the unsold lands, shall be appropriated to the support of such schools, and this appropriation shall remain inviolable.<sup>22</sup>

Although there is no mention of race in Article 134, it was understood that the free public schools which were to be established by the Legislature were to be used for the education of children of the white race only. Public education of Negroes was not considered. This complete disregard for their education may be attributed to Section 10 of the

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<sup>22</sup> Louisiana Constitutions, 1812-1898, "Constitution of the State of Louisiana of 1845", no publication data, found in the Law Library of the Louisiana State Supreme Court in New Orleans, p. 61.

Black Code which stated in part that:

(...) slaves shall always be reputed and considered real estates, shall be, as such, subject to be mortgaged, according to the rules prescribed by law and they shall be seized and sold as real estate.<sup>23</sup>

Consequently, no thought was given to the personality or intellectual development of children of bondage.

The Constitution of 1845 was short lived, however. Both political parties in the State were dissatisfied with many of its provisions. It contained so many restrictions as to retard the normal economic development of the State. Amendments to it were proposed so numerous as to bewilder voters. Consequently on July 5, 1852, a Constitutional Convention met in Baton Rouge. The result of this convention was the adoption of the Constitution of 1852. Public education in this Constitution was written under Title VIII in Articles 135 through 137.<sup>24</sup>

Article 135 changed the position of Superintendent of Public Education from an appointive to an elective office yet the General Assembly was given the power to abolish it whenever they deemed it no longer necessary.

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<sup>23</sup> Martin, Op. Cit., p. 612.

<sup>24</sup> Louisiana Constitutions, 1812-1898, "Constitution of the State of Louisiana of 1852", Op. Cit., p. 84.

Article 136 again directed the General Assembly to establish free public schools throughout the State and to raise money for their support. It also directed that the money so raised should be distributed to each parish in proportion to the number of free white children between such ages as shall be fixed by the General Assembly.

Article 137 ordered the establishment of a perpetual school fund.

In spite of the fact that one of the purposes of free public schooling was to raise the educational level of the white masses and thereby ensure their system of Negro slavery, so vital to the southern plantation owner, much difficulty was experienced in attempting to develop a functional system.

The causes were later investigated by Superintendent MacNair and transmitted to the Legislature in his report for 1864. He questioned the integrity of southern landowners as to their desire for a well operated system of public education.

(...) the details of our school system, which has been so beneficently and nobly conceived and planned, seem to have been wrought out in a spirit manifesting a deep and laid purpose to compass its ruin, rather than forward its useful and patriotic aims.

But I feel assured that men will be disposed to ask the very natural question, 'can slavery be the cause of such wide-spread and continued evils in a community? Evils that sap not only the very foundations of our republican institutions, but also of our social happiness! Can it have been the settled purpose of the slaveholding aristocracy to balk in this way the cause of popular education? - a cause so dear to every true-hearted patriot and philanthropist? Could they consent to provide family tutors for their own offspring, or send them to distant or expensive schools and colleges, while as for the children of the humble, honest, hard working classes their schooling was provided for as above recorded!'<sup>25</sup>

'As above recorded' referred to preceding sections of the same report in which he spoke of the negligence and lack of administrative responsibility of the officials entrusted with the task of educational leadership in the State.

Superintendent MacHair contended that these malpractices were not isolated cases but were quite prevalent among the parish school directors. He felt that no matter what school legislation was passed the children of the State would never be provided with adequate schooling until these directors assumed the responsibility of their positions.

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<sup>25</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1864, New Orleans, published by Authority, 1864, p. 17.

He says:

Thus it will be seen from the reports of my predecessors in office, as well as from the information obtained by myself, that the cause of public education in this State has been greatly mismanaged for years past. Judicious and sufficient laws have been made, and made liberally; and worthy, able gentlemen have endeavored to perfect the working of the system. But with all these appliances and efforts, we have seen that the children of the State have been very badly taught or not taught at all.

The frequent complaint of the parish treasurers, whose duty it is to make their annual reports to this office, of the delinquencies and mismanagement of these district directors, show a culpable negligence of their official duty on the part of many of these gentlemen. (...) The instances are too numerous, and the cases too nearly parallel, to allow us to believe they are accidental and without foundation.<sup>26</sup>

Superintendent MacHair elaborates further on these malpractices by saying:

And what makes this malfeasance in office by the directors more unpardonable, is the fact that those who suffered by it were the children of the State, on whom it entailed to a greater or less extent a life-long penalty-ignorance; and in addition thereto it may have resulted in sowing in their young minds the seed of vice! Can your honors reflect that drunken teachers, in many instances, have been placed in the State schools, which should be nurseries of virtue, piety and patriotism, without emotions of the deepest indignation? Yet by the testimony of numerous witnesses, such have been, in many districts, and for many months, if not years, the teachers of the State's children!<sup>27</sup>

The dreams of this selfish autocracy were soon to come to a sudden end as threats of secession by the southern

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<sup>26</sup> State Department of Education of Louisiana, Op. Cit., p. 15.

<sup>27</sup> Ibid., p. 16.

states and impending war clouds caused State officials to think less of developing a system of public education and more about maintaining their southern way of life. On April 12, 1861, cannons roared as Fort Sumter, South Carolina, was attacked, marking the beginning of the War between the States.

Prior to this, however, a constitutional provision for public education of white children with a plan for its administration and a method of financing it had been adopted. Because of their racial heritage and the servile class with which they were identified, the educational needs of Negro children went wanting.

### 3. Civil War Provides the Stimulus for Public Education of Negroes (1861-1865).

The slowness in establishing public education for the masses and the reluctance to receiving an education on the part of the population in general was soon to receive a traumatic awakening, one which is still being felt in the State of Louisiana and throughout the southland.

The northern and southern states had for some time been involved in a heated discussion over many social and economic factors pertinent to their respective sections of the country. Foremost among these were the questions of slavery, states' rights, and the right to secede from the

Union. The country became involved in a civil war when the southern states withdrew from the United States and set up the Confederate States of America. Louisiana's date of secession was January 26, 1861. On May 1, 1862, New Orleans fell to the powerful Union Forces under the command of General Butler. So antagonistic were the State officials to their northern conquerors that they absconded taking with them the official public records of the State. In their anger they did not consider the difficulties and hardships which their actions would impose upon those administrators who were obliged to remain and try to provide for their fellow citizens. A report of this condition as it existed in the office of the State Superintendent of Public Education is given by John MacNair in his report to the General Assembly in 1864:

The existing State Government was organized on the 4th of March of the present year (1864). The late State officers, having embarked in the rebellion, by consenting to a declaration that their connection with the United States Government had ceased to exist, the consequence was that when the United States took possession of the city of New Orleans and adjoining parishes in May, 1862, they all decamped, my predecessor taking with him the records of this office. Hence it has been with considerable difficulty that I have been able to find the necessary data by which to conduct the ordinary business of the office, and from which to make my annual report to your honorable body; and this, with the fact that I have received no school reports from the parishes, must be my excuse for the meager details, and deficiency of statistics, contained in this paper.<sup>28</sup>

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<sup>28</sup> State Department of Education of Louisiana,  
Op. Cit., p. 3.

The already meager education in the rural parishes practically came to a standstill during the war as all efforts were confined to military objectives. In this same report Superintendent MacNair gave the results of a survey which he had made of public education in the rural parishes.

Soon after I entered upon the duties of this office, I issued a circular to various gentlemen interested in the subject of education, living in the different parishes, in which I made several inquiries respecting the public school in their districts, one of which asked for the number of these kept open in the parish during the past year. The answers usually were, that in most of the districts the schools had been closed since the war commenced. From the answers thus obtained, and from other information received from various sources, I have to report that the public schools in the rural parishes have generally been closed during the past two or three years.<sup>29</sup>

In the city of New Orleans, however, the situation was quite different. Here the schools were well administered and were becoming quite acceptable to the populace. Although the war had retarded their progress somewhat, Superintendent MacNair made these favorable comments concerning them:

In the city of New Orleans, where our system of public schools is well understood and wisely managed--where the teachers and professors are carefully chosen and liberally paid, and where its working is under the constant supervision of able and laborious officials, our schools are deservedly popular. They are in great and well earned favor with the people, and produce educational results for which we may well feel a degree of pride. They rank very well, compared with those of much more favored cities, where public schools are, and long have been, among their most cherished institutions.<sup>30</sup>

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<sup>29</sup> State Department of Education of Louisiana, Op. Cit., p. 8.

<sup>30</sup> Ibid., p. 18.

This development of the public schools in New Orleans was further enhanced by their reorganization after the city fell under Federal control. Their general management was entrusted to a Bureau of Education who appointed a Board of Visitors for each municipal district and one superintendent for the whole city. They also standardized regulations and textbooks used throughout the districts and adopted the vernacular of the country as the sole medium of instruction. In order to satisfy somewhat the French-speaking people of the city, instruction in the French language was added to the course of study in the high schools.<sup>31</sup>

General Butler's reign in New Orleans lasted a little more than seven months. After a very severe and distasteful military occupation he was replaced by General Nathaniel P. Banks. Although the Thirteenth Amendment to the United States Constitution freed the Negro from slavery, freedom alone did not afford him the necessities nor render him capable of providing for his livelihood when left to his own devices. Realizing the plight of the newly emancipated Negro, General Banks on March 22, 1864, issued General Orders No. 38 making provisions for the education of

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<sup>31</sup> State Department of Education of Louisiana, Op. Cit., "Report of the Superintendent of Public Schools in the City of New Orleans", Appendix A, p. 25-26.

Freedmen thereby assisting them in adapting themselves to their newly acquired status.

This order provided for a Board of Education consisting of three men whose duties would be to establish a school in each school district as defined by the Parish Provost Marshall; to acquire land for school sites and erect school buildings where no school buildings were available; to employ teachers, giving preference to loyal inhabitants of the State; to purchase and provide the necessary books and equipment; and to regulate the school hours and curriculum. They were also given the authority to assess and levy a school tax upon real and personal property. In the performance of all its duties the Board was advised to cooperate, as far as practicable, with the State Superintendent of Public Education.<sup>32</sup>

Herein is found the beginning of public education for Negroes. It originated with a military order and its administration was martially controlled. The system was a segregated one due to the fact that General Banks was only interested in providing educational advantages to the newly emancipated Negro so as to render him capable of assuming the responsibilities incumbent in his newly acquired status.

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<sup>32</sup> State Department of Education of Louisiana, Op. Cit., "General Orders No. 38", Appendix C, p. 37-38.

So that the State of Louisiana might be restored to its former place in the Union it was necessary to rewrite a State Constitution in keeping with that of the United States. On Wednesday, April 6, 1864, a Constitutional Convention was called for that purpose.

One of the more pertinent discussions was Article 141 which provided that the Legislature levy a special tax on the property of all white persons owning property in the State, for the purpose of public schools for the education of white children, and money so arising should not be otherwise appropriated; and also that the Legislature should levy a special tax on colored persons in the State and their property for the purpose of public schools for the education of colored children, and money so arising should not be otherwise appropriated. It can be plainly seen that this Article would help education for the Negro very little since the emancipated Negro was now completely responsible for earning his own livelihood and consequently could do very little towards providing for his own education. As written, this Article would only provide a legal means for further segregation and sub-standard schooling for Negroes.

Anticipating these results, a rider was placed on the Article requiring that the Legislature provide for the education of all children in the State between the ages of six and eighteen years, by the maintenance of free public

schools, by taxation or otherwise. During the course of debates, the Article lost but the rider was accepted.<sup>33</sup>

The Constitution drawn up as a result of this convention was adopted July 23, 1864. Its most important features as far as the Negro was concerned are included in Title I, Emancipation, Articles 1 and 2.

Article 1. Slavery and involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, are hereby abolished and prohibited throughout the State.

Article 2. The Legislature shall make no law recognizing the right of property in man.<sup>34</sup>

These Articles freed the slaves and nullified the provisions of the Black Code which considered the Negro slaves as real estate. They also cleared the way for many rights and privileges of which the Negro had been deprived.

Title XI of this Constitution dealt with public education. Provisions for a Superintendent of Public Education were again made and included in Article 140; Article 141 charged the Legislature to provide for the education of all children of the State, between the ages of six and eighteen years, by maintenance of free public schools by taxation or otherwise; Article 142 made English the official

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<sup>33</sup> State of Louisiana, Debates in the State Constitutional Convention for the Revision and Amendment of the Constitution of the State of Louisiana, New Orleans, published by Authority, 1864, p. 60.

<sup>34</sup> Louisiana Constitutions, 1812-1898, "Constitution of the State of Louisiana for 1864", Op. Cit., p. 89.

language of the common schools; Article 143 provided for a State university to be established in the city of New Orleans; Articles 144 and 145 both dealt with a perpetual school fund; and Article 146 prohibited the support of any private school with public funds and encouraged the establishment of public schools throughout the State.<sup>35</sup>

In Article 141 is realized the beginning of public education for Negroes by the State of Louisiana in that the Legislature is charged to provide for the education of all children of the State and not just for the education of children of the white race.

It might be argued by some that in issuing General Orders No. 38, General Banks fostered separate education for white and Negro children. One must remember, however, that this Order was issued March 22, 1864, at such time when no provision for the public education of Negroes existed. It was not until four months later that the Constitution of 1864 was adopted in which the State made provisions for the education of all of her children. General Banks demonstrated great foresight, however, in the second part of his Order by requiring that the right and title to the schools

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<sup>35</sup> Louisiana Constitutions, 1812-1898, "Constitution of the State of Louisiana for 1864", Op. Cit., p. 108

established would be later transferred to the Superintendent of Public Instructions or other competent State authority.<sup>36</sup>

In his report to John MacNair, State Superintendent of Public Education, B. Rush Plumbly, Chairman of the Board of Education for Freedmen, affords some idea of the rapid progress made in establishing the schools for Negroes and the capabilities and hunger for knowledge exhibited by the Negro children when afforded an opportunity for learning.

During the first six months that the schools were in operation they increased from eight in the city of New Orleans to a total of seventy-eight in New Orleans and the adjacent parishes. They were conducted by one hundred and twenty-five teachers and served over eight thousand pupils. They had an average attendance of six thousand five hundred pupils. Mr. Plumbly felt that these schools were available to about half of the Negro children in Louisiana. With the high degree of success and acceptance that they were enjoying, he anticipated meeting the needs of all of the Negro children in Louisiana within a year from the date that General Orders No. 38 was issued. In addition to the schools for the children, evening schools were in the process of being organized for the adult plantation workers.<sup>37</sup>

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<sup>36</sup> State Department of Education of Louisiana, Op. Cit., "General Orders No. 38 - Section 2", Appendix C, p.37.

<sup>37</sup> Ibid., "Report of the Board of Education for Freedmen", Appendix C, p. 35-36.

Although resentment to educating the Negro children prevailed, the schools were not wanting for qualified teachers. There were several hundred white applicants beyond the needs of the Board. As teachers in Negro schools these educators, among whom were many women, exhibited the utmost zeal and courage in their occupation. They endured many hardships and were frequently subjected to acts of violence perpetrated by their fellow citizens. Their plight was described by Plumbly as follows:

Driven out, occasionally, by rebel raids, and their schools scattered, they return with the flag, at the first moment, collect their scholars and go on with renewed energy.

Frequently unable to obtain boarding for themselves, as teachers of Negroes, they managed to remain and live, through no little privation and annoyance, until they succeeded in overcoming the opposition and were received by their opposers.<sup>38</sup>

Probably the most gratifying aspect of the whole educational program was in the nature of the pupils who were taught. In reporting on them Plumbly wrote:

The children are docile and industrious. They evince a quickness of apprehension and a general capacity for acquiring knowledge that is surprising. Perhaps the most marked characteristic of the pupils is their quick and grateful appreciation of the efforts made for their instruction. They manifest their gratitude and their affection for their teachers in many ways and on all occasions.

In cleanliness and general personal habits, they will compare favorably with children reared under far better auspices.<sup>39</sup>

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<sup>38</sup> State Department of Education of Louisiana, Op.Cit., "Report of the Board of Education for Freedmen", Appendix C., p. 35-36.

<sup>39</sup> Ibid., p. 35-36.

Public education became available to the Negro children of the State and from all indications they made themselves worthy of the opportunity afforded them.

#### 4. Summary.

The early development of Louisiana's system of education was within a cultural pattern predominately French. It was also influenced by a caste system based upon race and economics. Although the white race predominated, social stratification according to the wealth of the people prevailed within this group.

The Free-People-of-Color, a class composed primarily of persons of mixed white and Negro blood, were tolerated either because the white race felt responsible for their existence or in many cases their wealth equalled or exceeded that of many members of the white race. The Negro race occupied the lowest level of the scale. It must be remembered that the Negro was forcefully brought to Louisiana as a slave. He owned nothing. His value was judged only in terms of his usefulness to his master.

During the Territorial Period no thought was given to education of Negroes. The major objectives for educating the masses at this time were self-government and statehood. As a slave the Negro was not eligible for self-government. Statehood depended upon the number of free persons in the Territory.

After Louisiana was admitted into the Union several legislative acts were passed with the objective of developing an adequate system of public education. School directors often mismanaged public funds and provided incompetent teachers for their own children so as to attain their selfish ends. The provisions of the Black Code were enforced as a means of ensuring the slavery system and maintaining the little aristocracy existing among the wealthy planters. The activities of the Free-People-of-Color were limited to prevent their group from becoming too influential.

In 1845 a Constitution was written which contained provisions for public education. Although not stated, it was understood that they pertained only to children of the white race. Another Constitution was adopted in 1852 which embodied substantially the same provisions.

The declaration of war between the States and the freedom of the slaves precipitated initial efforts at public education for the Negro in Louisiana. General Banks, the Federal officer placed in command of Louisiana after it fell to the Union forces, issued General Orders No. 38 establishing schools throughout the State for the newly emancipated Negro.

In order to be re-admitted to the Union, in 1864 Louisiana adopted another Constitution in keeping with that of the United States. It freed the slaves, nullified the

provisions of the Black Code and included public education for all children in the State. One sees then that public education of the Negro in Louisiana began as a result of a Federal order and afterwards the State accepted its responsibility by including it in the Constitution and providing a method for financing it. Today, one hundred years later, because of racial segregation Federal intervention is still necessary and a parallel can be drawn between then and now as to the retardation in the development of public education for Negroes in Louisiana caused by racial segregation.

Against such a background did public education for Negroes in Louisiana begin.

The false sense of educational security which the next eleven years, commonly referred to as the Reconstruction Period, engendered in Negroes and the resulting antagonism created among some members of the white race, will be considered in the following chapter.

## CHAPTER II

### EDUCATION DURING RECONSTRUCTION (1866-1877)

The War between the States ended with a complete defeat of the Confederate States. President Lincoln did not consider them as having left the Union and with their assurance of continued allegiance he would have restored them to their former status. Just five days after General Lee's surrender, however, Lincoln was assassinated by a half-insane actor, John Wilkes Booth.

Andrew Johnson succeeded Lincoln to the presidency. His ideas for dealing with the South paralleled those of Lincoln. There was a radical element developing in Congress, however, who thought that the South should be punished for its deeds. They disregarded the wishes of the President, and with the support of Federal troops assumed control of the government of the southern states. They were aided in their cause by many adventurers from the north who were quick to seize the opportunity for making money by exploiting the southerners. Ignorant Negroes who had just been granted the privilege to vote fell into the schemes of the carpet-baggers, as these northern opportunists were called.

Many economic, social, and cultural avenues were opened to Negroes at this time. It is questionable how much the Negro benefited due to the following reasons:

(1) the Negro, through years of slavery and privation, was not in all instances able to take advantage of the opportunities afforded him; (2) some southern whites, knowing that they were being punished, waited patiently for the day when they would be able to vent their wrath against their adversaries, and the Negro would bear the brunt of this; (3) the changes which occurred were quite radical and did not have time to become assimilated into the culture of the people.

In this chapter the slow initial development of public education for Negroes, caused in part by the complete disregard for the Constitution of 1864 by Superintendent Lusher, will be traced. The social and educational changes, due to the adoption of the Constitution of 1868 and a change in the superintendency, will be studied. The resulting racial antagonism caused by these changes and the effect of their manifestation on education for Negroes through acts of violence and the misuse of the Peabody Fund will be considered. These will be followed by a summary of the chapter.

#### 1. Education for Negroes Develops Slowly.

The influences of the Reconstruction Period affected the public education of Negroes in Louisiana. Although the Constitution of 1864 charged the Legislature to provide for the education of all children of the State between the ages of six and eighteen, very little thought was given by

State officials to the education of the Negro. This disinterest was encouraged to a great extent by the attitude of the State Superintendent of Public Education, the Honorable Robert M. Lusher, who was quite verbal in the expression of his prejudices. In his Circular No. 3 of June 2, 1866, which was sent to the assessors of the parishes of Louisiana, part of which is quoted below, one sees that Mr. Lusher is interested in the education of white children only, in order to maintain the supremacy of the Caucasian race.

Sir - As you doubtless concur in the opinion that it is indispensable to the future honor and prosperity of Louisiana, and to the supremacy of the Caucasian race in her councils, that the benefits of liberal education should be extended to every white child within her limits, you are requested to ascertain, as accurately as possible, (while assessing the property in your parish) the number of educable children, between six and eighteen years of age, who have not attended any private school since January last, and for whose education you deem it necessary that the State or the parish should provide by the establishment of free schools.<sup>1</sup>

Again on July 2, in his Circular No. 4 he requests the Parish Sheriffs to exert an increased effort in collecting the school taxes so that a sufficient number of schools may be provided for the white children.

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<sup>1</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1866, "Circular No. 3: To the Respective Assessors of the Parishes of Louisiana", New Orleans, 1867, Appendix, p. 15.

In view of the importance of the educational cause in our State, and of the large number of white children now awaiting the re-opening of Schools in every town, village and hamlet, and at every cross-road within her limits, the undersigned takes the liberty of requesting you, while collecting the taxes for 1865, to solicit and urge payments, also of the mill and poll taxes due on account of previous years. This request is made for the reason that the School taxes for 1865, will not properly suffice to sustain more than one or two village schools in each parish, and such schools only in case that the Police Jury shall have so re-distributed the parish as to give them the benefit of the entire parish fund; and hence in many neighborhoods, if not in the entire parish, the whole system of free schools will have been suspended, and a large number of white children left to pine in hopeless ignorance.<sup>2</sup>

In this same circular, Mr. Lusher criticized the State government and again gave as an incentive for the payment of taxes the maintenance of white supremacy.

Now when the integrity of the State is imperiled by faction, and the dignity of her citizens is obscured by vindictive legislation, they will, with one acclaim, vindicate the honor and supremacy of the Caucasian race; and to this end will cheerfully make such contributions to the educational fund as will enable your parochial authorities and local directors, to train and improve every white child in the parish.<sup>3</sup>

In his address to the president and members of the Police Juries of the parishes of Louisiana on July 30, Mr. Lusher still illustrated his complete disregard for the provisions of the State Constitution which guaranteed education

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<sup>2</sup> State Department of Education of Louisiana, Op. Cit., "Circular No. 4: To the Respective Sheriffs of the Parishes of Louisiana", Appendix, p. 15-16.

<sup>3</sup> Ibid.

for all children, by charging them with the need to educate every white youth.

It is hardly necessary, gentlemen, to say to you, that a liberal education is indispensable to every white youth in our State. (...) It must also be obvious that immediate and energetic action, towards that end, is, at this period of her history, of vital importance to the dignity of our race and generation, and to the honor of our State as an enlightened commonwealth.<sup>4</sup>

The Negro was not completely without free educational facilities, however. The work initiated by General Banks through his General Orders No. 38 had been expanded by an Act of Congress creating the Bureau of Refugees, Freedmen and Abandoned Lands. Schools for Negroes in Louisiana became a responsibility of the educational department of the Bureau.

Prior to September 1, 1867, State or local authorities had made no provisions for educating children of the Freedmen. The City of Jefferson was first to accept this responsibility by establishing one school and taking charge of two others formerly conducted by the Bureau for Refugees, Freedmen and Abandoned Lands, and employing a total of seven teachers.

The city of New Orleans followed Jefferson's lead by granting to its Board of School Directors the power to establish public schools for the education of colored children.

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<sup>4</sup> State Department of Education of Louisiana, Op. Cit., "Address: To the president and members of the Police Juries of the Parishes of Louisiana", Appendix, p. 20.

It was also given the authority to hire teachers and to perform whatever administrative functions that were necessary. The Board was granted seventy thousand dollars over and above its annual appropriation for the support and maintenance of these schools for colored children.

Since there existed no further need for the operation of schools for colored children in the city of New Orleans by the Freedmen Bureau, Articles of Agreement were signed by the city Board of School Directors and First Lieutenant J.M. Lee, Acting General Superintendent of Education, Bureau of Refugees, Freedmen and Abandoned Lands transferring the charge of all of the schools for colored children in the city to the Board. This action greatly facilitated the task which the Board had assumed.

From this acceptance of its responsibilities by the city of New Orleans, education of the Negro in this metropolis was placed on a firm foundation and in spite of future setbacks has continued to progress until the present day. As this city expanded the city of Jefferson was absorbed within its boundaries and the educational facilities of the two combined. The acts of civil disobedience and the financial hardships which the city was later to experience in no manner tended to eliminate education for Negroes. The incidents of racial violence which were to occur were directed at the conditions under which Negroes would be

educated and, if these acts had any effect whatsoever, they only served to implant more firmly in the minds of the citizens the responsibility of the civil government towards the education of its Negro populace. It is to some degree this sense of responsibility which prompted the City Fathers to maintain schools for Negroes in later years when the economical status of the State was at an all time low.

This picture was not representative of the State as a whole, however. It was estimated that the total number of schools for colored children in the State at the end of the year 1867 had a capacity of about five thousand pupils, leaving a balance of eighty-five thousand colored children uncared for except by the Bureau.<sup>5</sup>

## 2. All Educational Facilities Opened to Negroes.

Under the Reconstruction Government, in 1868, another State Constitution was written. It can be seen in Title I: Bill of Rights, part of which is quoted below, that the Negro was granted many more privileges in this Constitution than in the Constitution of 1864.

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<sup>5</sup> State Department of Education, Report of the State Superintendent of Public Education for 1867 and 1868, New Orleans, published by Authority, 1869, p. 10-12.

**Title I: Bill of Rights**

**Article 1.** All men are created free and equal, and have certain inalienable rights; among them are life, liberty and the pursuit of happiness. To secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

**Article 2.** All persons, without regard to race, color or previous condition, born or naturalized in the United States, and subject to the jurisdiction thereof, and residents of the State for one year, are citizens of this State. The citizens of this State owe allegiance to the United States; and this allegiance is paramount to that which they owe to the State. They shall enjoy the same civil, political, and public rights and privileges, and be subject to the same pains and penalties.

**Article 3.** There shall be neither slavery or involuntary servitude in this State, otherwise than for the punishment of crime, whereof the party shall have been duly convicted.<sup>6</sup>

Article 1, besides granting the Negro freedom from slavery, recognized his equality to all men and guaranteed his inalienable personal rights. In Article 2 his citizenship status is clearly defined. Here are outlined his civil and political rights and responsibilities. Although the Negro had been freed for several years he is only now being integrated into the affairs of the State. Article 3 is substantially the same as Article 1 of the Constitution of 1864.

Title VII of this Constitution dealt with public education. Most outstanding among its provisions and the ones which caused the greatest amount of controversy were

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<sup>6</sup> Louisiana Constitutions, 1812-1898, "Constitution of the State of Louisiana of 1868", no publication data, found in the Law Library of the Louisiana State Supreme Court in New Orleans, p. 113.

Articles 135 and 136.

Article 135. The General Assembly shall establish at least one free public school in each parish throughout the State and shall provide for its support by taxation or otherwise. All children of this State, between the ages of six (6) and twenty-one (21), shall be admitted to the public schools or other institutions of learning sustained or established by the State, in common, without distinction of race, color, or previous condition. There shall be no separate schools or institutions of learning, established exclusively for any race by the State of Louisiana.

Article 136. No municipal corporation shall make any rules or regulations contrary to the spirit or intention of article one hundred and thirty-five(135).<sup>7</sup>

One sees from Article 135 that the maximum age for school attendance was changed from eighteen years as in the Constitution of 1864 to twenty-one years by this Constitution. Greatest concern to everyone, however, was the fact that the Legislature was not only now changed to provide schools for all children, both white and colored, between the ages of six and twenty-one but there was to be no separation in schools on the basis of race or previous condition.

A State Superintendent of Public Education was still provided for in Article 137; Article 138 made the English language the official language for the general use in the public schools; Article 139 had reference to the School Fund; Article 140 was significant in the fact that it prohibited the use of public funds for the support of any

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<sup>7</sup> Louisiana Constitutions, 1812-1898, Op. Cit.,  
p. 134.

private school or private institution of learning whatsoever; and Article 141 required that one half of the funds derived from the poll tax would be appropriated exclusively to the support of the free public schools throughout the State and the University of New Orleans.<sup>8</sup>

In his report for 1867-68 to the State Legislature Superintendent Conway praised the fact that the State Constitution had now recognized the brotherhood of all human beings regardless of race and had cleared the way for the education of approximately ninety thousand Negro children who had hithertofore been denied this privilege. But he warned the Legislature that the job had not yet been completed. The duty remained with them to clear the law of all obstructions, "allowing education to extend far and wide over our State, to rich and poor, black and white".<sup>9</sup>

Public education of Negroes in Louisiana was to experience greater progress under Superintendent Conway than under his predecessor Superintendent Lusher. This can be attributed to the attitude of Superintendent Conway in accepting the responsibility delegated to him. In the

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<sup>8</sup> Louisiana Constitutions, 1812-1898, Op. Cit.

<sup>9</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1867 and 1868, Op. Cit., p. 5-6.

following excerpt from his report to the General Assembly from the year 1869, his position is made quite clear:

(...) Our schools, if they exist at all under the constitution, must be open, impartially, to all citizens of the State for the education of their children. The officers appointed under the law, and who hold power alone by virtue thereof, have no choice in the matter; the law must be administered as it exists, and refusal to do so is made a misdemeanor, punishable by fine and imprisonment.<sup>10</sup>

He realized that although legislation might be passed immediately the removal of prejudices would take more time but he also stated that:

The reason and conscience of men, will ultimately prevail over every prejudice which finds no support in the intelligence of the race, and sooner or later, character, and not class, creed or color, will be the criterion by which position shall be determined.<sup>11</sup>

Superintendent Conway felt that the subject of mixed schools was one which needed no discussion since in a Republican State there is no question as to the equality of the citizens. Whether mixed or separated the important objective was to make education available to all the children of the State.

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<sup>10</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1869, New Orleans, published by Authority, 1870, p. 11-13.

<sup>11</sup> Ibid.

The right of the child to admission into any school of the district in which he resides, and to which he is by law entitled, is one that must be enforced. The position I have taken, on which I shall continue to act in administering the law, is, that no public schools must be established from which any children are excluded by reason of color.<sup>12</sup>

The courage and far-sightedness of Superintendent Conway could rarely be equalled by his contemporaries. He envisioned a first-class system of public education in the State, a system which would discriminate against no one who possessed an ardent desire and intellectual capacity necessary to partake of its benefits. He did not hesitate in expressing his concurrence with the edicts of the constitution relative to public education and his intention as State Superintendent to guarantee their enforcement. His conviction as to the righteousness of the Constitution was not shared by many of his associates, however. His efforts in developing the State's system of public education were continually thwarted by those who would prefer eliminating public education for everyone rather than have Negroes attend schools with whites. There were those individuals who encouraged the development of private schools for white children into which State law could not force the admission of Negroes.

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<sup>12</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1869, Op. Cit., p. 11-13.

Foremost among these was Mr. Lusher who had now become State agent for the Peabody Fund and who, as shall be seen later, was using the monies bequeathed by this great philanthropist to hinder the development of the State's educational system. Also, the increase in the number of educables by raising the maximum age to twenty-one years and the inclusion of Negroes placed an enormous financial burden upon the already deprived school budget. Superintendent Conway apprised Governor Warmoth of these conditions in a letter, part of which follows:

It is impossible to sustain schools, as the people cannot be induced to tax themselves for their support, and the present available school fund is insufficient to sustain schools hardly a single month.

According to the enumeration of 1855-6, there were in the State 103,771 white youths, between the ages of six and eighteen years, which admitted a rate per child of about \$1.60 from the State apportionment. By the constitution of 1868, the number of children was increased by extending the limit of scholarship to twenty-one years, instead of eighteen as formerly and including the colored population, till now the least estimate gives an educable population of 266,543, greater, by one-fifth, than twice the number included in said enumeration.<sup>13</sup>

Public education in many of the parishes would not have continued were it not for the valuable assistance

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<sup>13</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1869, "Excerpt from Letter to Governor H.C. Warmoth", Op. Cit., Appendix C, p. 88.

afforded by some individuals and private groups which placed a high premium upon education.

The newly emancipated educables were not lacking in their regard for the value of education nor were they hesitant in assuming its obligations to their limited ability. The secretary of the School Board of Plaquemine Parish in his report to the State Superintendent attested to this fact by saying that:

We had great difficulty in renting even the poorest places for our school rooms, and, in fact, nearly every place obtained has been donated by our colored friends from their scanty accommodations.<sup>14</sup>

E.S. Stoddard, Superintendent of Public Education for the Second Division, was much more specific in his remarks:

Twenty-three (23) of the teachers in the public schools are colored, and of the pupils one thousand five hundred and ten are white, and four thousand six hundred and ninety are colored. All of the pupils in the private schools are white, giving a proportion of white and colored receiving the benefits of education of three thousand and forty-three of the former to four thousand six hundred and ninety of the latter; thus it will appear that a larger per cent of the colored population are receiving the advantages of education than of the white population.

This demonstrates what will be found asserted elsewhere in this report, that a greater degree of appreciation of educational advantages is manifested by the colored people than by the whites.<sup>15</sup>

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<sup>14</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1871, "Extract from the Report of the Secretary of the School Board of Plaquemine Parish", 1872, Op. Cit., p. 60.

<sup>15</sup> Ibid., "Excerpt from the Report of E.S. Stoddard Superintendent of Public Education for the Second Division, to State Superintendent Conway", p. 115.

Stoddard also maintained that the colored people continued to keep a high interest in acquiring free public education and had not, as many had predicted, ceased to give adequate attention to their needs once the 'novelty' had worn off.<sup>16</sup>

It was quite necessary for the colored people to maintain an active interest in education. The changed status which they had recently acquired did not guarantee them a livelihood as was the case in their former dependent classification. An education was a basic need if they were to live and work as free men. It was no wonder that many Negro parents placed more emphasis on educating their children than did white parents.

Superintendent Stoddard compared the relative interest in education manifested by white and colored children.

The colored children, as a rule, are advancing rapidly, much more so than the white. (I refer to the rural districts.) There is a reason for this however. As a class their appreciation of education is undeniably greater than that of the whites, as proven by the facts in the case. They are more regular in attendance, will go farther and sacrifice more to attend school than will the white. Many colored children in my Division have been in constant attendance, traveling to do so a distance from four to six miles, while the whites will grumble if the school is placed a half mile from their door.<sup>17</sup>

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<sup>16</sup> State Department of Education of Louisiana, Op. Cit., "Excerpt from the Report of E.S. Stoddard, Superintendent of Public Education for the Second Division, to State Superintendent Conway, p. 120.

<sup>17</sup> Ibid., p. 121.

This seems to indicate that the Negro realized that although he had been emancipated from the shackles of slavery, in order to fully accept his responsibilities as a citizen, an intellectual emancipation was necessary to free him from the shackles of ignorance. He also realized that this second emancipation would never be accomplished unless he played a leading role in it.

Superintendent Conway gave a resumé of the excellent assistance given the Negro by the Educational Department of the Freedmen's Bureau under the management of Colonel E.W. Mason. This agency provided schools for the newly emancipated Negro. Where schoolhouses could not be obtained, they were constructed using the resources of the Bureau and were subsequently sustained, in whole or in part, by the colored people themselves.<sup>18</sup>

It was recommended by General Howard that the educational department of the Bureau be consolidated with the educational department of the general government. This would facilitate a greater unity of purpose between the two educational agencies operating within the State, i. e., the Bureau and the State Department of Education, and would lead to the

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<sup>18</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1869, Op. Cit., p. 21-22.

gradual assumption of all work in public education within the State by the State itself.<sup>19</sup>

The gradual development of public educational facilities within the State lessened the need for such an organization as the Freedmen's Bureau. The recommendations made by General Howard were followed and all school property held by the Bureau was transferred to the proper State authorities. In negotiating this transfer Colonel E.W. Mason, on May 9, 1870, sent the following communication to the Honorable Thomas W. Conway, State Superintendent of Public Instruction:

Dear Sir--I have the honor to transmit herewith a list of buildings in the State, built or repaired by the Bureau Refugees, Freedmen and Abandoned Lands, and authorize you to use the same for schools, provided no distinction is made in regard to race, color or previous condition. There are many other buildings upon plantations, that have been repaired by the Bureau, that, I presume, could be obtained free of rent for school purposes. In regard to Union Normal School and Straight University, I presume that the trustees of these institutions would be glad to cooperate with you. There is a large amount of furniture, blackboards, etc., scattered through the State that I would be glad to have Division Superintendents make use of. I shall be happy at all times to aid you in the noble work that you have so auspiciously commenced.<sup>20</sup>

Thus the work of the educational department of the Freedmen's Bureau in Louisiana came to an end. The State had

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<sup>19</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1869, Op. Cit., p. 22.

<sup>20</sup> -----, Report of the State Superintendent of Public Education for 1870, 1871, Op. Cit., p. 45.

accepted the responsibility for educating all of her citizens and it was no longer necessary for an outside agency to do this for her.

A study of the effects of racial segregation upon the development of public education for Negroes in Louisiana would not be complete if the positive results accomplished by the Freedmen's Bureau were not mentioned. It provided the first tangible facilities for the gratuitous education of the newly emancipated Negro and demonstrated that intelligence and the thirst for knowledge knows no racial barriers. It must be remembered, however, that this was a Federal agency and only after it was well established did the State assume its obligation.

Commenting upon the value of the assistance given to the Negro by the Freedmen's Bureau, Superintendent Conway stated that the Bureau was far in advance of all other organizations in making provisions for the education of the freedmen. It came to their aid at a time when the State was powerless to provide them with the advantages of mental culture. "It seemed to be one of those providential instrumentalities which an overruling power brings into operation at the coming of great emergencies, and the results of its

official work amply vindicate the wisdom of the mind by which it was originated."<sup>21</sup>

It may also be seen from Colonel Mason's letter of transferral that the facilities given to the State were to be used for all of its citizens with complete disregard for race, color or previous condition. Although they had been originally established for the freedmen, now that the Constitution of the State considered all of her citizens alike, the Bureau was cooperating with the State officials by not fostering this separation. It provided schools for Negroes only when they were not permitted to attend schools with the white children and no others were available to them.

### 3. Racial Antagonism Develops.

This mixing of the races in the schools did not meet with the approval of everyone. There were some who would rather abolish the State's educational system than accept Negroes on an equal basis with the whites. In his last report to the Legislature, before his retirement, Conway reminds them that these detrimental effects must be considered when appraising the educational development of the State.

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<sup>21</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1870. Op. Cit., p. 43.

The antagonism of a portion of the press and a powerful class of the people to the constitutional provisions which control this work is too well known to require more than a passing allusion. The opposition thus inspired has come from men who prefer that the blight of ignorance should wither the strength of the State rather than the benefits of education should be extended under the law and constitution as they now exist. Unable to emancipate themselves from irrational prejudices by which both intellect and conscience have been mastered, and haunted by the phantoms of a regime which has forever passed away, they have maintained an opposition, active or passive as circumstances would allow, to every advancing step which has been taken. In estimating the efficiency of the law, as well as in judging the faithfulness of those to whom its administration has been entrusted, facts like the above must not be ignored.<sup>22</sup>

Superintendent Conway was succeeded in office by the Honorable William G. Brown. Being of the Negro race it is alleged by some that he was not qualified nor was he properly elected for the job, but was placed in it by the radical Republican administration as a further punishment of the South. That a deep feeling of resentment by southern Democrats existed towards Superintendent Brown is quite evident from the following commentary written by Superintendent Harris many years later in the Story of Public Education in Louisiana:

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<sup>22</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1871, Op. Cit., p. 45.

<sup>23</sup> Thomas H. Harris, The Story of Public Education in Louisiana, New Orleans, Delgado Trade School, 1924, vii-118 p.

There is no available information concerning Superintendent Brown. The newspapers of the day label him as an ignorant, drunken, incompetent politician who was cared for by the Kellogg outfit because he cheerfully did its bidding and could deliver a certain number of negro votes. But the democratic press may have been unduly harsh in its criticism of Superintendent Brown. The New Orleans teachers who were 'members of his teaching staff' know nothing about him. Only one can recall having seen him. He evidently had little to do with the schools, but as evidently he employed an educated secretary, a Baptist minister from the North, who (or Brown) wrote well-phrased reports. Since Brown is the only Negro predecessor the present incumbent has enjoyed in the office of state superintendent, and as in all probability will not enjoy a successor of Brown's race, charity should be practiced, and Brown given the benefit of the doubt--maybe he was a pretty good superintendent after all!<sup>24</sup>

It is quite evident from the foregoing that as Superintendent of Public Education Brown's task was not an easy one and that years later there still existed a resentment to his having had the job.

Conway's term of office lasted through the year 1872 but the beginning of the following year the report for 1872 was submitted by Brown. Some Division Superintendents, to show their resentment to a Negro Superintendent, submitted inadequate or incomplete reports, and one, the Honorable R.C. Wyly, submitted no report whatsoever. His removal from this position had been requested by Superintendent Conway because of previous inefficiencies.<sup>25</sup>

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<sup>24</sup> Harris, Op. Cit., p. 38.

<sup>25</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1872, 1873, Op. Cit., p. 24.

Superintendent Brown's term in office was marked by poverty and strife. Poverty because such a large proportion of the people could not appreciate the value of an education and resented being taxed for it, and strife because a not so large, but verbal, segment of the population would disregard the edicts of the Constitution and attempt to prevent the mixing of the races in schools by taking the law in their own hands.

Superintendent Brown did his utmost to promote the cause of public education in the State and to apprise the working man of its benefits. In his treatise on the Relation of Education and Labor<sup>26</sup> he told them that a war had continually been waged between capital and labor, the men of wealth and the men of toil. He told them that prior to 1863 little difference existed between the Negro slave and the poor white laborer. The present upheaval in the State was not being caused by race or color to any appreciable extent, but rather by caste. The men of wealth were waging an unceasing fight to maintain their supremacy over the poorer working class. They had even allied themselves with the forces of education that had already overcome such of the disparity that existed.

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<sup>26</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1873, "Relation of Education and Labor", 1874, Op. Cit., p. 24-25.

Brown wrote further:

There is no force as powerful to lift mankind from a position of dependence and narrow, circumscribed life as education. It is the laborers' faithful friend and counselor, standing sentinel to guard his liberties, to render a helping hand in the hour of perplexity and doubt, the good genius that enables him to overcome the difficulties and embarrassments of the hour, and achieve success.<sup>27</sup>

It is evident from this report, that although a Negro, Brown was not partial to his race. He realized that his position as State Superintendent of Public Education necessitated his fostering the education of the total population, both white and black, and he accepted his responsibilities.

In spite of his encouragement, Superintendent Brown could not kindle a desire for education among the laboring masses. They had been so conditioned to accepting their status that they harbored no desire to improve it. They could not envision education as that great emancipating force which would lift them above their narrow circumscribed life. Rather they saw it as an additional burden which would only increase the difficulties of their daily toil. Not only had the capitalist for many years controlled the Negro slaves but he had won a decisive victory over the minds of the poor white laborers.

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<sup>27</sup> State Department of Education of Louisiana, Op. Cit., "Relation of Education and Labor", p. 24-25.

Trying to raise money for the support of education was a difficult and trying task. The people of the State were still reluctant to support a system for which they saw no need. The poor class did not value it and the wealthy class sent their children to private schools.

In many instances on the local level the people were not even encouraged to pay taxes and if taxes were paid the money was often misappropriated.

The tax collector was considered a very influential person in soliciting support for education in the parishes. In the report of Superintendent Chester of the First Division a need for more conscientious and honest tax collectors was expressed. Speaking of the money for the operation of the schools he said:

If it is not collected from a people favorable to public education and willing to bear its burden, it is owing to the inefficiency of the tax collector, but if it is collected and not returned it becomes in either case a matter for immediate investigation and prompt action. Whether the intent of the law is defeated through inefficiency or culpability it is manifest that the educational interests could be advanced by the services of more energetic and honest tax collectors.

The school fund is a sacred trust, and should only be entrusted to capacity and integrity. Too many instances have already occurred where it has been squandered or misappropriated. The exposition and punishment of malfactors in office should be the inspiration of all good citizens.<sup>28</sup>

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<sup>28</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1875, "Report of Superintendent Chester, First Division", 1875, Op. Cit., p. 94-95.

In the Second Division, Superintendent Stoddard was more concerned over the non-attendance of white students. The advancement of the cause of public education could hardly be pronounced if the parents of the educables were themselves not in a position to appreciate education. Feelings of anxiety and disinterest among the poorer segment of the white population caused Superintendent Stoddard to report the previous year in this fashion:

The great majority of non-attendance is among the white population. The cause of this condition is, first there is less interest manifested on the part of the white population of the rural districts, in the education of their children, than with the colored population--in fact a large element among them seem actually to prefer that their children should not be educated; second, they are too poor to provide private means for the education of their children, and their prejudices, overbalancing their appreciation for the benefits of an education, they will not suffer them to attend the public schools with the colored children. Only two instances exist in the division where white children attend public schools with the colored; those are the 'Madel Grammar School' at Carrollton, and the 'Laforest School' in the parish of Lafourche. In all other instances where white children are found in the public schools, it is in localities where no colored children attend.<sup>29</sup>

From this and previous reports submitted by Superintendent Stoddard it appeared that the majority of the white people in the Second Division were more interested in

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<sup>29</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1874, "Excerpt from the Report of E.S. Stoddard, Superintendent Second Division", 1875, Op. Cit., p. 269-271.

preserving the status quo than in receiving an education whereby they could improve their own condition.

This resistance to mixing of the races in schools was not to remain passive very long. Hatred for Negroes was soon openly demonstrated through acts of violence and the financing of private segregated schools with the money allotted to the State by the Peabody Fund.

a) Racial Violence.- It would be an injustice to both races to say that so much ill-will and misunderstanding existed between them that mixing of the races in schools was impossible. However, the reported incidents of insults and acts of physical violence which were recorded in Louisiana during the period following the integration of the post-war schools point to several directions. The few who opposed the admission of Negroes into formerly all white schools were much more demonstrative in their rejections than the majority of white individuals who were now willing to accept Negroes on an equal basis. Newspapers assisted in creating a feeling of racial antagonism and greatly publicized the incidents of disruption which occurred. There was a growing feeling of social mobility in both white and colored groups following the upset of accustomed positions of slave and master.

The city of New Orleans which had been a focal point for all other educational activities remained the center of

disturbance when violence erupted in the schools. This was probably due to two reasons. Politicians in New Orleans were considerably more vocally abusive than were men of the country parishes. Also, Negroes in New Orleans were more progressive than were Negroes in the outlying parishes and insisted upon being granted their rights guaranteed by the Constitution. After several scattered incidents in the country parishes, acts of violence following these feelings of fear and insecurity burst upon the city of New Orleans in rapid-fire succession.

These outrageous acts were not limited to Negro children. They were directed towards anyone who endeavored to carry out the mandates of the Constitution. Reporting upon these conditions as they existed in the Fourth Division, Superintendent Keating wrote:

At a time when the public schools in the Fourth Division exhibited a more healthy and flourishing condition than ever before, when reports from every section indicated a year of unparalleled progress in the educational interests of the State, there came the sweeping blasts from the prejudiced politicians, and a fire of hate and ostracism appeared at once, kindled in the minds of many of the people which seemed to paralyze the school work in connection with the injurious effect it had on every other branch of the State Government. Not more than half of the parishes of the division had been visited when he was forced to abandon the work on account of the absence of many of the school officials from their homes. Later communications were received from them narrating their forced absence from fear of personal violence. The President of De Soto Parish School Board was murdered in cold blood, and the Treasurer of Red River Parish School Board met a similar fate.<sup>30</sup>

In the Sixth Division comprising the city of New Orleans, on December 14, 1874, an attempt was made to desegregate the Girls' Upper High School by eleven Negro pupils. They were refused admission. Since they would not leave the teacher dismissed her class and sent for the Superintendent. At this the Negroes departed. At the same time an even larger group of Negro girls attempted to enroll in the Lower Girls' High School. The white girls there withdrew also.<sup>31</sup>

Feeling that the Board of School Directors was instrumental in encouraging the Negroes to attempt integrating

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<sup>30</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1874, "Excerpt from the Report of Mr. Keating, Superintendent of the Fourth Division", Op. Cit., p. xxviii-xxix.

<sup>31</sup> The New Orleans Bulletin, "The Race Issue in the Schools", an editorial in Vol. 1, No. 230, issue of December 16, 1874, p. 6, Col. 1.

the schools, the girls from the senior class of each school sent the Board a letter in which they stated that they would not attend classes nor would they accept their diplomas until it was decided whether the school would be white or mixed.

It appears that the following editorial in The New Orleans Bulletin, rather than trying to ease the situation and promote respect for the law of the land, was written for the expressed purpose of inciting the young men of the high schools to lawlessness and violence.

Where are the young gentlemen of our high schools, that they do not respond to the indignity which was perpetrated upon the young ladies of the high schools? Why have we not heard from them? Do they fear that they may not obtain their diplomas if they took part in the struggle against mixed schools?

We tell them and we tell the young ladies of the public schools that diplomas issued by the present school board, and signed by Brown and Boothby, are not worth the paper or parchment upon which they are written.<sup>32</sup>

It was alleged that Superintendent Boothby insulted some of the young ladies of Upper Girls' High School when he visited their school and spoke to them. In retaliation the following day a group of men robbed him and threatened to hang him. These men were later told by the ladies that it was not Boothby who insulted them but a young reporter from the Republican newspaper. Notwithstanding this error, Superintendent Boothby was still made to apologize to the

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32 The New Orleans Bulletin, Op. Cit.

ladies and forced to sign a statement that he would do everything in his power to prevent the mixing of the races in the New Orleans public schools.<sup>33</sup>

Another editorial in the Bulletin discussed the superiority of the Caucasian race and tried to incite the people to violence by saying:

We know without urging, that the Caucasian race of the city will resist, nay, will even become aggressive, if the attempt is again made to degrade the white pupils of our public schools--schools supported by the white race--to the social equality of the African race. The white race rules the world, the white race rules America, and the white race will rule Louisiana, and the white race will rule New Orleans.<sup>34</sup>

The same day an editorial on "mixed schools" appeared in The Daily Picayune, part of which is quoted below:

A 'mixed school' is an institution which cannot exist in this or any other community in the United States.

The people of the country are proud of their educational system but they would have allowed it to lapse into nothingness rather than suffer what they believe to be the pollution of 'mixed schools'.<sup>35</sup>

These newspaper editorials were soon to achieve their desired results. On December 18 a group of Negro boys applied for the examinations and admission to the Boys' High School. A committee of boys ordered them to leave before

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<sup>33</sup> The New Orleans Bulletin, Op. Cit., also in The Daily Picayune, New Orleans, "The School Imbroglia", a news item in Vol. 38, No. 285, issue of December 16, 1874, p. 1, col. 7.

<sup>34</sup> The New Orleans Bulletin, Op. Cit., p. 4, col. 2.

<sup>35</sup> The Daily Picayune, Op. Cit., "The Public Schools", an editorial, p. 4, col. 2.

they would get hurt. They summoned a Negro policeman and two Negro laborers who were near at hand. All were forcibly ejected. School was dismissed and the boys marched up Canal Street cheering their accomplishments. They then went to the Girls' High Schools and offered them assistance.

By this time the boys had received enough encouragement and support to cause them to perform some of the heroic and irrational feats characteristic of early adolescents. They took the school issue into their own hands. They visited many of the schools and, with a complete disregard of the principals and teachers, entered and proceeded by visual observation to examine the color of the pupils found therein. Those who were judged to be Negroes or having some Negro heritage were thrown out amidst the shouts of the rabble who followed them on their rampage.<sup>36</sup>

After completing one of these raids at the Keller School, the boys and their followers were met by a group of Negro men and women who had come to protect their children. Bitter fighting ensued in which several persons including many policemen were hurt and a Negro man was killed. The situation was getting entirely out of control. The

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<sup>36</sup> The New Orleans Bulletin, "On a Raid", a news item in Vol. 1, No. 252, issue of December 18, 1874, p. 1, col. 3. Also in The Daily Picayune, "The School Difficulty", a news item in Vol. 38, No. 288, issue of December 19, 1874, p. 1, col. 6.

Superintendent of Police was considering calling upon the military for assistance.<sup>37</sup>

Newspaper editors are to be held directly responsible for most of this disturbance. They had bolstered the rebellious inclinations of adolescents and led these youths to disregard the counsel of their elders and the laws laid down by civil authorities. Children who were not capable of mature decisions had by physical force taken control of the schools.

By now the newspaper editors realized that the violence which they had perpetrated was mushrooming to enormous proportions. Mob action was directed not only against the Negroes, but against anyone who stood in the boys' way. In an effort to quell this complete disrespect for authority, The Daily Picayune, on December 19, 1874, published an editorial in which the boys were commended for the work thus far accomplished. They were warned, however, that flattery and thoughtless counsel could possibly destroy the results which they had thus far achieved. They were told that their mission had been fulfilled and the remaining job rested with the general public and legal authority.<sup>38</sup>

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<sup>37</sup> The New Orleans Bulletin, Op. Cit., "The War Commenced", a news item, p. 1, col. 4. Also in The Daily Picayune, "War Sure Enough-Affray at the Keller Market", a news item, in Vol. 38, No. 287, issue of December 18, 1874, p. 1, col. 4.

<sup>38</sup> The Daily Picayune, New Orleans, "The Boys and the School Imbroglio", an editorial in Vol. 38, No. 288, issue of December 19, 1874, p. 4, col. 3.

The boys accepted the counsel given them. They also realized that they were being blamed unjustly for many undesirable acts in which they took no part. The following message was sent to the Picayune in which they resolved to cease these activities.

We, the undersigned, constituting the committee appointed by the pupils of the Boys' High School, do hereby protest against the action of certain members of a crowd of men and boys, who on Friday took upon themselves the right to visit the Franklin Girls' School, representing themselves to be the boys of the High School, with the intent of removing such Colored scholars as they might find there.

The action we pronounce ungentlemanly in the extreme, and calculated to bring us into disrepute. We also state that the boys took no part in the disturbance at the Keller School, and furthermore that the Republican was greatly mistaken in its statements in regard to that affair. We should like it to be understood that our committee did not visit any schools on Friday but that of the Lower Girls' High School.

General Ogden will please accept the thanks of the committee for this kind advice which we intend following.<sup>39</sup>

With the youthful rebels back in school, the mobs soon dispersed and the situation in New Orleans public schools returned to normal. Everything was quiet except for occasional raids by the Klu Klux Klan and the Knights of the White Camelia, two secret organizations who terrorized the newly emancipated Negro.

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<sup>39</sup> The Daily Picayune, New Orleans, "The Boys", a card received from the Central High School Committee, in Vol. 38, No. 289, issue of December 20, 1874, p. 2, col. 1.

b) The Peabody Fund.- The Peabody Fund, an endowment for southern education, was established February 7, 1867, by Mr. George Peabody, a wealthy banker and investor. While still a relatively poor man, Mr. Peabody resolved that should he ever become rich he would contribute part of his wealth to promote the happiness of less fortunate people. Mr. Peabody kept his promise and his various philanthropic contributions amounted to seven or eight million dollars.

In establishing the Fund for southern education, Mr. Peabody placed one million dollars in trust the interest from which was to be used to promote "intellectual, rural, and industrial education among the young of the more destitute portions of the Southern and Southwestern States of the Union".<sup>40</sup>

Later, he added an additional eleven hundred thousand dollars in bonds of the State of Mississippi, issued to the Planters' Bank, and commonly known as Planters' Bank bonds, to this trust.<sup>41</sup>

A worthy cause misdirected will sometimes not only render useless the expenditure of time and money contributed therein, but will occasionally serve to hinder that for

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<sup>40</sup> J.L.M. Curry, A Brief Sketch of George Peabody and a History of the Peabody Education Fund, Cambridge, John Wilson and Son, 1898, p. 20.

<sup>41</sup> Ibid.

which it was established. Such was the use of the Peabody Fund in Louisiana during the Reconstruction Period. The monies bequeathed by the great philanthropist, for the promotion of public education in the south, under the direction of Mr. Robert Lusher, its local agent for the State of Louisiana, actually served to retard the harmonious development of Louisiana's system of public education. At first it was a slow and passive resistance, but with the adoption of the Constitution of 1868 and Articles 135 and 136 the resistance grew quite pronounced.

For some time the State officials had desired to have the jurisdiction over the Fund in Louisiana given to the State Board of Education. It was felt that this would serve to unify all educational efforts, to minimize expenses, and to afford a more accurate accounting of the use of monies given to Louisiana. By 1870, however, Mr. Lusher's utter disregard for the dictates of the State Constitution and his opposition to the State Board of Education had become so great that it was necessary for Superintendent Conway to communicate with the Reverend Barnes Sears, the general agent of the Fund, requesting that Mr. Lusher be removed as its local agent and the Fund placed under the auspices of the State Board of Education.

The reasons drawn up by the Board for making such a request were that Mr. Lusher did not cooperate with State

authorities in promoting the cause of public education in Louisiana; that he was antagonistic to the State authorities and aimed to develop a system of his own antagonistic to that of the State; that some of the teachers aided by him were doing their utmost to destroy the public schools of the State. They had gone so far as to issue circulars encouraging the people to oppose them. The schools aided by Mr. Lusher were for white students only, thereby involving the trustees of the Peabody Fund in a racial issue. Mr. Lusher was further accused of being prejudiced, exhibiting inharmonious conduct towards the public school officers, and neglecting the educational interest of the colored population of the State. On the basis of these allegations it was requested that control of the Fund be placed under the auspices of the State Board of Education. It could be handled more economically and in perfect harmony with the public school system, rendering proper assistance to citizens of both races.<sup>42</sup>

The reply received by Superintendent Conway was not at all what one would have expected. The general agent of the Fund seemed quite satisfied with the manner in which it was used in Louisiana. He said that the purpose of the

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<sup>42</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1870, Co. Cit., "Letter to Reverend Barnes Sears, D.D., General Agent Peabody Fund", p. 40-41.

Peabody Fund was to assist in promoting universal education. In Louisiana Negro children were receiving the benefits of free schooling and the white children were going uneducated. Although they were being deprived of this by their own choice, by not wanting to attend schools with Negroes, the fact remained that they did not have schools suitable to them. It was therefore the duty of the administrators of the Fund to provide schools for the white children. If the situation was reversed, preference would have been given to the colored children. Reverend Sears apprised the Board that the administrators of the Fund raised no question as to the relative merits of mixed schools and that Mr. Lusher had been requested to avoid controversy with the State authorities.<sup>43</sup>

Although Reverend Sears' intentions were indeed in keeping with the primary purpose for which the Peabody Fund was established, that of promoting the intellectual development of the youth in those destitute portions of the south, his approval of the manner in which it was used in Louisiana only served to retard the harmonious development of the State's system of public education.

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<sup>43</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1870, Op. Cit., "Letter to the Honorable Thomas W. Conway, Superintendent of Public Education, State of Louisiana, p. 42.

Superintendent Conway's comments on Reverend Sears' letter sum up very well the hindrances to the development of public education in Louisiana caused by the misuse of the Peabody Fund.

It will be seen by the letter of Dr. Sears, that owing to the representations made by Mr. Lusher, the Peabody Fund, so far as it is employed in Louisiana, is used in opposition to the public school system of the State. With all respect for the judgment of the agent of the Peabody Fund, it may be doubted whether an unwillingness to avail themselves to the advantages offered by the public school system constitutes, in any true sense, 'destitution'. While as a fact the number of white children in our public schools is threefold that of children of color. The greater wealth of the white portion of our population enables them to establish, and to maintain private schools for their children, and the number who does derive the advantages of education added to those white children in attendance in our public schools would make a number at least quadruple that of all colored children now enjoying school privileges in this State. It is not, therefore, in any case true that the white children in Louisiana are 'from the fact of their unwillingness to attend mixed schools' the 'more destitute'. The administration of the Peabody Fund on the basis of such a supposition, has a tendency to foster the evil which it deprecates, inasmuch as it rewards by its benefactions those who refuse to gain an education unless it is obtained in harmony with the spirit of caste. While on the other hand, by providing educational facilities for white children it enables opponents of the public school system to deny school facilities to the colored children without involving others in the loss and injury inflicted.<sup>44</sup>

The fact that Superintendent Conway was justified in his comments is verified by reports such as the one received

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<sup>44</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1870, Op. Cit., p. 42-43.

from the principal of the Gretna Public School.

The attendance of this school has not yet been so large as it was at the close of the last scholastic year owing to the re-opening of the 'Gretna Academy'.

The prejudices against this school would, by this time, have been entirely removed but for the Academy, which tends to keep them alive. This Academy, whose existence is only prolonged by aid received from the 'Peabody Fund' is a useless expenditure of money, a hinderance to the cause of public and thorough education, and it should be closed.<sup>45</sup>

The support afforded Mr. Lusher by those whom he represented only served to make him more intolerable in his position. Being fully aware that his use of the Peabody Fund was sanctioned by his superiors he exerted even more opposition to the State's educational system. The schools which he supported only served to maintain racial prejudice and to weaken the public schools already in existence. The positive results achieved by these newly organized segregated schools are still debatable.

When William G. Brown became State Superintendent of Public Education he wished to give a complete picture of education in the State. He, therefore, asked Mr. Lusher to furnish him with a statement of his administration of the Peabody Fund for inclusion in the Superintendent's Annual Report.

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<sup>45</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1871, Op. Cit., p. 37-38.

Mr. Lusher's reply was truly indicative of the disrespect which he harbored toward Superintendent Brown and the educational system of the State.

After it shall have been proven by equally truthful and legal evidence that you are entitled by election to possession of the office of State Superintendent, the undersigned will consider the propriety of giving you the information solicited of his courtesy.

As long, however, as you remain a beneficiary of the prima facie fraud and actual usurpation by which the liberties of the people of Louisiana have been sacrificed and their republican system of government has been suspended, in violation of the Constitution of the United States, no self-respecting citizen of the State can deem it an honor to appear in your 'annual report' as an auxiliary in the compilation of educational statistics.<sup>46</sup>

And thus remained the stand taken by the local agent of the Peabody Fund, sanctioned by his superior, the general agent, for the remaining years of the Reconstruction Period.

#### 4. Summary.

It has been seen in this chapter that the early years of the Reconstruction Period witnessed little change in the education of Negroes. This was in a great measure due to the fact that Mr. Lusher, the State Superintendent of Public Education was only interested in educating white children so that they could maintain a superiority over the Negroes.

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<sup>46</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for 1878, Op. Cit., p. 32.

Prior to 1867, the cities of Jefferson and New Orleans were the only ones to establish schools for colored children. The educational department of the Freedmen's Bureau, which had been established by an Act of Congress and which had taken charge of the schools for Negroes initiated by General Banks, transferred their schools in these cities to the cities' board of education.

In 1868, a new Constitution was written containing the controversial Articles 135 and 136. Education became truly public. Schools were opened to everyone with complete disregard for race, color, or previous condition. There were to be no separate schools for white and Negroes. This equalization of educational rights gave the Negro a sense of security which was short lived.

Mr. Conway, who had now become Superintendent of Public Education, did his utmost to enforce the provisions of Articles 135 and 136. He met with much opposition from those who would rather eliminate the State's system of public education than have white and Negro children attend school together.

Since the State had now assumed her responsibility to educate all children there was no need for the Freedmen's Bureau to maintain schools for Negroes in Louisiana. Consequently, the Bureau, which had been performing an excellent job, transferred all schools under its care to the State Department of Education.

The resentment to mixed schools became even greater when Superintendent Brown took office in 1873. Although he won the election, he was greatly disliked since he was of mixed racial descent.

In New Orleans several acts of violence occurred after the white high school boys were incited to riot by editorials in the local newspapers. Their wrath was not only directed towards the Negroes who tried to integrate the schools but toward the City Superintendent of Schools and anyone else who endeavored to carry out the mandates of the Constitution.

Mr. Lusher, after losing the superintendency, became the local agent for the Peabody Fund. He used the State's allotment from this Fund to finance private schools for white children who would not attend the State's mixed public schools. He refused to submit a report of his activities to both Superintendents Conway and Brown. His actions received the approval of the general agent of the Peabody Fund who said that the Fund was created to provide schools where needed. In this case the white children needed them. The fact that they refused to attend the public schools available to them was not taken into consideration.

As long as they were protected by Federal troops, Negroes in Louisiana enjoyed even greater educational privileges than they do today. There was a growing resentment,

however, among many members of the white race. How this affected the development of public education for Negroes in Louisiana, when the troops were removed and the State legislated for itself, will be discussed in the following chapter.

## CHAPTER III

### EDUCATION WITH THE RETURN OF HOME RULE

The removal of Federal troops from Louisiana in 1877 was welcomed by its populace. The State had adopted a new Constitution in keeping with that of the United States and had again pledged its allegiance to the Union. It was now granted the privilege of complete home rule. The rigid military controls had come to an end.

It was seen in the preceding chapter that a desire to teach Negroes in separate schools was harbored by many persons. This chapter will point out, first of all, how this system of segregated schools for Negroes had a gradual beginning. The United States Supreme Court decision in the case of Plessy versus Ferguson and how it afforded Federal sanction to segregated education will then be discussed. A look will be taken at some of the agencies which assisted in providing education for Negroes. Finally, the chapter will be summarized.

#### 1. Beginning of Segregated Education.

The people of Louisiana were grateful for the opportunity to rule themselves without Federal intervention. Some persons, however, used this as a means of seeking revenge against the Negro for the sufferings and hardships inflicted

upon the State during the Civil War and Reconstruction. With his northern protectors gone, the Negro was powerless against his adversaries.

One of the first privations which the Negro experienced was in public education. School directors having long resented the provisions of Articles 135 and 136 of the Constitution were now able to completely disregard them. Mr. Robert M. Lusher, who was again elected to the position of State Superintendent of Public Education, encouraged this disregard.

He contended that the system of public education would progress and gain public favor only where separate schools for white and colored were maintained and that the taxpayers would not contribute to mixed schools. He stated that in the city of New Orleans, nine-tenths of the colored population themselves preferred separate schools. It was his opinion that only the children of mixed white and colored blood were interested in entering the white schools. Their parents had always been free and they resented attending school with children of a darker color. Mr. Lusher felt that these children of mixed blood deserved special consideration and that a separate or intermediate class of schools

should be provided for them. This idea had already been put into effect in the city of New Orleans.<sup>1</sup>

The Superintendent went on to say that:

The mingling or disjunction of races, like the co-education or separate instruction of sexes, and the efficiency of school systems, are matters which should be left wholly to the discretion of the directors who are responsible for the success of that system. They are not proper subjects for constitutional enactments, but must be controlled and regulated by the enlightened conscience of the communities who are taxed for the support of free education.<sup>2</sup>

According to the reasoning of Mr. Lusher that the Negroes of a lighter hue would not attend school with their darker kinsmen and that the Board of School Directors of the city of New Orleans had acted wisely in establishing a school for this group, it would appear then that as many schools would be necessary as Negroes varied in color. The caste system based on color had been deeply entrenched as it still is to this day.

Separating the races still did not encourage taxpayers to sustain public schools as Mr. Lusher anticipated. In reporting further on the situation he stated:

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<sup>1</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for the Year 1877, New Orleans, published by Authority, 1878, p. v.

<sup>2</sup> Ibid.

The Directors of the New Orleans City Public Schools have been, and still are, greatly embarrassed by the insufficiency of the funds provided for the maintenance of the schools. The salaries which they are able to allow teachers are far below those allowed in other cities, and below the actual necessities of the teachers, causing many of them great distress and anxiety of mind, which must, at times, be prejudicial of their efficiency in the school-room. Such relief as is possible should therefore, be accorded to them through the City Board of Directors.<sup>3</sup>

The city of New Orleans welcomed the suggestion of the State Superintendent that the question of separating the races should be left to the discretion of the directors responsible for that particular system. The City Superintendent in his report maintained that twenty-three of the city schools were attended exclusively by colored children. These schools, whose facilities and instructional staff compared with the best in the system, provided for approximately 5,500 pupils. About three hundred more colored children were attending schools whose enrolment was comprised primarily of white pupils. The City School Board, however, passed a resolution to separate completely the races in the schools. It was their belief that this arrangement would prove beneficial to both races.<sup>4</sup>

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<sup>3</sup> State Department of Education of Louisiana, Op. Cit., p. xxi.

<sup>4</sup> Ibid., "Co-Education of Races, "Exhibit B", p. 302-303.

The Board based its decision on a study made by a Special Committee appointed to examine the schools in the City. The Committee in its report stated that personal observation and universal testimony had established the fact that the public schools have deteriorated since white and colored children have been admitted to the same schools. It was not their purpose to determine the causal factors but only that these conditions prevailed. Some of the evils that had arisen from forced integration of the races were (1) the white boys had occasionally prevented the colored children from entering school and thereby altogether depriving them from the benefits of a public education; (2) many white children were not attending schools due to a repugnance on the part of their parents to permit their children to mingle socially with children of the Negro race; and (3) the efficiency of the schools was minimized due to the impossibility of maintaining discipline in schools in which the two races were mingled. The Committee went on to say that the constant quarreling and bickering between the pupils of the two races both inside and outside of the schools, and the humiliation which one race inflicted upon the members of the other by ostracising them from all activities, provided ample

proof that separate schools would greatly facilitate the education of the two races.<sup>5</sup>

No objective information was provided to prove that the schools had deteriorated since colored and white pupils had been admitted indiscriminately nor does it appear that proper supervision could not have prevented the evils claimed to be inherent when the two races were associated. On reading the report one finds very little validation for such an important decision.

The leadership of Mr. Lusher was well followed and public schools throughout the State continued to separate pupils on the basis of race.

Although he was elected State Superintendent of Public Education, Mr. Lusher maintained his position as local agent of the Peabody Fund. Since his philosophy of separate education of the races was now being followed he was willing to spend some of the State's allotment from the Peabody Fund to provide education for Negroes.

The Peabody Normal School for Colored Students was established in New Orleans. Its purpose was to offer free professional training of graduates and advanced students of either sex, over seventeen years of age, who desired to

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<sup>5</sup> State Department of Education of Louisiana, Op. Cit., "Report of Special Committee with Reference to Mixed Schools", p. 303-305.

become teachers or who desired to improve their qualifications in their profession.

For the year 1879 there was an enrolment of forty-three pupils with an average attendance of thirty-eight pupils. Two teachers were employed. The school was opened for a ten month session and the Peabody Fund donated one thousand dollars for its operation. At the June graduation, six pupils were awarded diplomas permitting them to teach in the elementary schools. Of these, four decided to continue their education.<sup>6</sup> This school remained in operation about five years.

The Peabody Fund sponsored public elementary schools in Alexandria, Baton Rouge, Franklin, and Opelousas. These schools accommodated a total of six hundred and ten pupils and their operation cost the Fund sixteen hundred dollars. The Fund had offered to finance the colored public school at Monroe. Since it did not maintain a monthly average of eighty-five pupils, one of the stipulations advanced by the Board of Trustees, the offer was withdrawn.<sup>7</sup>

In his final report in office, for the year 1879, Mr. Lusher noted that there were six hundred and fifty-five

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<sup>6</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for the Year 1879, New Orleans, published by Authority, 1880, p. 24-25.

<sup>7</sup> Ibid., p. 24.

teachers employed in the colored schools throughout the State, with salaries ranging from \$31.06 a month in rural parishes to \$49.50 a month in the city of New Orleans. The rural schools remained open an average of four and a half months of the year while in the city of New Orleans they were open for nine and a half months.<sup>8</sup>

Since the adoption of the Constitution of 1868, Articles Nos. 135 and 136 had been a sore spot among many of the people in Louisiana. With the removal of Federal controls they were determined to ease some of the pain caused by mandatory mixing of the races in public schools.

A constitutional convention was called in 1879 and a new constitution written. It made legal the ideas expressed by the State Superintendent of Public Education and other State authorities, and affirmed that the mixing of the races in schools was a matter of local concern and should be locally directed. Although this had been the case since Reconstruction, and even during Reconstruction where mixing could be avoided, it was still in direct defiance of the law.

The Constitution adopted July 23, 1879, rescinded the controversial Articles 135 and 136 and in their place passed Article 224 which stated that:

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<sup>8</sup> State Department of Education of Louisiana, Report of the State Superintendent of Public Education for the Year 1879, "Exhibit C", p. 12-15.

There shall be free public schools established by the General Assembly throughout the State for the education of all the children of the State between the ages of six and eighteen years; and the General Assembly shall provide for their establishment, maintenance and support by taxation, or otherwise, and all moneys so raised, except the poll tax, shall be distributed to each parish in proportion to the number of children between the ages of six and eighteen years.<sup>9</sup>

Endeavoring to promote the economy of the State, the maximum age for school attendance was reduced to eighteen years. But more significant than that, the part of Article 135 was omitted which required that:

All children of the State (...) shall be admitted to the public schools or other institutions of learning sustained or established by the State, in common, without distinction of race, color, or previous condition. There shall be no separate schools or institutions of learning, established exclusively for any race by the State of Louisiana.<sup>10</sup>

Other than providing for the education of all children of the State, local authorities were now left to their own discretion to decide how, and under what conditions these children would be educated.

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<sup>9</sup> Constitution of the State of Louisiana of 1879, Baton Rouge, published by Authority, 1884, p. 57-58.

<sup>10</sup> Louisiana Constitutions 1812-1898, "Constitution of the State of Louisiana of 1868", no publication data, found in the Law Library of the Louisiana State Supreme Court in New Orleans, p. 113.

Other significant Articles of this Constitution were:

Article 227. The funds derived from the collection of the poll tax shall be applied exclusively to the maintenance of public schools as organized under the Constitution, and shall be applied exclusively to the maintenance of public schools in the parish in which the same shall be collected, and shall be accounted for and paid by the collecting offices directly to the competent school authorities of each parish.

Article 231. The General Assembly shall establish in the city of New Orleans a university for the education of persons of color, provide for its proper government, and shall make an annual appropriation of not less than five thousand dollars nor more than ten thousand dollars for its maintenance and support.<sup>11</sup>

Following the dictates of Article 231, the General Assembly at its regular session passed Act No. 87. An Act: To establish in the city of New Orleans, a university for the education of persons of color; and to provide for its proper government.

This Act provided for a Board of Trustees who would be given the responsibility of establishing a faculty of arts and letters. It was further required that this faculty should be competent to instruct in every branch of liberal education and should graduate students and grant degrees in arts and letters to qualified persons.

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<sup>11</sup> Constitution of the State of Louisiana of 1879, Op. Cit., p. 59.

<sup>12</sup> State of Louisiana, "Act No. 87. An Act: To establish in the city of New Orleans a university for the education of persons of color; and to provide for its proper government", in Acts of the Legislature, Regular Session, 1880, p. 110.- 111.

Southern University served additionally as a High School and Normal School for the colored boys and girls of the State. Individuals who had completed elementary school and who could successfully pass an entrance examination were admitted. The President of the Faculty stated in his report of March 15, 1902, that "since the time of the first graduation in the school--fifteen years ago--and including the present session, (...)fifty-two pupils completed the Normal course to be teachers".<sup>13</sup>

Although most southerners tend to criticize the Reconstruction Period, the era following it was equally as bad. Although Federal intervention into State affairs during the Reconstruction Period greatly displeased the southern gentlemen, it did not preclude the fact that progress was made, but rather it was a contributing factor. Thomas H. Harris, who later became State Superintendent of Public Education, spoke of the period from 1880 to 1904, as a "dreary waste in Louisiana's educational history".<sup>14</sup>

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<sup>13</sup> State Department of Education of Louisiana, Biennial Report of the State Superintendent of Public Education, 1900-1901, "Report of President of Faculty, Southern University and A and M College", Baton Rouge, published by Authority, 1902, p. 155.

<sup>14</sup> Thomas H. Harris, The Story of Public Education in Louisiana, New Orleans, Delgado Trade School, 1924, p. 61.

Three factors characterized this period: poverty, lack of State and parish leadership, and the absence of suitable legislation. Superintendent Harris elaborated upon them as follows:

Poverty was very real and widespread throughout the State. The war scars were deep and long in healing. It was easy to talk about the need of school funds, but another matter to pay taxes when men experienced great difficulty in providing food and clothing for their families(...).

A second influence of equal importance was the lack of State and parish leadership. The office of State Superintendent was political. The State Superintendent was selected for geographical and political reasons. He was expected to add strength to the ticket of which he was a part.

The office of parish superintendent was purely political(...). The parish superintendents during most of the period were paid \$200.00 a year. Men were selected who needed even that little salary, and who brought political strength to their faction in the parish(...). But they were not, and could not be educational leaders, and as a result the public school ideas grew slowly and painfully.

A third obstacle to progress was the absence of suitable legislation. With the horrors of reconstruction graft fresh in mind, the legislature tied the strings that bound the public purse in 'hard knots'. It refused to make liberal State appropriations for the schools, and it drew back for a long time from requiring police juries and city councils to set aside a definite minimum for public school support.<sup>15</sup>

It appears, however, that State authorities were less concerned with these matters, by which they could improve their own conditions, than they were with ensuring racial segregation.

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<sup>15</sup> Harris, Op. Cit., p. 61-63.

## 2. United States Supreme Court Sanctions Racial Segregation.

In the year 1896, another obstacle was placed in the path of the Negro in Louisiana which prolonged his struggle for better educational facilities. It came as a result of the decision rendered by the United States Supreme Court in the case of Plessy versus Ferguson.<sup>16</sup> In his case, Plessy challenged the validity of the Louisiana segregation laws. Although it was in the realm of transportation, its effect was felt in all phases of life in Louisiana.

Act No. 111,<sup>17</sup> passed by the General Assembly of the State of Louisiana in 1890, provided for separate railway carriages for white and colored races. It also afforded authority to the officers of passenger trains to assign each passenger to the coach or compartment assigned for the race to which he or she belonged and gave them the power to refuse to carry on the train passengers refusing to occupy the coach or compartment assigned to them. Railway companies were not to be held liable for refusing to carry these persons; and persons insisting on entering a coach or

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<sup>16</sup> "Ex Parte Plessy, December 19, 1892", in the Southern Reporter, Vol. 11, 1893, p. 948-951.

<sup>17</sup> State of Louisiana, "Act No. 111. An Act: To promote the comfort of passengers on railway trains", in Acts of the Legislature, Regular Session, 1890, p. 152-154.

compartment other than the one assigned to them would be subject to fine and imprisonment.

Plessy contended that this Act was in direct violation of his civil rights under the Thirteenth and Fourteenth Amendments to the Constitution of the United States. The case was first argued in the Supreme Court of the State of Louisiana on December 19, 1892.<sup>18</sup>

Receiving an unfavorable decision, Plessy carried his case up to the Supreme Court of the United States. The case was argued on April 13, 1896, and the opinion of the Court handed down by Mr. Justice Brown on May 18, 1896. Although many secondary arguments were advanced, he stated that "this case turns upon the constitutionality of an act of the General Assembly of the State of Louisiana, passed in 1890, providing for separate railway carriages for the white and colored races".<sup>19</sup>

The opinion of the Court was that the civil rights of the plaintiff were not violated and the Act of the Louisiana Legislature in question was not contrary to the dictates of the Thirteenth nor Fourteenth Amendments of the United States Constitution.

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<sup>18</sup> "Ex Parte Plessy, December 19, 1892", Op. Cit., p. 948-951.

<sup>19</sup> J.C. Bancroft Davis, Reporter, "Plessy versus Ferguson, May 18, 1896", in United States Reports, Vol. 163, 1896, p. 540.

In explaining the opinion of the Court, Mr. Justice Brown stated:

We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it. The argument necessarily assumes that if, as has been more than once the case, and it is not unlikely to be so again, the colored race should become the dominant power in the state legislature, and should enact a law in precisely similar terms, it would thereby relegate the white race to an inferior position. We imagine that the white race, at least, would not acquiesce in this assumption. The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the Negro except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits and a voluntary consent of individuals.<sup>20</sup>

Discussing racial and social differences, Mr. Justice Brown continued:

Legislation is powerless to eradicate racial instincts based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation. If the civil and political rights of both races be equal one cannot be inferior to the other civilly or politically. If one race be inferior to the other socially, the Constitution of the United States cannot put them upon the same plane.<sup>21</sup>

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<sup>20</sup> Davis, Op. Cit., p. 551-552.

<sup>21</sup> Ibid.

Thus by the decision rendered in the case of Plessy versus Ferguson in 1896, Federal sanction was given to the practice of racial discrimination which had prevailed without legal approbation in the southern states since Reconstruction. In evaluating the decision rendered, it must be remembered that the opinion of the Court was based upon the assumption that civil and political equality would exist. Mr. Justice Brown did not accept the proposition that equal rights could be secured for the Negro only by the comingling of the races.

The State of Louisiana was quick to take advantage of this ruling in order to legalize its rapidly developing dual system of public education. In 1898 another Constitution was adopted which did not only permit separate schools for whites and Negroes by not mentioning it, thereby letting the decision to local authorities, as did the Constitution of 1879; but rather, in Article 248 it distinctly spelled out racial discrimination. It required that:

There shall be free public schools for the white and colored races, separately established by the General Assembly, throughout the State, for the education of all the children of the State between the ages of six and eighteen years; provided, that where kindergarten schools exist, children between the ages of four and six may be admitted into said schools.<sup>22</sup>

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<sup>22</sup> Constitution of the State of Louisiana of 1898, Baton Rouge, published by Authority, 1898, p. 104.

In view of the State's financial shortage and the difficulty in collecting taxes, it is hard to understand how State authorities could permit the added burden incumbent upon the State Treasury by trying to maintain two parallel systems of education under the same administrative authority.

Separate but equal may have been the intention of the law. However, when placed into the hands of those who were to execute it, the spirit was entirely lost.

The Superintendent reported that:

The enrollment for the year 1900 shows a loss of 11,188, this reduction is in the roll of the colored children. The falling off is to be partly accounted for by the unusual prevalence of smallpox, and probably by the increased demand during the year for field labor, resulting from the enhanced value of cotton and other agricultural products of the State. Moreover the late census of the United States shows a diminution in the number of colored population of the State, and this reduction in the number of colored pupils in the schools is no doubt a corroboration of the result of the census.<sup>23</sup>

Notwithstanding the fact that there was a decrease in the colored population of the State, the percentage of enrolment of white children, based upon the number of white educables was fifty-nine per cent for the year 1900 and 60% for the year 1901 while the percentage of colored pupils

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<sup>23</sup> State Department of Education of Louisiana, Biennial Report of the State Superintendent of Public Education, 1900-1901, Op. Cit., p. 4.

was 37% and 40% for the years 1900 and 1901 respectively.<sup>24</sup>

There existed an inverse relationship between the economy of the State and the education of colored children. As the agricultural products of the State increased in value the colored children were taken out of school to supply the necessary field labor. This was true for many years particularly in the rural parishes where agriculture was the leading industry. If field hands were needed colored children were not permitted to attend school. They remained home and worked. In cases where they were allowed to attend school, the school year was planned in terms of the growing season of the crops. In many parishes the school year was divided to facilitate these children's labors.

The fact that the colored children seemed to be more affected by the prevalence of smallpox than the white children also appears to be significant.

Having a lower financial status and the equivalent conditions of housing and health protection, it is not hard to understand why the disease placed a heavier toll upon the colored group.

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<sup>24</sup> State Department of Education of Louisiana, Biennial Report of the State Superintendent of Public Education, 1900-1901, Op. Cit., p. 3.

The State of Louisiana subsequently adopted other Constitutions in 1913<sup>25</sup> and 1921.<sup>26</sup> Their educational provisions, in regard to separation of the races, were substantially the same as those included in the Constitution of 1898.<sup>27</sup> All were based on the decision rendered in the case of Plessy versus Ferguson.<sup>28</sup>

### 3. Agencies Which Assisted Education for Negroes.

Public education of the Negro was not left to rely on the State alone. At the darkest moments there have been those charitable and self-sacrificing agencies and individuals who, with a complete disregard for financial gains and social approval, have come to the fore and spearheaded a movement for the uplifting of the less fortunate.

Noteworthy among these agencies were the Louisiana Education Association, originally the Louisiana Colored Teachers Association, the Slater Fund, the Anna T. Jeanes Foundation, and the Julius Rosenwald Fund. Though private

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<sup>25</sup> Constitution of the State of Louisiana of 1913, Op. Cit., p. 81-85.

<sup>26</sup> Constitution of the State of Louisiana of 1921, with all Amendments up to 1930, Op. Cit., p. 243-247.

<sup>27</sup> Constitution of the State of Louisiana of 1898, Op. Cit., p. 104.

<sup>28</sup> Davis, Op. Cit., p. 540.

agencies, they made outstanding contributions. In order to present a true picture of the development of public education for Negroes, the assistance of these agencies cannot go unnoticed.

a) The Louisiana Education Association.- With the turn of the century Negro educators began to realize that in order to maintain the progress of the race, they themselves had to take a more active part in promoting its development. How this was accomplished is given in the following paragraphs taken from the Louisiana Education Association Journal:

Messrs. J.B. Lafargue, J.W. Hunter and a few of their courageous fellow educators met in Alexandria back in 1901, with the conviction that if they were to make their greatest contribution to education, they had to be united. They realized then that only through this cohesiveness would they be able to survive and move education and freedom forward.

.....  
 Three basic purposes motivated these pioneers to come together and organize the (L.C.T.A.) L.E.A. As professionals, they were sensitive of the fact that their first responsibility was the enhancement of professionalism among the teachers of Louisiana. In the second place, they realized that if teachers and students were to perform up to their optimum potentials, that the organization had to promote a dynamic program of pupil-teacher welfare. Finally, they knew that the simple coming together--the exchange of civilities --just meeting--would promote a climate for growth and well being.<sup>29</sup>

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<sup>29</sup> J.K. Haynes, "From the Executive Secretary's Desk--Sixty Years of History Challenge Us Today", The Louisiana Education Association Journal, Vol. 40, No. 6, November 1961, p. 4.

The Louisiana Education Association has grown from this infant in 1901 to a dynamic institution today comprising some ten thousand professionals determined to move education and freedom forward. It has assisted in the growth of public education in Louisiana at such institutions as Grambling College, Southern University and other special schools; it has fostered the equalization of salaries, the acquisition of improved facilities including transportation. It has supported improvements with regards to pupil-teacher ratio, curriculum, teacher competence and the general organization, supervision and administration of our schools. It sponsors top level professional conferences, publishes the L.E.A. Journal, and has organized credit unions for its members. Recent projects which it has undertaken are L.E.A.'s Pilot Project, "Improving Motivation and Achievement in Louisiana Schools"; a program for the gifted and talented; Citizenship Education; a Protection Plan for Teachers; and Investment Services.<sup>30</sup>

b) The Slater Fund.- In 1882, John F. Slater of Norwich, Connecticut, gave to a board of ten trustees one million dollars, the income of which was to be used to

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<sup>30</sup> J.K. Haynes, "From the Executive Secretary's Desk-L.E.A.: Its Purposes, Progress, Problems and Projections", The Louisiana Education Association Journal, Vol. 40, No. 8, February 1962, p. 6-7.

promote the education of the Negro in the south. He was instrumental in securing the services of Rutherford B. Hayes, who had just returned from the presidency of the United States, as the first chairman of the board.

In its early years of existence the Fund's greatest assistance was in paying salaries for manual training or industrial teachers. Although it did not advance Negro education too much, the influence of its highly respected board members prevented Negro education from receiving too much of a set back at the time when many southern whites felt that money spent on Negro education was money wasted and advantages of which the white child was being deprived.

By 1910, one of the chief concerns of the Slater Fund became the education of Negro rural teachers in a system of County Training Schools. Since the better educationally prepared teachers did not go into the rural areas, if the counties wanted more proficient teachers it was necessary that they train them themselves.

Certain requirements were placed upon schools receiving grants from the Slater Fund. The school property must belong to the State, county, or district and the school must be a part of the public school system. The State, county, or district must appropriate at least seven hundred and fifty dollars for salaries. The teaching must reach the

eighth grade level with the intention of increasing it to two years of high school as soon as possible.<sup>28</sup>

For twenty-two years the Slater Fund rendered outstanding assistance to the County Training Schools of Louisiana. By 1937, it abandoned its efforts except for a little aid given to the school building program.

c) The Anna T. Jeanes Foundation.- In 1907, the Anna T. Jeanes Foundation was established to carry out the terms of a bequest of \$1,000,000 by Miss Anna T. Jeanes. Feeling that the large urban schools were not wanting for assistance, Miss Jeanes' intention was to help the small rural school.

How this was to be accomplished was not readily apparent. County superintendents had written to the Board of Trustees seeking aid for their colored schools. These letters were welcomed since it was realized that in order to achieve satisfactory results it was necessary that the Board work in conjunction with local public school authorities.

It was finally decided that the income of this Fund be used to employ teachers trained in handicrafts, each to serve several schools. They were to work under the supervision of the county superintendent, their job being to aid and encourage the rural teachers. A plan similar to this had worked in the larger cities in which itinerant teachers

of sewing and woodwork assisted several schools on certain days and an adaptation of this idea was considered practical for the rural areas.

Iberville Parish in Louisiana was the first to put this plan into effect. Mr. L.E. Messick was Superintendent, and the first teacher to be thus employed and paid by the Jeanes Fund was Mrs. M.L. Sorrell. She received \$48.50 a month for eight months. The school at Plaquemine, the parish seat, served as her headquarters. She worked there two days in the week, devoting the other three days to five schools within fairly easy reach. During the 1908-1909 session, fifty or more extension teachers were gradually placed and began their work.<sup>31</sup>

They introduced into the small county schools simple home industries, gave talks on sanitation and cleanliness, promoted the improvement of the school house and grounds, and organized clubs for the betterment of the community.

Dr. James H. Dillard was elected President and Director of the Board at its first regular meeting on February 29, 1908. The success of their work throughout the south is due to his untiring efforts and leadership; to the efficient State agents connected with the State departments

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<sup>31</sup> James H. Dillard, "Fourteen Years of the Jeanes Fund, 1909-1923", South Atlantic Quarterly, Vol. 22, No. 3, issue of July 1923, p. 196-197.

of education and to the indefatigable efforts of Mr. B.C. Caldwell and Dr. W.T.B. Williams who were Dr. Dillard's assistants.

d) The Rosenwald Fund.- The Julius Rosenwald Fund, created in 1917, cooperated with other agencies throughout the south rendering its assistance where needed.

In southern education, however, the Fund stressed a four-fold program, namely, constructing schoolhouses for rural Negroes, providing library services, assisting in teacher training, and developing strategic centers of higher learning for Negroes.<sup>32</sup>

It was very difficult to enlist the support of the community and local officials in raising funds to meet the stipulations set forth by the Rosenwald Fund. The State agents who supervised the task, however, can be given credit for accomplishing a remarkable feat. The fact that the schools were called Rosenwald Schools led to the belief that they were paid for entirely by the Fund. This kept criticism of the school officials to a minimum. Considering the building, grounds and equipment the average contribution

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<sup>32</sup> Edwin R. Embree and Julia Waxman, Investment in People, The Story of the Julius Rosenwald Fund, New York, 1949, p. 37.

made by the Fund usually amounted to about one-sixth the total cost.<sup>33</sup>

In the State of Louisiana the Fund contributed \$1,721,506 towards the building of four hundred and thirty-five schools for Negroes with a total capacity of 51,235 pupils.<sup>34</sup>

#### 4. Summary.

With the removal of Federal troops from the State of Louisiana the desire of separating the races, which had been long harbored by many people, gradually became a reality. Mr. Lusher was again placed in office as State Superintendent of Public Education. He encouraged local authorities to ignore Articles 135 and 136 of the Constitution and to provide separate schools for whites and Negroes as they deemed necessary.

Mr. Lusher kept his position as the local agent of the Peabody Fund. Since the races were now separated, he diverted a portion of Louisiana's allotment to the schools for Negroes.

In 1879, a new Constitution was adopted. Articles 135 and 136 were omitted and Article 224, which provided

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<sup>33</sup> B.L. Smith, Builders of Goodwill, Nashville, Tennessee Book Company, 1950, p. 119-120.

<sup>34</sup> Embree, Op. Cit., p. 37.

schools for all children between the ages of six and eighteen, but stated nothing concerning mixing of the races, was written in their place. This Constitution also provided for the establishment of a university, in the city of New Orleans, for the higher education of persons of color.

Southern University, besides granting degrees in Arts and Letters, served as a high school and a Normal school for the Negro boys and girls of the State. Louisiana had thus advanced a step further by providing a State-supported teacher-training institution for its prospective colored educators. This would serve to supplement the number of colored teachers trained in the excellent private institutions of the State.

Racial segregation became firmly implanted in Louisiana in 1896. The United States Supreme Court concurred with the decision of the State Supreme Court in the case of Plessy versus Ferguson, by upholding the validity of Louisiana's segregation laws concerning transportation. The State took advantage of this rationale for separating the races and, in 1898, adopted another Constitution which made separate schools for whites and Negroes mandatory. Subsequent Constitutions embodying similar provisions were written in 1913 and 1921. It must be remembered, however, that the basis of the Supreme Court decision was the assumption that civil and political equality would prevail.

Coming to the aid of the Negro were several professional and philanthropic organizations whose leadership and financial assistance greatly promoted education for Negroes. The Louisiana Colored Teachers Association, which later became the Louisiana Education Association, was organized in 1901. This organization has assisted in promoting professionalism among Negro educators. County training schools for the education of Negro rural teachers were organized by the Slater Fund. The Anna T. Jeanes Foundation hired itinerant teachers, trained in handicrafts, whose duties were to assist the teachers in several small rural schools. Later the Rosenwald Fund cooperated with other agencies by giving financial assistance where needed but it also stressed a rural school building program.

The following chapter will trace the development of segregated public education for Negroes and investigate the consideration given, in Louisiana, to civil and political equality, the basic proposition underlying the Segregation Decision of the United States Supreme Court.

## CHAPTER IV

### SEPARATE BUT (NOT) EQUAL EDUCATION

In the preceding chapter it has been seen how the desire to provide separate schools for Negroes gradually became a reality in the State of Louisiana. This separation was sanctioned by the United States Supreme Court providing equality existed. Several agencies which rendered guidance and financial assistance to schools for Negroes have also been considered.

This chapter will discuss those inequalities which existed in spite of the stipulations required for separation of the races laid down by the Supreme Court and the aid which philanthropic organizations afforded to schools for Negroes. Comparisons will be made between education provided for white children and that provided for Negroes from the year 1900 until 1945.

The status of education was examined at three main points during this period. It was examined in 1900 in order to determine whether or not the two systems started on an equal basis. It was found that education for Negroes was considerably inferior to that provided for white children. Twenty-five years later, in 1925, conditions were investigated again. It was felt that this was an adequate period of time for the two systems to become equal.

In 1945 World War II ended. After fighting abroad for the preservation of the free world, the Negro soldier was not satisfied to return home to Louisiana and continue with his second class status. His militant attitude, controlled by law and order, was now directed towards securing equality for his own people. Education was an area in which his efforts were necessary. An investigation was made of the educational situation in 1945, just prior to the start of the many civic and legal procedures which the Negro employed in an effort to gain equality in education.

The inequalities considered have been divided into four categories. Section one will discuss those inequalities pertaining to pupils. Section two will consider the differences in curricula offerings. Section three pertains to teaching personnel. Section four will investigate inequalities in school buildings. Section five will summarize the chapter.

### 1. The Pupil.

Since the entire educational system is developed for the good of the child, it is quite fitting that in this first section the proportion of the white and Negro educable population receiving the benefits of an education should be considered.

There was a total of 404,757 educable children in the State in 1900. Of these, 199,930 were members of the Negro race. The number of Negro children enrolled in the public schools, however, amounted to 64,803 or 32 per cent of the educable population.<sup>1</sup>

Superintendent Calhoun said that there was a loss of 11,188 in the Negro enrolment from the previous year. The reduction was attributable partly to the unusual prevalence of smallpox and partly to the increased demand for field labor, due to the increased value of cotton and other agricultural products. Also, there was a reduction in the Negro population of the State and this would have its effects upon school enrolment figures for Negro children.<sup>2</sup>

The fact that the colored children were more affected by the prevalence of smallpox than the white children seems to bear some significance. Having a lower financial status and the equivalent conditions of housing and health protection, it is not difficult to understand why the disease placed a heavier toll upon the colored population.

Also, an inverse relationship existed between the economy of the State and education for Negro children. The

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<sup>1</sup> State Department of Education of Louisiana, Biennial Report of the State Superintendent of Public Education for 1900-1901, Baton Rouge, published by Authority, 1902, p. 46.

<sup>2</sup> Ibid., p. 4.

higher the value of agricultural products rose, the greater became the demand for field hands, and increasing numbers of Negro children were taken out of school to supply this labor.

Notwithstanding other causes or the reduction in the total Negro population, education for Negro children in 1900 only reached thirty-two per cent of the educable Negro population.

By the 1924-25 school session, Louisiana had become fairly stabilized from her participation in World War I. Thomas H. Harris was now State Superintendent of Public Education. In his Report for the Session 1924-25<sup>3</sup> he listed 242,706 Negro educables in the State of which only 137,000 were attending public schools, leaving 105,000 who were not enrolled in any school.

No accounting is given of the number of Negro children attending private schools. Since this number was very small, however, it is quite possible that they are represented by the difference of 706 which is unaccounted for in Superintendent Harris' figures.

Although it was admitted by Superintendent Harris that these figures were not very inspiring if the Department

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<sup>3</sup> -----, Annual Report of the State Department of Education for the Session 1924-25, Op. Cit., 1926, p. 38.

of Education were really concerned with the question of providing instruction for all Negro children, he felt that satisfactory progress was being made since, in 1900, the public schools reached only 32 per cent; in 1920 it reached 51 per cent; and for the last session it reached 56 per cent or a little better than half of the Negro population.

It would appear that much progress had been made in terms of the reaching effects of education for Negroes by 1945.

Negro educables in the State numbered 229,877. There were 165,553 enrolled for the 1944-45 school session in public schools and approximately 18,969 enrolled in private schools; or 71.1 per cent of the Negro educables were enrolled in the public schools and 8.3 per cent in the private schools respectively, giving a total of 79.4 per cent of the Negro children receiving the benefits of an education.<sup>4</sup>

These figures appear to be quite encouraging until one investigates the reaching effects of education among the white children during this same period.

Of the 204,827 white educables in the State in 1900, 120,178 were enrolled in school. Education reached fifty-nine

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<sup>4</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 385, Op. Cit., 1945, p. 44 and 77.

per cent of the white educables as compared to thirty-two per cent of the Negro educables when the two systems started.<sup>5</sup>

In 1925 there were 359,950 white educables in the State. Two hundred and sixty-five thousand or 74 per cent were enrolled in the public schools. Private schools accounted for approximately 40,000 children, leaving a balance of approximately 50,000. Superintendent Harris felt safe to assume that practically all of these 50,000 children were graduated from high schools or had attended public or private schools for one or more years. He felt that there was no need for concern about providing schooling for white children because schools were available to practically all white children in the State.<sup>6</sup>

For the same period, although Superintendent Harris realized that the percentage of Negro educables enrolled in schools was rather low, he was quite satisfied with the progress which the schools for Negroes made in extending education to the population. As an elected public official, whose duty it was to see that the law was followed, Superintendent

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<sup>5</sup> -----, Biennial Report of the State Superintendent of Public Education for 1900-1901, Op. Cit., p. 44.

<sup>6</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 38.

Harris showed no moral responsibility to ensure separate but equal education for the two races.

By 1945, although there was a substantial increase over the fifty-six per cent of Negro educables enrolled in school in 1925, the figure now having reached 79.4 per cent, it was still not satisfactory when one remembers that, taking into consideration public and private schools, educational facilities of some type were available to the total white population since 1925.

Public school finances, including receipts and disbursements, for the year 1900 had not as yet been classified as those pertaining to Negroes and those pertaining to white children.

By 1925, however, this separation had been made. The cost of educating each child in the schools for Negroes amounted to only \$8.33 for the preceding session. Superintendent Harris contended that this low cost was due to the short session in these schools and the low salaries paid to Negro teachers.<sup>7</sup> No distinction was made between the elementary schools and the few high schools in existence.

The cost of educating each Negro pupil rose considerably by 1945. It amounted to \$34.06 for the session.<sup>8</sup>

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<sup>7</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 14.

<sup>8</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 78.

For the 1924-25 school session, it cost \$38.84 to provide instruction for each child enrolled in the elementary schools for white children and \$85.70 for each one instructed in the high schools. Combining the white elementary and high school children, the per capita cost was \$45.37. Superintendent Harris felt that "the cost is as small as should be expected or as is secured in any other state that attempts to offer instruction on an efficient basis".<sup>9</sup>

According to Superintendent Harris' reasoning, the \$8.35 per capita cost in the schools for Negroes for this same period must have truly been an indication of inefficient instruction.

By the 1944-45 school session, the per capita cost in the schools for white children had risen to \$113.30. Comparing this to the per capita cost of \$34.06 existing in the schools for Negroes, one still finds no semblance of equality.<sup>10</sup>

Thus, when comparing the educational system provided for white children and that provided for Negroes, in terms of the pupils, equality did not exist in the percentage of

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<sup>9</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 14.

<sup>10</sup> -----, Ninety-sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 78.

the educable population reached and the per capita cost of education in the two systems.

## 2. The Curriculum.

The inequalities which existed in the curriculum in the schools for white children and those for Negroes were not so much in the differences in the planned program of studies as it was in the absence of courses in the schools for Negroes due to the limited facilities provided and the general philosophy underlying the education of whites and that of Negroes.

Although it is accepted that the school curriculum should be patterned to meet the needs of the individuals it will serve, the curriculum in the schools for Negroes not only met their needs but it also assisted in maintaining the servile status which the race occupied.

This fact was attested to by Superintendent Harris when he said that:

Those in charge of Negro education do not lose sight of the environment in which Negroes are required to live and work, and to the extent of their ability they are attempting to equip the Negro children to work successfully in their environment.<sup>11</sup>

Little consideration was given, in the school program, to those subjects which would enable the Negro to gradually

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<sup>11</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 39.

change his living conditions or the type of work which he performed. The Negro was being trained for social usefulness, so that he could more proficiently perform the tasks required of him by his white employers.

Superintendent Harris stated:

The Negro schools provide as much industrial work as conditions warrant. Thousands of the Negro children attending the public schools are enrolled in the different industrial clubs, and large numbers of Negro schools provide practical work in agriculture, shop, domestic science, etc.<sup>12</sup>

a) High Schools.- Emphasis on curricula development first occurred in the high schools. Although several efforts had been made to standardize the curriculum in the high schools for white children it was not until 1908 that it was placed upon a sound basis. This is attributable to the efforts of Dr. S.E. Weber, who was brought to Louisiana from Pennsylvania as the first inspector of high schools. One of his first tasks was to visit the approved high schools so that he could gain a knowledge of educational conditions in the State.

Three courses were offered in the high schools; namely, literary, commercial, and agriculture. The literary course was designed for those students who planned to enter college. The commercial course was planned for those

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<sup>12</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 39.

students whose desire was to go into business or some form of commercial life. Students who were interested in going into agriculture, one of the most profitable industries in the State, received their background training in the course in agriculture.<sup>13</sup>

Dr. Weber listed the literary course as the one most widely offered in the high schools. With the limited availability of teaching personnel, it was the logical one to follow in the smaller high schools. A student completing this course would be eligible to enter any institution of higher learning in the country having a fifteen unit entrance standard.<sup>14</sup>

By 1925, the State Board of Education adopted the policy of having students register for a set program of studies rather than permitting them to choose subjects at random. There was a two-fold purpose for doing this: first, it would eliminate the probability of students making snap judgments and, secondly, it would ensure the fact that all graduates had a basic knowledge of essential subject matter notwithstanding what course they pursued. The courses were

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<sup>13</sup> -----, Biennial Report of the State Superintendent of Public Education for 1908-1909, Op. Cit., 1910, p.38.

<sup>14</sup> Ibid., "Second Annual Report of State High School Inspector", p. 281.

so arranged that at the end of the sophomore year a student could change from any one of the industrial or business courses to the general or college preparatory course and still receive the necessary credits to enter college.<sup>15</sup>

Further progress in the high school curriculum included additional courses in home economics, music, health and physical education, and trade and industrial education. State supervisors were provided for each of these courses. Their duties consisted in planning, developing, and administering their respective disciplines.

In order to effect a closer coordination between the various departments of the high school, in 1939, Superintendent Harris appointed Dr. C.L. Barrow to the position of high school supervisor and coordinator of instruction.

The white people of the State placed a great value upon high school education and were doing everything in their power to avail their children of its advantages. The number of high schools for white children increased from thirty-two in 1900 to 318 in 1925. A good high school was within reach of every white child in Louisiana and the courses of instruction met the best standards prevailing in the country. All teaching was in the hands of college trained instructors.<sup>16</sup>

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<sup>15</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 41-42.

<sup>16</sup> Ibid.

About this time educators throughout the State became interested in seeking to have their schools approved by the Southern Association of Colleges and Secondary Schools. The standards of this organization were much more rigid than those set by the Louisiana State Department of Education. By 1945, 384 high schools and fourteen junior high schools for white children were approved by the State Board of Education. Of this number, 134 high schools were approved by the Southern Association.<sup>17</sup>

The early development of the high school curriculum was of little value to Negro students. In 1900, there existed no public high schools for Negroes in the State except the high school department of Southern University. The expenses incurred by the State in hiring a high school inspector, developing various programs of study, and later by hiring supervisors in specific subject matter areas were mainly for the benefit of the white children.

Although Superintendent Harris felt that public sentiment was developing for providing the Negro with academic instruction, for the session 1923-24 there were in the entire State only four State approved high school for Negroes. They were located at Southern University, Baton Rouge,

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<sup>17</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 184 and 191.

Shreveport, and New Orleans. They were all doing excellent work and turning out superior students.<sup>18</sup>

The period from 1923-24 to 1944-45 witnessed an increase in the amount of academic training included in the curriculum of the schools for Negroes. John E. Cox who had now become State Superintendent felt, however, that herein was an area which required closer study and revision. He stated that:

Education must be adapted to the abilities and needs of Negro boys and girls and must contribute to the improvement of community life. Health, intellectual, social (moral and spiritual), and emotional development of the child must constitute the basis for an integrated school program.<sup>19</sup>

Superintendent Cox regarded the Negro as an individual and advocated a school curriculum so organized as to promote his optimum development. The idea of training the Negro only for living and working in his own environment, with no thought of improving his existing conditions, was gradually disappearing.

The number of State approved high schools for Negroes increased to eighty. None of these, however, met the standards for approval set by the Southern Association.

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<sup>18</sup> -----, Annual Report of the State Department of Education for the Session 1923-1924, Op. Cit., 1924, p. 19.

<sup>19</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 148.

There were also four State approved junior high schools or schools doing some high school work.

These figures seem to indicate considerable progress until they are contrasted with the 380 State approved four-year high schools and fourteen State approved junior high schools for white pupils. The number of white educables in the State at this time was only a little more than one and one-half times the number of Negro educables and a large percentage of white children was attending private high schools.<sup>20</sup>

M.S. Robertson, who spent twenty years in various positions with the State Department of Education seemed to think that this inequality in high school development was quite satisfactory. He said that:

This was to be expected because it was only natural that the white people who paid most of the taxes, owned most of the property, and controlled the State government would provide for their children before spending much money on high school education for Negroes. (...) Hence Negro education was left to trail the education of whites until a more opportune time.<sup>21</sup>

Thus it would seem that in terms of high school education, the requirement of separate but equal was completely disregarded.

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<sup>20</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 185-198.

<sup>21</sup> M.S. Robertson, Public Education in Louisiana after 1898, Baton Rouge, Bureau of Educational Materials and Research, Louisiana State University, 1952, p. 81-82.

Although there existed a well developed high school curriculum, due to the limited number of high schools for Negroes, it was not available to all Negro educables. Also, due to the limited financial allotment for high schools for Negroes, the high school program offered met the minimum requirements. The inequalities which existed in the high school curriculum for Negroes and whites were therefore based upon deficiencies rather than differences.

b) Elementary Schools.- The early curriculum for the elementary schools was little more than a suggested list of subjects to be taught. The amount of time devoted to each subject and the extent to which it would be covered were left to the discretion of the parish superintendent. He in turn depended upon the training and experience of the teachers whom he employed for the success of the school program. In the small one-teacher rural schools the teacher made the school. There was no formalized school program.

In 1902, Superintendent Calhoun issued a Course of Study for Public Schools.<sup>22</sup> This was a thirty-nine page bulletin which, in addition to listing courses to be taught in grades one to eleven, also contained a list of textbooks with the price of each, and the school laws of Louisiana. The most extensive part of the bulletin, by far, was the

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<sup>22</sup> -----, Course of Study for Public Schools, Baton Rouge, published by Authority, 1902, 39 p.

school laws. The list of subjects, and the extent to which they were to be covered, for the eleven grades, consumed only four pages.

In 1906, a much more elaborate course of study was published by Superintendent James B. Aswell. Besides listing the subjects to be taught, this course of study contained suggested allotments, daily schedules, and course outlines. Programs for one-teacher schools with five grades and with eight grades were herein considered.<sup>23</sup>

Probably the first cooperative effort at producing a course of study for elementary schools was the one issued by Superintendent Harris in 1909. It contained suggested schedules for: 1) elementary graded schools; 2) for rural schools with one teacher in charge of seven grades; 3) for rural schools with one teacher in charge of six grades; 4) for rural schools with one teacher in charge of five grades; 5) for rural schools with one teacher in charge of four grades; and 6) for rural schools with one teacher in charge of three grades.

Subjects offered in the elementary schools included reading, language, spelling, writing, arithmetic, geography,

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<sup>23</sup> -----, Course of Study for the Common Schools of Louisiana, Baton Rouge, published by Authority, 1906, 80 p.

history, elementary science, drawing and manual training, and music.<sup>24</sup>

A later course of study was prepared under the direction of G.J. Brown, Supervisor of Rural Schools. It was written expressly for rural schools and included nine grades. Agriculture, domestic economy, shop work, general science, rural sociology and economics, agricultural botany and agricultural zoology, agricultural physics and agricultural chemistry, algebra and plane geometry were subjects included in its pages.<sup>25</sup>

In keeping with the changing times, the elementary school curriculum leaned towards a formalized program and objective tests in the twenties, and then towards 'progressive education' in the thirties.

In 1936, a bulletin on Standards for Approved Elementary Schools<sup>26</sup> was issued in which the primary functions of the elementary school was described as that of developing desirable skills, understandings, and attitudes that typify

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<sup>24</sup> -----, Course of Study and Syllabus for the Elementary Schools, Baton Rouge, State Department of Education of Louisiana, 1909, 158 p.

<sup>25</sup> G.J. Brown, Course of Study for the Rural Schools, Baton Rouge, State Department of Education of Louisiana, 1936, 210 p.

<sup>26</sup> M.S. Robertson, Standards for Approved Elementary Schools, Bulletin No. 327, Baton Rouge, State Department of Education of Louisiana, 1936, 190 p.

the good citizen, and of preparing the student for high school.

A comparison of the curriculum in the elementary schools provided for white children and those for Negroes reveals that, although the State requirements were the same for the two systems of schools, differences did exist. In order to prepare Negroes for work in their environment there was a concentration upon practical work in the schools provided for them. Every Rosenwald school built, even the one-room buildings, included an industrial section in which the Negro children performed such duties as their age and needs made advisable.<sup>27</sup>

Another curriculum difference occurred as a result of the consolidation of small ungraded rural schools. Consolidation permitted the establishment of larger graded schools which could offer a more extensive school program. Of the 879 schools for white children in the State during the 1944-45 session, 353 or 40.2 per cent were combination elementary and high schools. The next largest group was the schools with eight or more teachers. These numbered 147 or 16.7 per cent of the total number of schools.

The classification containing the largest number of schools among the Negro group was still the one-teacher

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<sup>27</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 28.

schools. This group accounted for 267 out of 1,680 schools or 52.1 per cent of the total. The second largest group was the two-teacher schools, accounting for 429 schools or 25.8 per cent.<sup>28</sup>

Thus consolidation caused significant curricular inequalities in the schools provided for white pupils and those provided for Negroes.

### 3. Teaching Personnel.

A determining factor which precluded the development of an educational system for Negroes equal to that provided for white children was the question of differences in the area of teaching personnel existing in the two systems.

The limited number of teachers employed, resulting in overcrowded classrooms and poor working conditions, as well as small salaries, and the limited number of State-supported training institutions for teacher aspirants produced their related effects upon education for Negroes.

In 1900, 1,034 Negro teachers were employed to teach 64,803 children resulting in a ratio of sixty-five pupils per teacher.<sup>29</sup>

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<sup>28</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 180.

<sup>29</sup> -----, Biennial Report of the State Superintendent of Public Education for 1900-1901, Op. Cit., p. 19.

The twenty-five years following this did not witness much of a reduction in the teaching load in the schools for Negroes. In 1925, 2,429 Negro teachers were employed to teach 156,997 children. The teaching load had been reduced from sixty-five to fifty-six pupils per teacher.<sup>30</sup>

There were 4,309 Negro teachers employed in 1945 and for the same year 163,553 Negro children were enrolled in the public schools. Although this averaged 37.9 pupils per teacher for the State, Superintendent Coxe said that there were many elementary and high school classes in which more than fifty pupils were enrolled.<sup>31</sup>

An investigation of the conditions existing in the schools for white children, at these same intervals, revealed that in 1900, 3,102 white teachers were employed to teach 120,178 white children, giving a pupil-teacher ratio of 38.7.<sup>32</sup> In 1925, 8,577 white teachers taught 264,863 white children resulting in an average teacher load of 30.9 pupils.<sup>33</sup> In 1945, there were 10,003 white teachers and

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<sup>30</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 101-102.

<sup>31</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 44.

<sup>32</sup> -----, Biennial Report of the State Superintendent of Public Education for 1900-1901, Op. Cit., p. 19.

<sup>33</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 101-102.

267,926 white children enrolled in school giving a pupil-teacher ratio of 26.8.<sup>54</sup>

Comparing class loads in the schools for Negro children and white children at the three intervals investigated, it was found then that, in 1900, there were 65 pupils per average Negro class as compared to 38.7 per average white class; in 1925, the average size of the Negro class was 56 pupils while the average white class numbered 30.9 pupils; and, in 1945, there was an average of 37.9 Negro pupils in a class and the average size of the white class amounted to 26.8 pupils. The Negro teachers were subjected to larger class loads and over-crowded conditions from the beginning of the segregated system. It took approximately forty-five years for their class loads to be reduced to the numbers comprising the average class load for white teachers when the two systems began.

If equality prevailed, it would appear logical that the Negro teachers were sufficiently compensated for the additional difficulty which they experienced in teaching larger classes. This was not the case, however. Not only were they not paid additionally for their larger classes but their salary did not ever amount to that received by the white teachers.

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<sup>54</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 86-87.

Four salary classifications existed in the State in the year 1900. White male teachers were paid \$41.70 per month. White female teachers received \$32.50. Negro male teachers received \$26.14. Negro female teachers received \$22.48. The fact that the school session for the white children lasted six months and the session in the schools for Negroes lasted five months magnifies these salary differences to every greater proportions.<sup>35</sup>

By 1925, the average yearly salary for Negro teachers had increased to \$453.34. Males received \$520.54 and females received \$438.44. The average yearly salary for white teachers had increased to \$1,052.81, however. Male teachers and female teachers received \$1,366.34 and \$1,000.87, respectively. The seeming inconsistencies in the averages are due to the fact that more women than men of both races were employed in the teaching profession. One of the reasons given for the low yearly salaries paid to Negro teachers was that the schools for Negroes only remained open for an average of 111 days, while the average length of the session in the schools for white children was 170 days. Yet, at the same time, Superintendent Harris recommended future salary

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35 ----- -, Biennial Report of the State Superintendent of Public Education for 1900-1901, Op. Cit., p. 19.

increases for the white teachers because their salary could barely sustain their livelihood.<sup>36</sup>

The average yearly salary of Negro public school teachers had increased to \$866.61 by 1945. This increase was due, in a large measure, to the fact that the Orleans Parish School Board, which employed twelve per cent of all Negro teachers in the State, equalized salaries for white and Negro teachers the previous year.<sup>37</sup>

For the State as a whole, however, the average yearly salary paid to Negro teachers was approximately half as great as that paid to white teachers. The average for white teachers had increased to \$1,683.23.<sup>38</sup>

The average length of the school session for Negro children, although it had increased substantially, still remained shorter than the session in the white schools. Their sessions lasted 151 and 180 days, respectively.<sup>39</sup>

Superintendent Cox realized that, notwithstanding the shorter term in the schools for Negroes, more attractive salaries for Negro teachers were necessary if the State was

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<sup>36</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 36-37 and 108.

<sup>37</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 179.

<sup>38</sup> Ibid., p. 175.

<sup>39</sup> Ibid., p. 77.

to maintain competent Negro teaching personnel. The rapidly rising cost of living and the availability of other more remunerative employment discouraged former teachers, who were being discharged from the military services, from returning to the profession.<sup>40</sup>

One factor which hindered the development of adequate schools for Negroes at the beginning of the century was the limited availability of Negro teachers and their inadequate professional training. It is difficult to ascertain just what teacher-training institutions existed for Negroes at this time. In trying to estimate the quality of the training provided in whatever institutions existed, one would be equally inaccurate.

In Public Education in Louisiana after 1898,<sup>41</sup>

M.S. Robertson said that the State Normal School at Natchitoches was the only teacher-training institution in the State. This school was restricted to white persons. On reading further, one finds the report of the president of Southern University, the State university for Negroes. An accounting of the number of graduates from the Normal Department of that institution is given. Whether Mr. Robertson meant to differentiate between an entire

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<sup>40</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 45.

<sup>41</sup> Robertson, Op. Cit. p. 125-128.

institution for teacher-training and a teacher-training department as part of an institution is not clear.

In his report to the State Superintendent for 1902, President H.A. Hill of Southern University stated that up to the present time fifty-two persons had completed the Normal Course there.<sup>42</sup>

Further confusion in trying to determine the number of teacher-training institutions in existence results from the fact that Normal Schools for both whites and Negroes sprang up as the need arose, as a part of the parishes' local school system. They were partially financed by monies from the Peabody Fund. When the local demands were satisfied, or if the parish could not continue to maintain its part of the financial agreement, the schools were discontinued. County Training Schools, provided by the Slater Fund, also increased the number of teacher-training facilities for Negroes.

As a means of furthering the professional development of those teachers who were working and could not attend a teacher-training institution, Summer Normal Schools and one and two week institutes, which also received aid from

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<sup>42</sup> -----, Biennial Report of the State Superintendent of Public Education for 1900-1901, Op. Cit.,  
"Report of President of Faculty, Southern University and A and M College", p. 154-157.

the Peabody Fund, were held locally under the supervision of a State Institute Conductor.<sup>43</sup>

The quality of the teacher-training provided was equally difficult to judge. Prospective teachers were given an examination by the parish superintendent. If there existed a great need for teachers in the parish and a highly recommended person with a modest education applied for the examination, he usually passed and was issued a certificate. Teaching certificates, however, were only valid in the parish where they were issued.<sup>44</sup>

In 1912, through the passing of Act No. 214<sup>45</sup> by the Legislature, teacher examinations and the issuance of all certificates were entrusted to a State committee. The purposes for this change were to eliminate local influences and to improve the scholarship and academic standards of teachers.

An investigation of State-supported institutions offering teacher-training in 1925 revealed that there were four available to teacher aspirants of the white race. They

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<sup>43</sup> -----, Biennial Report of the State Superintendent of Public Education for 1900-1901, Op. Cit., "Report of the State Institute Conductor", p. 159-162.

<sup>44</sup> Robertson, Op. Cit., p. 125.

<sup>45</sup> State of Louisiana, "Act No. 214. An Act: In relation to free public schools and to regulate public education in the State of Louisiana", in Acts of the Legislature, Regular Session, 1912, p. 464-468.

were Louisiana State University, Louisiana State Normal College, Louisiana Polytechnic Institute and Southwestern Louisiana Institute.

Southern University and parish training schools conducted by the Slater Fund, in which education was usually terminated at eighth grade and a teaching certificate issued, were the only institutions providing teacher-training for Negroes.<sup>46</sup>

For some time Superintendent Harris realized the need for providing additional State-supported teacher-training institutions for Negroes. He repeatedly encouraged the Legislature to authorize the necessary appropriations for the establishment of a State Normal School for the training of prospective Negro teachers. In his Annual Report for 1921-22 he said:

We are spending more than a million dollars a year on the Negro schools, and no argument is needed to prove that most of this money is wasted unless we employ teachers of good character and sound education, and this we cannot do in the absence of a State training school devoted wholly to the work of equipping people for teaching service.<sup>47</sup>

The following year he wrote:

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<sup>46</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 70.

<sup>47</sup> -----, Annual Report of the State Department of Education for the Session 1921-1922, Op. Cit., 1923, p. 18.

The Negro teachers are doing remarkably well in the matter of meeting educational standards when we take into consideration the limited opportunities they have enjoyed for securing college and normal school instruction. (...) The Negro teacher would readily meet proper educational and professional standards if opportunities were provided.<sup>48</sup>

Superintendent Harris is to be commended for his relentless efforts towards providing training facilities for Negro teachers. He realized that there existed a direct relationship between the caliber of the Negro schools and the amount of professional training of their instructional personnel.

One of his major recommendations for improving education in the State was:

... the establishment of a normal school for the benefit of our Negro teachers. The meagre facilities which the Negroes enjoy for equipping themselves for teaching service results, necessarily, in the employment of numerous incompetent teachers. This means a waste of public funds and of time of the children. It is utterly impossible to provide efficient Negro schools in the absence of an institution whose business it is to train teachers.

The Negroes of the State are, in the main, observing the laws and doing well the work required of them. They should be given the opportunity to educate their children. Simple justice demands that we do that much for them.<sup>49</sup>

This recommendation of Superintendent Harris was soon to be realized. In 1928, the Legislature passed

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<sup>48</sup> ibid., Annual Report of the State Department of Education for the Session 1922-1923, Op. Cit., 1924, p. 4.

<sup>49</sup> Ibid., p. 26.

Act No. 161<sup>50</sup> accepting the gift of the Lincoln Parish School Board of the lands, building, equipment and other property of Lincoln Parish Training School. This Act authorized the use of these facilities for the establishment of the Louisiana Negro Normal and Industrial School and created a Board of Directors who would be responsible for its operation. The school would be under the jurisdiction of the State Board of Education, who would prescribe its course of study, elect its teachers and administrative officers, erect buildings and perform all other duties required in the management and control of the school. By this Act, the Legislature was also charged to make provisions for the support of the institution.

In 1936, under the direction of its President, Ralph W.E. Jones, the program was reorganized to include the pre-service and in-service training of rural teachers. Its significant features were: 1) the close coordination of the teacher education with the State, parish, and federal agencies of health, agriculture, trade and industries, and home economics; 2) apprentice training; 3) field service; 4) curriculum laboratory; 5) coordination of the Jeanes teachers with the college program; 6) the summer school; and 7) the instructional part of the program.

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<sup>50</sup> State of Louisiana, "Act No. 161. An Act: Accepting the gift of the Lincoln Parish School Board", in Acts of the Legislature, Regular Session, 1928, p. 219-220.

Teacher-training was carried on in six field centers located in various high schools under the direction of a teacher-trainer with the cooperation of the local Jeanes teachers and the college field service unit. The college program was based upon real life problems discovered in the field.

When the school began, a first grade teaching certificate was given for one year's work at the college or in one of the centers. Later, a two-year professional certificate and a diploma were awarded. From 1939 to 1943, a professional certificate and diploma were awarded for three years' work. A four-year degree program was inaugurated in 1940 and the first degree was granted in 1944.<sup>51</sup>

The establishment of the Louisiana Negro Normal and Industrial School increased to two the number of State-supported teacher-training institutions for Negroes, the other existing institution being Southern University.

At this same time, however, there were in operation four State-supported teacher-training institutions restricted to white persons.

Private teacher-training institutions plus the teacher-training department of Southern University and the

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<sup>51</sup> Dr. Helen L. Richards, Chairman, Report of the Committee on History and Philosophy, Grambling, Louisiana, Grambling College, 1955, p. 2-5.

Louisiana Negro Normal and Industrial School were not turning out teachers fast enough to meet the demands of the Negro school population. Superintendent Cox reported on the teacher shortage in the following manner:

We need more and better facilities for training Negro teachers, principals, and supervisors on both the under-graduate and the graduate levels. Opportunities for training for specialized types of educational services are very limited. The two State teacher-training institutions are rendering excellent service, but they do not have facilities and staff sufficient to train all the Negro teachers needed in Louisiana. (...) Our educational program and planning, State and local, include schools for all and school attendance by all of the State's children. Already many classrooms are packed to over-flowing with Negro children.<sup>52</sup>

Thus, for the period 1900 to 1945, inequalities existed in terms of teaching personnel in the schools for Negroes and those for members of the white race. There was a higher pupil-teacher ratio in the schools for Negroes causing overcrowded conditions. Negro teachers' salaries were lower than those of white teachers and a shorter school session reduced their yearly earnings even further. There were not enough teacher-training institutions to provide a sufficient supply of adequately trained Negro teachers.

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<sup>52</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 49-50.

#### 4. The Schools.

In comparing schools and facilities for Negro and white children, more importance must be placed upon the size and value of school property than on the total number of schools provided for each race. The program of consolidation which had been taking place in the schools for white children would make a count of the number of schools provided for each race a very inaccurate criterion for judging equality.

There were 918 schools for Negroes in the year 1900. Most of these were the one-teacher type and were housed in churches, old buildings, or any places that the school boards could acquire. They were generally inferior in construction and in facilities. No value was given for this school property in 1900 but, in 1905, school property provided for Negro use was valued at \$250,000.<sup>53</sup>

By the 1924-25 session, the number of schools for Negroes in the State had increased to 1,430. Much of the credit for this increase should be attributed to the philanthropic efforts of Mr. Julius Rosenwald. He provided a strong stimulus to the Negro school building program. His efforts induced the Negroes themselves to take an interest in the education of their children and to contribute as

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<sup>53</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 19-23.

liberally as their means would permit towards providing proper educational facilities. He also directed the attention of the parish school boards to the necessity of having the Negro school children in decent buildings, constructed to meet the requirements of school children and teachers.<sup>54</sup>

Of the 1,430 schools for Negroes in the State, 1,036 were of the one-teacher type. Although it was fully realized that by consolidating many of these small rural schools into one large school far better educational facilities could be provided for Negro children, public sentiment would not permit the expenditure of public funds for transporting rural Negro children to a larger school center.<sup>55</sup> The total value of this school property was placed at approximately \$2,250,000.<sup>56</sup>

The number of school buildings for Negro use increased to 1,680 by 1945. Of these, 867 were still the one-teacher type.<sup>57</sup> Their estimated value was placed at \$8,559,485.72.<sup>58</sup>

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54 -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 19-23.

55 Ibid., p. 45.

56 Ibid., p. 19.

57 -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 180.

58 Ibid., p. 86.

The rural Negro elementary school could not fully meet the needs of those pupils in attendance and consequently many Negro children did not attend school at all. In an effort to alleviate these conditions, the State Department of Education began working with local parish school boards trying to develop plans for buildings, school consolidation, and pupil transportation. However, by 1944-45 no State funds had as yet been appropriated for transportation of Negro pupils. The public sentiment which existed in 1924-25 against this endeavor was gradually disappearing. In a few parishes, transportation for a small number of Negro children was provided at the expense of the parish.

An investigation of the situation as it existed for members of the white race revealed that in 1900 there were 8,303 schools provided for white educables. They were generally of the one-teacher type also. Forty of them, however, were of brick construction. Their value was placed at \$2,850,000.<sup>59</sup>

By 1925, the number of schools for white children had decreased to 1,800. Their value had increased to \$41,000,000, however. Only 539 schools were of the one-teacher type. The schools for white children had been in the

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<sup>59</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 18-19.

process of consolidating since the year 1900 and the State was furnishing the children with transportation to these centrally located schools.

During the 1924-25 session, 1,487 transfers were used to accommodate more than 46,000 rural white children. It cost approximately \$800 to operate each transfer and the cost for transporting each child amounted to \$24.45. The total cost of operation of the transfers for the year amounted to \$1,126,628.<sup>60</sup>

For the session 1944-45, the number of schools for white children amounted to 879. Only sixty-nine of these were of the one-teacher type.<sup>61</sup> Although the number of schools had decreased to a little less than fifty per cent of those existing in 1925, the total value of school property provided for white children had almost doubled itself. It now amounted to \$78,681,499.03.<sup>62</sup>

The number of white children being transported to consolidated schools had more than tripled. Transportation was provided for 144,590 children at a cost of \$3,383,098.74 to the State.<sup>63</sup>

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<sup>60</sup> -----, Annual Report of the State Department of Education for the Session 1924-1925, Op. Cit., p. 43-44.

<sup>61</sup> -----, Ninety-Sixth Annual Report for the Session 1944-45, Bulletin No. 585, Op. Cit., p. 180.

<sup>62</sup> Ibid., p. 86.

<sup>63</sup> Ibid., p. 87.

Thus, an examination of schools provided for Negro and white children during the period 1900 to 1945 revealed that when the two educational systems began the schools for the white children far outnumbered those provided for the Negro children. The schools for both races were generally the one-teacher type.

By 1945, although the Negro educable population amounted to approximately two-thirds of the number of white educables, there were almost twice as many schools for Negroes as there were for white children. The schools for Negroes were still generally the one-teacher type. The schools for white children, however, were generally large, well-constructed, consolidated schools.

A more accurate estimate of the inequalities existing in schools for Negroes may be obtained by considering the total value of school property for Negroes and whites. In 1944-45, the value of school property provided for Negroes amounted to \$8,559,485.72 whereas the value of school property provided for white children amounted to \$78,681,499.05. Additionally, for the same session, the State spent \$3,385,098.74 providing transportation for white children to consolidated schools. Nothing had been spent for transportation of Negro children.

### 5. Summary.

An investigation of the educational system provided for white children and that provided for Negroes revealed gross inequalities.

When the two systems started, fifty-nine per cent of the white educables were enrolled in school as compared to thirty-two per cent of the Negro educables. Although both systems progressed in this area, by 1925 some type of education, public or private, was available to all the white children in the State. In comparison, however, by 1945, considering both public and private schools, only 79.4 per cent of the Negro children were receiving the benefits of an education. For this same year, the cost of operation for each pupil of average attendance was \$113.30 for white pupils and \$34.06 for Negroes.

The curriculum in the Negro schools was originally planned for social usefulness. It contained those subjects which would prepare the Negro for work in his environment. By 1945, however, the pattern was changing. High schools were being built and academic education was becoming available to Negro children. The abilities and needs of the Negro boys and girls were beginning to be considered.

Academic education for white children had always been available and, as early as 1925, when there were only four high schools in the State for Negroes, a high school was within reach of every white child.

Although the planned curriculum in the two school systems was the same in 1945, the size of the schools for Negroes limited the program which could be offered.

For the entire period 1900 to 1945 inequalities existed in terms of teaching personnel in the dual system of education. Overcrowded conditions and a high pupil-teacher ratio prevailed in the schools for Negroes. Lower salaries, a shorter school year, and less teacher-training institutions were other inequalities.

There were two and a half times as many schools for white children as for Negroes in 1900 but, by 1945, the number of schools for Negroes exceeded those provided for whites. It must be remembered that in 1900 most of the schools for Negroes and whites were one-teacher schools. In 1945, most of the schools for Negroes were still one-teacher schools. The schools for whites had consolidated and relatively few one-teacher schools were in existence. Considerable expenses were incurred by the State in transporting white children to these consolidated schools.

Although the number of white educables was one and one-half times the number of Negro educables in the State, the total value of school property for white children was nine times the value of those provided for Negroes.

The Negro populace was beginning to realize that separate educational facilities would never be equal.

When provision of separate schools for the white and Negro races was first written into the State Constitution, equal facilities were not provided. For the next twenty-five years, as the two systems developed, the system for white children far outstripped the system for Negro children. And forty-five years later, although some attention had been given to education for Negroes, there still existed no semblance of equality.

Since it appeared that segregated educational facilities would never be equal, Negro leaders began to take steps to abolish the dual system of public education. Their efforts will be discussed in the following chapter.

## CHAPTER V

### PRESENT STATUS - BEGINNING OF DESKOREGATED EDUCATION

Desegregation of the public schools in Louisiana started at the university level, dropped to the first grade of the elementary level, and then proceeded to the secondary schools. Although at this writing Louisiana is still operating its dual system of public education, school desegregation has started in two parishes and the legal restrictions have been removed to clear the way for complete school desegregation throughout the State. The abolition of this dual system of public education remains now but a matter of time; time enough for Negroes to apply for admission to presently all-white schools, and time enough for the citizens in general to realize that desegregation is imminent, that violence and lawlessness will only reap bitterness and unnecessary suffering for many more years. The State cannot progress unless all of its citizens move forward with it.

The differences which existed between schools for white children and those provided for Negroes have been considered in the previous chapter. As the two systems developed, the schools for Negroes progressed but still did not become comparable to those provided for the white race.

This chapter will show how the Negro, realizing that education for his children would always be inferior

in caliber as long as two separate systems maintained, proceeded to eliminate the dual system of education. Section one will consider various efforts towards desegregation at the university level. This affected only a relatively small number of persons. In section two, some of the problems accompanying desegregation of the public elementary schools in New Orleans will be discussed. Because of the multitudinous litigations and legislated acts passed, only the significant ones will be considered. New Orleans, the largest city in the State, encompassing the entire parish of Orleans, has pioneered in educational activities. It was the first city to desegregate its local school system. Section three will contain a few paragraphs devoted to subsequent desegregation in parish schools. Section four will summarize the chapter.

#### 1. Initial Efforts.

The Louisiana State Constitution made provisions for the establishment of public elementary and secondary schools for Negroes as well as whites. Through Acts of the Legislature, Southern University and Grambling College were both created for the undergraduate college training of Negro students.

Probably due to the many requests by Negroes for entrance into the Graduate School of Louisiana State

University, the Legislature at its Regular Session in 1946 passed Act No. 142.<sup>1</sup> The purpose of this Act was to provide for the specialized, professional, and graduate training of Negro residents, comparable to that provided for white residents, at schools and colleges located outside of the State of Louisiana so that they might return and serve the State as teachers and in other capacities according to their respective abilities and the opportunities afforded them. An allotment of fifty thousand dollars was provided for the fiscal year 1946-47 and an equal sum for the year 1947-48, or as much thereof as may be necessary to provide Negro students with the aforementioned opportunities.

Notwithstanding this attempt by the Legislature to satisfy the Negroes' desire for graduate education and still maintain segregated schooling by allowing a stipend to Negro students attending graduate schools outside the State, a Negro student applied for admission to the Louisiana State University Law School. Since he was qualified in all respects, the State immediately took steps to open a Law School at Southern University.

This was done in consideration of the case brought before the United States Supreme Court by Lloyd Gaines, a

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<sup>1</sup> State of Louisiana, "Act No. 142, An Act: Making certain appropriations for educational purposes", in Acts of the Legislature, Regular Session, 1946, p. 412-413.

Negro student, against the Registrar of the University of Missouri. Gaines was refused admission to the Law School of the University of Missouri because of his race. Lincoln University is provided for Negro students who are residents of Missouri. Lincoln University did not have a Law School. As in Louisiana, the State of Missouri paid the expenses of Negro residents to attend school out-of State for those courses which are not offered at Lincoln University. The court ruled that:

The admissibility of laws separating the races in the enjoyment of privileges afforded by the State rests wholly upon the equality of privileges which the law gives to the separate groups within the state. (...) By the operation of the laws of Missouri a privilege has been created for white students which is denied to Negroes by reason of their race. The white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. This is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another state does not remove the discrimination.<sup>2</sup>

It was further ruled that the

(...) petitioner was entitled to be admitted to the Law School of the State University in the absence of other and proper provision for his legal training within the State.<sup>3</sup>

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<sup>2</sup> Ernest Knaebel, Reporter, "Missouri ex rel. Gaines v. Canada, Registrar of the University of Missouri, December 12, 1938", in United States Reports, Vol. 305, 1939, p. 337-354.

As a result of this, the Louisiana State Board of Education recommended that the State Director of Higher Education, Dean Paul M. Hebert of the Louisiana State University Law School, and Dr. Felton G. Clark, President of Southern University, prepare plans for the establishment of a law school at Southern University. Their plans were approved by the Board at its meeting on January 10, 1947.

The Legislature appropriated forty thousand dollars for the operation of the law school for the 1947-48 session. The employment of a dean, a law librarian, and the development of a law library were the main problems facing Dr. Clark.

By June 1947, several faculty members had been secured. Professor A.A. Lenoir, a member of the Southern University Law School faculty, was given the responsibility of acting dean. The Southern University faculty was to offer the beginning courses. Lectures on Louisiana Civil Law were to be given by faculty members of the Law School of Louisiana State University.

Dean Hebert and his staff assisted greatly in compiling a list of books and other materials needed by the school.

In September 1947, the Southern University Law School opened its doors with an enrolment of eight students. All were Louisiana residents who were in their first year of law. Southern University's library served as temporary

quarters for the school. In spite of its limited staff and facilities, all requirements of the American Bar Association and the American Association of Law Schools had been met.<sup>4</sup>

The establishment of a Law School at Southern University only delayed the entrance of Negroes into Louisiana State University but the inevitable was soon to occur. It happened as a result of the case filed by Roy S. Wilson, a Negro resident of Louisiana, against the Board of Supervisors of Louisiana State University. Mr. Wilson applied for admission to the Law School of Louisiana State University because, as he charged, the Law School at Southern University did not provide equal advantages or facilities. His application was not accepted on the grounds that he was a member of the Negro race and the State of Louisiana provides separate educational facilities for white and Negro students. After a thorough investigation of the facilities provided by the two institutions in question, a decision was rendered by a three-judge court on October 7, 1950. The opinion of the court was that the defendant Board's refusal to accept Wilson was a denial of a right guaranteed to the plaintiff

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<sup>4</sup> State Department of Education of Louisiana, Bulletin No. 646, Ninety-Eighth Annual Report for the Session 1946-47, Baton Rouge, 1947, p. 27-28; and Bulletin No. 658, Ninety-Ninth Annual Report for the Session 1947-48, Baton Rouge, Published by Authority, 1949, p. 15-16.

by the Fourteenth Amendment of the United States Constitution.<sup>5</sup>

Through similar court action Negroes soon gained entrance to other departments of the graduate school of Louisiana State University.

Probably the most difficulty was experienced by Negroes in gaining entrance to the undergraduate school. Mr. Alexander P. Tureaud, Jr. sought admission to the combined six year arts and science and law course at Louisiana State University. Since he was a member of the Negro race his application was not accepted. Mr. Tureaud filed a suit against the Board of Supervisors of the University.

The defendants suggested that the plaintiff could go to Southern University and take the arts and science part of the course and, if he was not satisfied with the Law School at Southern University, he could transfer to Louisiana State University's Law School.

The plaintiff's reply was that the arts and science part of the combined course offered at Southern University is not substantially equal to the arts and science part of the combined course offered at Louisiana State University and that a Negro completing his arts and science credits at

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<sup>5</sup> "Roy S. Wilson v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, October 7, 1950", in the Federal Supplement, Vol. 92, 1951, p. 986-989.

Southern University would not be given his arts and science degree by Louisiana State University after completing his first year of law as would a student who took his arts and science as well as law at Louisiana State University.

The court investigated the allegations made and discovered that although the State of Louisiana endeavors to maintain an adequate school of arts and science at Southern University, the three year arts and science part of the combination arts and science and law curriculum offered by Southern University is not equal to its corresponding part at Louisiana State University.

Also, according to the exclusion policy of Louisiana State University a Negro would be required to take the arts and science part of the course at Southern University, if he were dissatisfied with Southern's Law School, transfer to Louisiana State University for one year of law, and then return to Southern University for his arts and science degree. A non-Negro could pursue all of his education and receive his degree from the one institution.

Accordingly, the court was of the opinion that denying the plaintiff admission to the combined arts and science and law curriculum at Louisiana State University solely because of his race and color was denying him a right

guaranteed by the Fourteenth Amendment. The decision was handed down September 11, 1953.<sup>6</sup>

On October 28, 1953, the Board of Supervisors appealed the decision rendered. It was reversed on the grounds that since the case concerned State statutes and an order of the Board of Supervisors in violation of the Federal Constitution, a District Court of three judges was required and a one-judge court had no authority to render a decision.<sup>7</sup>

On May 24, 1954, Mr. Tureaud's case was again argued in the United States Court of Appeals for the Fifth Circuit. The decision in the case of *Brown v. Board of Education of Topeka*, the standard for segregation cases in education, had been rendered on May 17. It was recommended that the case be reconsidered in the light of this decision and the conditions that now prevail.<sup>8</sup>

Further arguments ensued as to whether or not Mr. Tureaud's case was one of class action, before Negroes were

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6 "Tureaud v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College et al., September 11, 1953", in the Federal Supplement, Vol. 116, 1954, p. 248-255.

7 "Board of Supervisors of Louisiana State University and Agricultural and Mechanical College et al. v. Tureaud, October 28, 1953", in the Federal Reporter Second Series, Vol. 207, 1954, p. 807-813.

8 "Alexander P. Tureaud, Jr., a Minor, by Alexander P. Tureaud, Sr., his Father and Next Friend, petitioner, v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, May 24, 1954", in the Supreme Court Reporter, Vol. 74, 1954, p. 784.

finally permitted to enter the undergraduate school of Louisiana State University and other formerly all-white colleges provided by the State.

## 2. Desegregation in New Orleans.

The first efforts to desegregate a parish public school system in Louisiana occurred in New Orleans on September 4, 1952, when Earl Benjamin Bush filed a case against the Orleans Parish School Board seeking desegregation of the public schools in Orleans Parish. Bush did not seek entrance into any particular public school. The case was considered as class action endeavoring to prove that Article XII, Section I, of the Constitution of the State of Louisiana, which required that "separate free public schools shall be maintained for the education of white and colored children between the ages of six and eighteen years",<sup>9</sup> violates the civil rights of the Negro.

The case was tabled pending the arguing of a similar case, "Brown et al versus the Board of Education of Topeka et al",<sup>10</sup> before the United States Supreme Court.

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<sup>9</sup> Constitution of the State of Louisiana of 1921, with all Amendments up to 1930, Baton Rouge, published by Authority, 1930, p. 245.

<sup>10</sup> Walter Wyatt, Reporter, "Brown et al. v. Board of Education of Topeka et al., May 17, 1954", in United States Reports, Vol. 347, 1954, p. 483-496.

Brown's case was argued December 9, 1952, reargued December 8, 1953, and a decision was rendered on May 17, 1954. The opinion of the court was delivered by Mr. Chief Justice Warren. Speaking of education, he said:

Today, education is perhaps the most important function of state and local governments. (...) In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.<sup>11</sup>

Referring to the specific question at hand: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other 'tangible' factors may be equal, deprive the children of the minority group of equal educational opportunities? The opinion of the court was that it does.

Mr. Chief Justice Warren explained this opinion by saying:

To separate them (Negro grade and high school children) from others of similar age and qualifications solely because of their race generates a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely ever to be undone.<sup>12</sup>

He concluded the opinion of the court with the statement that:

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<sup>11</sup> Wyatt, Op. Cit., p. 493.

<sup>12</sup> Ibid., p. 494.

In the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.<sup>13</sup>

This is in direct opposition to the decision rendered in the case of Plessy versus Ferguson. Mr. Justice Warren referred to numerous present day psychological studies concerning the effect of segregation upon the personality development of children of minority groups. They are not listed here since the writer is not trying to prove the validity of the Supreme Court's decision but merely giving the decision and its effects upon public education of the Negro.

Due to the fact that the segregation cases before the Supreme Court involved a variety of local problems and conditions and their disposition would be affected by these factors, rearguments on the question of relief were heard April 11 through April 14, 1955, and the opinion and judgments were announced May 31, 1955.

School authorities were given the primary responsibility for elucidating, assessing, and solving their own local problems. The Courts were given the responsibility of deciding whether or not the school authorities were acting

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<sup>13</sup> Wyatt, Op. Cit., p. 495.

in good faith and complying with constitutional principles. Because of the possible need for further hearings and an appreciation of local conditions, cases pending were returned to the courts which originally heard them.<sup>14</sup>

After the first decision in the Brown case in 1954, the Louisiana Legislature met and passed Act No. 752, part of which stated that:

All public elementary and secondary schools in the State of Louisiana shall be operated separately for white and colored children. This provision is made in the exercise of the State police power to promote and protect public health, morals, better education and the peace and good order in the State, and not because of race.<sup>15</sup>

This Act was subsequently voted upon in the November 2 election and became an Amendment to the State Constitution.

This same Legislature also passed Act No. 555<sup>16</sup> which did not permit the accreditation of integrated schools and deprived them of receiving public funds and free textbooks;

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<sup>14</sup> Walter Wyatt, Reporter, "Brown et al. v. Board of Education of Topeka et al., May 31, 1955", in United States Reports, Vol. 349, 1955, p. 294-301.

<sup>15</sup> State of Louisiana, "Act No. 752, A Joint Resolution: Proposing an amendment to Section I of Article XII of the Constitution of Louisiana", in Acts of the Legislature, Regular Session, 1954, p. 1338-1339.

<sup>16</sup> -----, "Act No. 555. An Act: In the exercise of the police power of the State of Louisiana; to provide that all public elementary and secondary schools in the State of Louisiana shall be operated separately for white and colored children in order to promote and protect public health, morals, better education, and the peace and good order in the State", in Acts of the Legislature, Regular Session, 1954, p. 1034-1036.

and Act No. 556<sup>17</sup> which gave each Parish Superintendent the authority to determine the particular public school to be attended by each child applying for admission to a school within the parish. Persons dissatisfied with their assignments were permitted to appeal to the Parish School Board and, if still not satisfied, they could ask for a hearing in the District Court.

On February 15, 1956, a three-judge Federal Court ruled that no new Federal Constitutional question was involved in the Bush case. They ruled that the provisions of the Louisiana Constitution and statutes requiring or permitting segregation of races in public schools in exercise of State police power are invalid under the United States Supreme Court ruling as depriving Negro children of equal protection of the laws.<sup>18</sup>

The case was therefore remanded to the district judge who ruled that the provisions of Acts 555 and 556 were invalid since they were a part of the legislative plan to maintain segregation in schools. Moreover, the court found

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<sup>17</sup> State of Louisiana, "Act No. 556. An Act: To amend Title 17 of the Louisiana Revised Statutes of 1950 by adding thereto a new section to be designated as R.S.17: 81.1, relative to the power of the Superintendent in public school assignments and provisions for review", in Acts of the Legislature, Regular Session, 1954, p. 1036-1037.

<sup>18</sup> "Karl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants, February 15, 1956", in the Federal Supplement, Vol. 138, 1956, p. 336-342.

that the assignment act itself was invalid since it provided no standards for the assignments, except race. A decree was therefore issued, enjoining the school board from requiring or permitting segregation of races in parish schools after such time as may be necessary to arrange for admission of children on a racially non-discriminatory basis. This was to be accomplished with all deliberate speed.<sup>19</sup>

In 1956, the Legislature met and passed two Acts again aimed at thwarting the anti-segregation decree of the Supreme Court. Act No. 28<sup>20</sup> nullified or suspended the compulsory school attendance law within any public and/or private school system wherein integration of the races has been ordered by the courts.

Act No. 319<sup>21</sup> pertained to the classification of public schools in cities with a population over 300,000. The schools presently used for the education of white children would remain exclusively for the use of white

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<sup>19</sup> "Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants, February 15, 1956", Op. Cit., p. 337.

<sup>20</sup> State of Louisiana, "Act No. 28. An Act: To amend and re-enact Section 221 of Title 17 of the Louisiana Revised Statutes of 1950 relative to compulsory school attendance of certain children", in Acts of the Legislature, Regular Session, 1956, p. 68-69.

<sup>21</sup> -----, "Act No. 319. An Act: To establish a method of classification of public school facilities in any city with a population in excess of three hundred thousand", in Acts of the Legislature, Regular Session, 1956, p. 654-656.

children and those presently used by Negro children would remain exclusively for the use of Negro children. New schools would be classified as white or Negro schools by a Special School Classification Committee of the Legislature. The Legislature was given the sole right to classify or re-classify schools. In the public schools white teachers were to teach white children only and Negro teachers were to teach Negro children.

When an injunction was issued against the Orleans Parish School Board, the Board moved to vacate the order of injunction on the grounds that it was powerless to comply due to the classification of the Schools Act. The District Court denied the school board's motion and found the classification act unconstitutional.

On July 15, 1959, the District Court ordered the school board to submit a plan for desegregation by March 1, 1960. Although the date was later extended to May 16, 1960, still no plan was forthcoming from the school board. Attorney General Jack P.F. Gremlion asserted that since, after further litigation, the State Court of Appeals found the classification act constitutional, the school board was powerless to comply with Judge Wright's orders until the Legislature classified the schools.

When May 16 arrived and still no desegregation plan had been submitted by the Orleans Parish School Board,

Judge Skelly Wright ordered a plan of his own, based upon a grade-a-year desegregation. The text of part of his order is quoted below:

It appearing that on February 15, 1959, the defendant herein was ordered to desegregate the public schools with all deliberate speed; It appearing further that on July 15, 1959, the defendant herein was ordered to file a plan for desegregation by March 1st, 1960; it appearing further that on October 9th, 1959, the time for filing the plan was extended to May 16, 1960; it appearing further that, on this date, May 16, 1960, the defendant has failed to file a plan:

It is ordered that, beginning with the opening of school in 1960, all public schools shall be desegregated in accordance with the following plan:

A. All children entering the first grade may attend either the formerly all-white public school nearest their home, or formerly all Negro public school nearest their home, at their option.

B. Children may be transferred from one school to another provided such transfers are not based on consideration of race.<sup>22</sup>

Although at its regular session in 1958, the Legislature passed Act 256<sup>23</sup> which authorized the Governor to close any school which would become integrated, when the Legislature

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<sup>22</sup> "Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants, May 16, 1960", Civil Action Case No. 3630, Document No. 75, an unpublished record found in the Records Room of the United States Supreme Court in New Orleans.

<sup>23</sup> State of Louisiana, "Act No. 256. An Act: To authorize the Governor, as chief magistrate of the State, to secure justice to all, preserve the peace, and promote the interest, safety, and happiness of all of the people by closing any racially mixed public school or school under court order to racially mix its student body", in Acts of the Legislature, Regular Session, 1958, p. 831-833.

net in 1960, it passed Act 495<sup>24</sup> which gave the Governor the power to close all the public schools in the State if any one was ordered to integrate. Act 496<sup>25</sup> passed at this same session of the Legislature reenacted the classification law and made it applicable to every parish in the State. It also gave the Governor the authority to take control of the schools in any parish where the parish was under a specific court order to integrate. Act 333<sup>26</sup> stipulated that no supplies nor public funds would be allotted to any integrated school within the State.

The Orleans Parish School Board conducted a poll among the parents of public school children. Their object was to determine whether the parents would prefer to keep

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24 State of Louisiana, "Act No. 495. An Act: To authorize the Governor of this State to preserve the peace and promote the interest, safety and happiness of all the people by closing all public schools when any public school or school system is, by court order, racially integrated in whole or in part", in Acts of the Legislature, Regular Session, 1960, p. 946-948.

25 -----, "Act No. 496. An Act: To establish a method of classification of public school facilities in all parish and city school systems to provide for the exclusive use of school facilities therein by non-Negro and Negro children respectively and the mode of changing the classification of any school therein", in Acts of the Legislature, Regular Session, 1960, p. 948-950.

26 -----, "Act No. 333. An Act: To prohibit the furnishing of free school books, school supplies or other school funds or assistance to integrated schools; and to provide penalties for the violation of provisions of this Act", in Acts of the Legislature, Regular Session, 1960, p. 679.

the schools open even though a small amount of integration would occur, or if they would rather have the schools closed than integrate at all. A very small majority favored keeping the schools open.

About this time an organization of citizens, who called themselves Save Our Schools, Inc., made themselves heard. They took no stand as to the relative merits of desegregation or segregation. Their one objective was to keep the public schools open. They began an intensive campaign to apprise the public of the dangers involved in eliminating public education.

After two appeals, one by the Orleans Parish School Board on June 26, 1960, and the other by Attorney General Gremillion on July 19, 1960, for a stay of Judge Wright's desegregation order proved useless, the Orleans Parish School Board instructed Superintendent Redmond to draw up plans for the following: 1) desegregation of the schools on a grade-a-year basis; 2) a program of continued segregation; and 3) a program for closing the New Orleans Public Schools.

The Board's President, Lloyd Rittiner, stood firm for the preservation of Louisiana's system of public education. Although he felt that the schools would not open on time in September, he did express his belief that they would eventually re-open on a desegregated basis. He felt that desegregation was imminent.

Exercising the authority vested in him under the terms of Act 496<sup>27</sup> on August 17, Governor Davis seized control of the Orleans Parish Public Schools. He appointed Superintendent Redmond to continue operating them as his agent.

The National Association for the Advancement of Colored People had filed a suit in Federal Court requesting that Governor Davis and Attorney General Gremlion be restrained from interfering with Judge Wright's order. A similar suit was filed on August 17 by white parents. These two suits were combined and a decision was rendered on August 27 by a three-judge Federal Court. It restrained Governor Davis or any other State official from interfering with the operation of the Orleans Parish public schools; it returned control of the schools to the elected school board; it enjoined the Legislature from enforcing the provisions of Acts 333, 495, 496, and 542 of 1960, Act 256 of 1958, Act 319 of 1956, and Act 585 of 1954 of the Legislature of Louisiana dealing with school closure. It ordered the Orleans Parish School Board to comply with Judge Wright's ruling, and it cited Attorney General Gremlion for contempt

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<sup>27</sup> State of Louisiana, "Act No. 496", Op. Cit., p. 948-950.

because of his unprofessional behavior both inside and just outside of court.<sup>28</sup>

State Superintendent of Public Education, Shelby M. Jackson, threatened Negro teachers with loss of their jobs and Negro children with loss of educational opportunities if desegregation occurred. This threat had little bearing, however, on the Negro populace.

On August 31, after hearing an appeal by the Orleans Parish School Board for a stay in the desegregation order, the date for desegregation was changed to November 14, 1960.<sup>29</sup>

Dr. Redmond was ordered by the school board to immediately prepare a plan for combined grade-a-year, pupil assignment transfers. The seventeen provisions of the Louisiana's Pupil Placement Act were applied to the 136 Negro applicants for transfer to white schools. Of this number only five, all girls, were able to meet the rigid requirements.

Mr. Emile Wagner, unlike his fellow board members, advocated the operation of the schools by the State Legislature or the abolition of the public school system in

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<sup>28</sup> "Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants. Harry K. Williams et al., Plaintiffs, v. Jimmie H. Davis, Governor of the State of Louisiana, et al., Defendants, August 29, 1960", in the Federal Supplement, Vol. 187, 1961, p. 42-46.

<sup>29</sup> The Times-Picayune, New Orleans, "Delay in New Orleans School Mix until November 14 is granted", a news item in Vol. 124, No. 220, issue of August 31, 1960, p. 1, col. 8.

Louisiana and in its place tuition grants which would enable pupils to attend private schools. The other four moderate board members were under fire from the White Citizens Council who held public meetings and circulated petitions advocating their removal from office.

On September 8, the Orleans Parish Public Schools opened still on a segregated basis.

At the request of the Governor, a special session of the Legislature convened on November 4. The bills introduced were an appropriation measure, a sweeping interposition measure, seven laws that had been declared unconstitutional were repealed, and five formerly repealed laws were reenacted. Although the attention of the Legislature was called to the fact that interposition was neither durable nor legal and that it would result in swift Federal intervention in the affairs of Louisiana, all bills went through both houses with very little opposition. They were signed into law by the Governor, November 8.<sup>30</sup> A legislative committee was appointed to operate the New Orleans public schools.

On this same day in the election held in New Orleans, Matthew Sutherland, whose term on the school board had

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<sup>30</sup> State of Louisiana, Acts of the Legislature, First Extraordinary Session, 1960, Baton Rouge, published by Authority, 1960, p. 1-48.

expired, was re-elected to maintain his position for another term. The fact that his platform was for open schools even though some desegregation was necessary, as opposed to the other candidates who would prefer seeing an end to public education rather than permit any desegregation whatsoever, indicated that the people of New Orleans were willing to accept some desegregation in order to preserve the public school system.

On November 13, twenty-four hours before desegregation was to take place, the Legislature was called back to Baton Rouge. It addressed the four moderate members on the school board out of office and dismissed Dr. Redmond and the school board attorney, Samuel Rosenberg. It also seized the funds of the Orleans Parish School Board and forbade the banks to lend it money.<sup>31</sup> This was done in retaliation to Judge Wright's orders restraining the legislative school committee and over seven hundred State and local officials from interfering with the operation of the New Orleans public schools.<sup>32</sup>

As a final means of delaying desegregation, State Superintendent Shelby Jackson proclaimed November 14 as a

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<sup>31</sup> The Times-Picayune, New Orleans, "Assembly Acts to Block School Mixing", a news item in Vol. 124, No. 295, issue of November 14, 1960, p. 1, col. 5.

<sup>32</sup> Ibid., "U.S. Judge Enjoins Legislature", a news item, p. 1, col. 7-8.

school holiday throughout the State. It was observed by all parishes except the Parish of Orleans. State police were quickly dispatched to New Orleans to enforce the closure but met with no success.

Public schools opened as usual on Monday morning, November 14. Four Negro girls, however, were observed entering the first grade at the William Frantz and McDonogh No. 19 Schools, which hitherto had been attended only by white children. The fifth child eligible for transfer withdrew from school.

The wisdom of the school board is questioned in initiating desegregation at these two schools. Both are located in the Ninth Ward, an area ill-prepared to meet such a challenge. It includes several public housing projects and is characterized by a low socio-economic and educational level.

The Negro children were accompanied to school by Federal marshalls. All of the white children withdrew from school except two at the Frantz school. Reverend Lloyd Fereman and Mrs. Daisy Gabrielle continued to send their daughters. The boycott at McDonogh No. 19 was completely effective except for three days in January 1961 when John

Thompson sent his children to school. After three days of braving the boycott, the Thompsons left town.<sup>33</sup>

On November 30, a three-judge court granted the request of the petitioners in the Williams case that injunctions be issued to prevent further interference with the New Orleans schools. It also granted a request by M.H. Many, the United States Attorney, for an injunction against State and local officials to prevent them from executing the penalty provisions of the Interposition Act. It held that the measure addressing the Orleans Parish School Board out of office and three related measures constituted attempted evasion of Federal orders and invalidated them. A request by the school board that desegregation orders be set aside until the local case had been finally decided by the Supreme Court was denied.<sup>34</sup>

The Legislative Committee approach was now abandoned and the Legislature itself assumed control of the New Orleans schools. Finances were becoming a problem since the Legislature had denied support to integrated schools. Dr.

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<sup>33</sup> United States Commission on Civil Rights, The New Orleans School Crisis, Washington, U.S. Government Printing Office, 1961, p. 20.

<sup>34</sup> "Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants. Harry K. Williams et al., Plaintiffs, v. Jimmie H. Davis, Governor of the State of Louisiana, et al., Defendants. United States of America, Plaintiff, v. State of Louisiana et al., Defendants, November 30, 1960", in the Federal Supplement, Vol. 188, 1961, p. 916-938.

Redmond announced that the November teacher payroll could not be met by the school board. On November 23, the Legislature authorized payment of all Orleans Parish school employees except the teachers at the Frantz and McDonogh No. 19 Schools and the administrative staff.<sup>35</sup> Money to pay the salaries of the teachers at these two schools was loaned by a citizen who preferred to remain anonymous. The administrative staff, however, went unpaid. The Whitney National Bank was removed as fiscal agent for the State.

By the end of November, several parents in the Frantz School area, realizing that their children were going uneducated, appealed to Save Our Schools for aid in returning their children to school. A carlift was organized with volunteer drivers from the uptown section of New Orleans. They were subjected to insults and abuses from the mobs who daily assembled around the school. The parents of the white children who returned to school were plagued by insults and threats of physical violence. Their homes were stoned and defaced and many of the fathers lost their jobs. The car carrying Yolanda Gabrielle was chased two miles by a truck which tried to ram it. Finally, James Gabrielle, unemployed and friendless, moved his family to Rhode Island in search

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<sup>35</sup> The Times-Picayune, New Orleans, "Teachers of New Orleans to be Raid--Davis", a news item in Vol. 124, No. 304, issue of November 23, 1960, p. 1, col. 8.

of democracy.<sup>36</sup> City police did very little to curtail the violence of the mob. Threats against the drivers of the carlift became so intense that on December 8, Federal marshalls began transporting the white as well as the Negro children to school.

Acting on a petition filed by the National Association for the Advancement of Colored People and the United States, on December 21, the United States District Court restrained the Governor, the Attorney General, the Legislature and other State officials from appointing or abetting the appointment of the school board created by Act 2<sup>37</sup> of the 1960 second extraordinary session of the Legislature; ordered the banks to honor school board cheques; restrained the Legislature from transferring Orleans school funds from local banks into Legislative Special Account No. 1; restrained the Legislature from replacing Rosenberg with Gremillion as school board attorney; and cited Lt. Governor Aycock, Speaker of the House, Jewell, and State Superintendent of Education, Jackson, for contempt for their refusal to pay

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<sup>36</sup> The Times-Picayune, New Orleans, "We'll Never Come Back", a news item in Vol. 124, No. 319, issue of December 8, 1960, p. 13, col. 5.

<sup>37</sup> State of Louisiana, "Act No. 2. An Act: To revise, amend and reenact Section 181 of Title 17 of the Louisiana Revised Statutes of 1950, which was repealed by Section 2 of Act No. 25 of the first Extra Session of 1960, so as to create the School Board of the Parish of Orleans", in Acts of the Legislature, Second Extraordinary Session, 1960, p. 52-54.

the salaries of the administrative school personnel and the teachers at the desegregated schools.<sup>38</sup>

The teachers in the Orleans Parish Public schools were again late in receiving their December pay cheques, the Legislature at first having refused to issue them. Finally, the city released to the school board its share of the city taxes held in escrow and the teachers at the integrated schools and the administrative personnel received their salaries.

At a third special session of the Legislature, a bill to levy an additional one cent sales tax, for the purpose of financing a tuition grant system, was defeated in the Senate.

The four moderates on the Orleans Parish School Board were ousted from the Louisiana School Board Association. In January, however, they, along with Dr. Redmond, were honored at a dinner given by a citizens committee with over sixteen hundred persons in attendance.<sup>39</sup>

The boycott at the McDonogh No. 19 school remained in effect until the end of the school year. Only one Negro

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<sup>38</sup> "Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants, December 21, 1960", in the Federal Supplement, Vol. 190, 1961, p. 861-867.

<sup>39</sup> The Times-Picayune, New Orleans, "School Leaders to be Honored", a news item in Vol. 125, No. 6, issue of January 30, 1961, p. 5, col. 4.

girl remained in attendance. The three Negro girls continued to attend the Frantz School whose white enrolment fluctuated, having risen as high as twenty-three. It was quite evident that the parents in this community desired to send their children to school but feared physical and economic threats and reprisals.

Notwithstanding the sordid reflection cast upon the city by the small but verbal and lawless group of citizens who would defy the edicts of even the highest court in the nation, the school year 1960-61 saw the beginning of desegregation of public schools in the city of New Orleans.

### 3. Subsequent School Desegregation.

Public schools in New Orleans opened for the 1961-62 session without incident. Mayor Victor Schiro, who had replaced Mayor Morrison, instructed the Superintendent of Police to take whatever steps he considered necessary to prevent racial outbreaks and demonstrations. With this firm policy established by the local authorities staunch segregationists opened many private schools and instructed their pupils to seek State grants-in-aid to attend them.

The number of integrated public schools in New Orleans and the number of Negro pupils attending them continued to increase. By the session 1963-64, twenty-six formerly all-white public elementary schools were attended by 347 pupils.

A lone white child was attending one formerly all-Negro elementary school. Additionally, fourteen Negroes were attending the Benjamin Franklin Senior High School for Superior Students.<sup>40</sup>

The 1963-64 session marked the spread of desegregation to other parishes in the State. In East Baton Rouge Parish, twenty-eight Negro seniors were admitted to four formerly all-white high schools.<sup>41</sup> Although no school desegregation has yet occurred in Plaquemines Parish, several of the Negro schools are being boycotted. Desegregated educational facilities here and in neighboring parishes are imminent.

#### 4. Summary.

It has been seen that the Louisiana State Constitution provided for separate public education for Negroes at the elementary and secondary levels. Through Acts of the Legislature provisions were made for their undergraduate college education. In order to ensure segregation at the

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<sup>40</sup> The Times-Picayune, New Orleans, "Mixed Schools in New Orleans Total 26", a news item in Vol. 127, No. 229, issue of September 10, 1963, Sec. 3, p. 5, col. 4.

<sup>41</sup> The New Orleans States-Item, "Member Quits Biracial Groups", a news item in Vol. 67, No. 117, issue of October 24, 1963, p. 13, col. 7-8.

graduate level the Legislature passed Act No. 142 which provided for Negro graduate education outside of the State of Louisiana.

Notwithstanding this attempt by the Legislature to maintain the status quo, a Negro applied for admission to the Law School of Louisiana State University. Knowing that the provisions of Act No. 142 would not stand up in court, the Legislature immediately established a Law School at Southern University.

This inferior Law School at Southern University did not satisfy Negro graduate students. In 1950, through court action, a Negro was admitted to the Law School at Louisiana State University. He won his case on the grounds that the Southern Law School did not offer the facilities and advantages equal to those provided by the Law School at Louisiana State University. Through similar court action, Negroes were admitted to other areas of the graduate school of Louisiana State University.

Considerably more difficulty was experienced by Negroes in gaining admission to the undergraduate school of Louisiana State University. A suit involving class action was filed against its Board of Supervisors by Alexander P. Tureaud, Jr. His argument also was one of unequal educational opportunities. As a result of this case and the 1954 Supreme Court decision, Negroes were admitted to the

undergraduate school of Louisiana State University and also other formerly all-white colleges supported by the State.

The city of New Orleans maintained its educational leadership in the State. The Orleans Parish Public School System was the first parish system to desegregate its schools. This was not accomplished, however, without considerable litigation, legislative action, racial outbursts, and violence which focused national attention upon an otherwise law abiding city.

Public school desegregation has continued to progress in Louisiana. In New Orleans additional schools are being desegregated and more Negro pupils are now attending formerly all-white schools. For the session 1963-64, East Baton Rouge Parish started desegregating its schools beginning at the senior high school level. No school desegregation has as yet occurred in Plaquemines Parish but considering the present restlessness of its population, some changes are imminent. It appears only a matter of time before Louisiana will eliminate its dual system of public education.

## SUMMARY AND CONCLUSIONS

This thesis traces the development of public education for Negroes in Louisiana in the light of its racial and social background. In order to study educational development the problem was posed: What effect has racial segregation had upon the development of public education for Negroes? It was hypothesized that radical segregation has retarded the development of public education for Negroes in Louisiana to such an extent that it became necessary to take steps to abolish the dual system of public education.

The subject was divided into five chapters for study: Chapter I - Background and Beginnings of Public Education for Negroes in Louisiana; Chapter II - Education during Reconstruction; Chapter III - Education during Home Rule; Chapter IV - Separate but (not) Equal Education; and Chapter V - Present Status, The Beginning of Desegregated Education.

In order to afford an understanding of the social climate in which public education for Negroes had its origin, chapter one considered the ethnic background of the people of Louisiana, the problems experienced in establishing a system of public education for the white inhabitants of the State, and the conditions under which public education for Negroes started.

The early development of Louisiana's system of education was within a cultural pattern predominately French. It was influenced by a caste system based upon race and economics. Although the white race predominated, social stratification according to wealth prevailed within this group.

The Free-People-of-Color were next on the social scale. Although disliked, they were tolerated. This may have been the result of guilt feelings for their existence harbored by many members of the white race or because their wealth guaranteed them social acceptance.

The Negro occupied the lowest stratum. He owned nothing. He was brought to Louisiana to work as a slave and his value was only in terms of his usefulness to his master.

During the Territorial Period, the major objectives for advocating education of the masses were self-government and statehood. The Negro could not be a functioning part of either of these, therefore his education was not considered.

After Louisiana was admitted into the Union, several attempts were made to establish a system of public education. This was of little concern to the Negro. The provisions of the Black Code made him ineligible for its benefits. They also restricted the activities of the Free-People-of-Color.

In 1845, a Constitution was written which contained provisions for public education. This was for white children only. Another Constitution was written in 1852 which embodied substantially the same provisions.

The declaration of war between the States and the freedom of the slaves precipitated initial efforts at public education for the Negro in Louisiana. General Banks, the Federal officer placed in command of Louisiana after it fell to the Union forces, issued General Orders No. 38 establishing schools throughout the State for the newly emancipated Negro.

In 1864, under military occupation, Louisiana adopted another Constitution. It freed the slaves, nullified the provisions of the Black Code, and included public education for all children in the State. However, because of his racial and social classification, education for the Negro got off to a late start. It began by an order from a Federal general and only afterwards did the State assume its responsibility to its Negro populace.

Chapter two considered the seemingly rapid advances which education for Negroes made and the antagonism which this created among many members of the white race during the Reconstruction Period.

Although the Constitution of 1864 authorized education for all children, the State provided nothing for Negro children during the early years of the Reconstruction Period.

In 1868, a new Constitution, which directed a radical change in education in the State was adopted. Schools were opened to everyone regardless of race, color, or previous condition. There were to be no separate schools for whites and Negroes.

Shortly thereafter the Freedmen's Bureau which was given control of the schools established by General Banks transferred all of its holdings to the State Department of Education.

Mr. Conway, the new State Superintendent of Public Education, met with considerable opposition in trying to enforce the provisions of the new Constitution. Many white persons would have preferred to abolish the State's system of public education rather than have Negroes and whites attend school together.

The resentment to mixed schools reached a feverish pitch when William G. Brown, a Negro, was elected State Superintendent. The people of New Orleans who had led the State in all other educational activities were most demonstrative in expressing their disapproval. Local newspapers encouraged the white high school boys to acts of violence and lawlessness. These youths visited the formerly all-white schools and forcefully ejected anyone who, by visual examination, appeared to be Negro. Their wrath was not only directed towards the Negroes but towards anyone who endeavoured to fulfill the requirements of the State Constitution.

The State's allotment from the Peabody Fund, under the supervision of Mr. Lusher, was used to provide and maintain private schools for white persons who refused to attend public schools with Negro children.

The racial hatred which developed during the Reconstruction Period far outlasted the rapid progress in public education which Negroes experienced.

Chapter three, discussed Education during Home Rule. This period was characterized by an educational setback for Negroes when Reconstruction ended and the Federal troops were recalled.

Mr. Lusher was again elected to the office of State Superintendent of Public Education. In spite of Constitutional stipulations he encouraged local authorities to provide separate schools for whites and Negroes as they deemed necessary. Maintaining his position as local agent of the Peabody Fund, Mr. Lusher now diverted a portion of Louisiana's allotment to the separate schools for Negroes.

In 1879, another Constitution was adopted which stated nothing concerning mixing of the races in schools. It additionally provided for the establishment of a university for the higher education of persons of color.

Southern University was established. Besides granting degrees in Arts and Letters, it served as a high school and a Normal school for the Negro boys and girls of the

State. Thus, Louisiana advanced a step further by providing a State-supported teacher-training institution for its prospective Negro educators.

In 1896, the United States Supreme Court concurred with the decision of the State Supreme Court, in the case of Plessy versus Ferguson, by upholding the validity of Louisiana's segregation laws concerning transportation. The State took advantage of this rationale for separating the races and, in 1898, adopted another Constitution which made separate schools for whites and Negroes mandatory.

Coming to the aid of the Negro at this time were various organizations and individuals whose guidance and financial support assisted the development of his educational system. Foremost among these were the Louisiana Education Association, formerly the Louisiana Colored Teachers Association, whose greatest contribution was the promotion of professionalism among Negro educators; the Slater Fund which provided County Training Schools for the education of Negro rural teachers; the Anna F. Jeanes Foundation which hired itinerant teachers, trained in handicrafts, whose duties were to assist the teachers in several small rural schools; and later, the Rosenwald Fund, which cooperated with other agencies but also stressed a rural school building program.

In spite of the assistance which these agencies rendered to the separate schools for Negroes, education for Negroes was in a very poor condition.

Although the opinion of the United States Supreme Court, as delivered by Mr. Justice Brown in the case of Plessy versus Ferguson, was used as the authority for providing separate educational facilities for whites and Negroes in Louisiana, little consideration was given to the underlying proposition upon which it was based. "Separate but equal" meant nothing to those charged with the responsibility of administering the dual system of education.

In chapter four, an investigation was made of the conditions existing in schools for white children and those for Negroes during the period from 1900 to 1945. The areas considered were those pertaining to pupils, to curricula offerings, to teaching personnel, and to school buildings. It was found that when the two systems began, none of these factors in the schools for Negroes were equal to those in the schools for white children. Twenty-five years later, although progress had been made, they had not yet become equalized.

In terms of the percentage of educables reached, in 1900, thirty-two per cent of the Negroes and fifty-nine per cent of the whites were enrolled in school. By 1945, this figure for Negroes had increased to 79.5 per cent.

Since 1925, however, some type of education, public or private, had been available to the total educable white population of the State.

In 1945, a great difference still prevailed in the cost of education for each pupil of average attendance. The yearly cost per Negro pupil was \$34.06 whereas the cost per white pupil amounted to \$113.30 for the same period.

The curriculum in the schools for Negroes was originally planned in terms of social usefulness. The Negro was trained to work in his environment. By 1945, however, educators were beginning to think in terms of the needs and abilities of the individual Negro pupils. Academic education on the secondary level was gradually being provided for them.

The needs and abilities of the white pupils had always been considered. The courses available to them were many and varied. As early as 1925 a secondary school providing academic education was within reach of every white pupil in the State.

By consolidating the small rural schools, a more extensive program was provided for the white children. In 1945, however, the vast majority of rural schools for Negroes were of the one-teacher and two-teacher types.

For the entire period 1900 to 1945, inequalities existed in terms of teaching personnel in the schools for Negroes and overcrowded conditions prevailed. The lower

salary of the Negro teacher was ensured by a shorter school session in the schools for Negroes. The number of teacher-training institutions available to Negroes could not adequately meet the demands of the Negro school population.

The great difference existing between the number of schools compared to the educable population for Negroes and whites in 1900 gradually disappeared by 1945. This would seem to be an approach towards equality until it is remembered that in 1945 most of the schools for Negroes were still of the one-teacher and two-teacher types whereas the schools for whites were of the large consolidated type. For the 1944-45 session the State spent \$3,383,098.74 providing transportation for 144,590 white children to these consolidated schools. State authorities were beginning to think in terms of consolidation and transportation for Negro pupils but as yet no tangible evidence existed.

A better indication of the inequality which existed in the area of schools and facilities for whites and Negroes is the value of school property. The total value of Negro school property in 1945 was \$8,599,485.72 compared to the \$78,681,499.03 value of white school property. The number of white educables in the State was approximately one and one-half times the number of Negro educables yet the value of school property for white children was a little more than nine times that provided for Negro children.

The Negro populace realized that separate educational facilities would never be equal. As long as segregated education was maintained, provisions for his children would always trail those of the white children. It therefore was necessary to abolish the dual system of education.

Chapter five considered initial efforts at school desegregation, desegregation in New Orleans, and the present status of school desegregation in Louisiana. This chapter reviewed the process of desegregation which started at the university level. In 1950, through court action, a Negro was admitted to the Law School of Louisiana State University. Through similar court action, Negroes were admitted to other departments of its graduate school.

Considerably more difficulty was experienced by Negroes in gaining admission to the undergraduate school of Louisiana State University. A suit involving class action was filed against its Board of Supervisors by Alexander P. Tureaud, Jr. His argument was based upon unequal educational opportunities. As a result of this case and the 1954 Supreme Court decision, Negroes were admitted to the undergraduate school of Louisiana State University and other formerly all-white colleges supported by the State.

The first parish public school system to desegregate was that of Orleans. This was not accomplished, however, without considerable litigation, legislative action, racial

outbursts, and violence which focused national attention upon an otherwise law abiding city.

Public school desegregation has continued to progress in Louisiana. In New Orleans, additional schools are being desegregated and more Negro pupils are now attending formerly all white schools. For the session 1963-64, East Baton Rouge Parish started desegregating its schools beginning at the senior high school level. No school desegregation has yet occurred in Plaquemines Parish but considering the present restlessness of its population some changes are imminent. It appears only a matter of time before Louisiana will eliminate its dual system of public education.

Thus did public education for Negroes in Louisiana develop. Because of racial segregation and the Negroes servile status, education was not afforded them when it was initiated for the rest of the populace.

The war between the States changed the Negroes' social status and a Federal military order provided his first free education. It was only after this that the State assumed its responsibility.

The influences of the Reconstruction Period gave the Negro a false sense of educational security by placing him on an equal basis with the rest of the population. This only created a greater hatred for Negroes among many members of the white race.

When Federal troops were removed from the State and local authorities assumed control of their own affairs, Negroes were again segregated in separate schools. This separation was approved by the United States Supreme Court with the understanding that equality would prevail.

Due to the State's financial inability to sustain two school systems and the unhealed wounds of Reconstruction, education for Negroes lagged behind that provided for whites. The two systems were not equal in terms of the educables reached, the curricula provided, the teaching personnel, and the schools. Racial segregation had retarded the development of public education for Negroes to such an extent that it became necessary to take steps to abolish the dual system of public education.

The process of desegregation in Louisiana is necessarily a slow one. Slow, because it has to readjust the southern white man's philosophy concerning what he had commonly termed "our southern way of life". In recent years it has become a matter of national concern.

One by one, however, the various parishes of Louisiana are in the process of admitting Negroes to formerly all-white schools. Many clear thinking white citizens are aiding this cause because they realize that the dual system of education penalizes the white child as well since monies

which can barely finance one school system adequately must be divided between schools for white and Negro children.

A single system of public education, available to all children of the State, meeting their specific needs, developing their full potential, and affording them the means of satisfying their highest aspirations, can be envisioned in Louisiana in the not too distant future.

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Eabree, Edwin R. and Julia Waxman, Investment in People, the Story of the Julius Rosenwald Fund, New York, Harper, 1949, viii-291 p.

A report by the president of the Rosenwald Fund concerning the progress made in providing school buildings for Negroes. It is important to this study because Julius Rosenwald not only financed school buildings for Negroes but his efforts also caused local authorities to become cognizant of the Negroes' needs when separate educational facilities were made mandatory.

Harris, Thomas H., The Story of Public Education in Louisiana, New Orleans, Delgado Trade School, 1924, vii-118 p.

First written as a Master's thesis at Louisiana State University. The development of public education in Louisiana is traced from the viewpoint of a State Superintendent by Thomas H. Harris, who held the position from 1908 to 1940. It is used in this study to indicate the typical attitude of an elected official towards the education of Negroes.

Haynes, J.K., "From the Executive Secretary's Desk-Sixty Years of History Challenge Us Today", in the Louisiana Education Association Journal, Vol. 40, No. 6, issue of November 1961, p. 4-5.

Herein are listed a few historical facts concerning the origin and development of the Louisiana Education Association. It is used in this study because it illuminates the efforts which Negro educators expended in their desire to become truly professional.

Knaebel, Ernest, Reporter, "Missouri ex rel. Gaines v. Canada, Registrar of the University of Missouri, December 12, 1938", in United States Reports, Vol. 305, 1939, p. 337-354.

Initial case in which grants-in-aid for Negroes to study out-of-State was declared a violation of their rights guaranteed by the Fourteenth Amendment. It is pertinent to this study because it was the forerunner of a case for desegregation at the university level in Louisiana.

Martin, Francis-Xavier, A General Digest of the Acts of the Legislature of the Late Territory of Orleans and the State of Louisiana, and the Ordinances of the Governor under the Territorial Government, Vol. 1, New Orleans, published by a resolve of the Legislature, 1816, 696 p.

One of the first compilations of laws published by a judge of the Supreme Court. It is used in this study to define the original status of the Negro in Louisiana and to indicate why education for him was not considered when education of the masses was advocated.

Redclay, Edward E., County Training Schools and Public Secondary Education for Negroes in the South, Washington, John F. Slater Fund, 1935, xviii-168 p.

A summary of the accomplishments of the County Training Schools, supported by the Slater Fund, in the training of Negro rural school teachers. It is important to this study because the County Training Schools were the only teacher-training institutions available to a substantial number of Negro teachers during the early years of segregated education.

Richards, Dr. Helen L., Chairman, Report of the Committee on History and Philosophy, Grambling, Louisiana, Grambling College, 1955, 12 p.

A summary of the founding, development, and purposes of Grambling College for Negroes. Its importance lies in the fact that this was the first State-supported institution devoted entirely to teacher-training for Negroes.

Robertson, Minns S., Public Education in Louisiana after 1898, Baton Rouge, Louisiana State University, 1952, xix-259 p.

A history of the major developments in public education in Louisiana for the fifty years from 1898 to 1948 written by one who was associated with the State Department of Education for twenty years. It is used in this study as a means of comparing progress made in public education for Negroes and whites.

Rowland, Dunbar, Editor, Official Letter Books of W.C.C. Claiborne, 1801-1816, Vols. 1 through 6, Jackson, Mississippi, State Department of Archives and History, 1917.

These are the letters of one of the most important men in the southwest from 1803-1816. They are used in this study to show the first attempts, even while Louisiana was still a Territory, at developing a system of education for the masses.

Southern University, Bulletin, Vol. 45, No. 1, issue of July 1958, 255 p.

A history of the founding and development of Southern University and Agricultural and Mechanical College. It is important to this study because Southern University was the first State-supported institution for the higher education of Negroes. For many years Southern University was used to maintain segregation at the university level.

State Department of Education of Louisiana, Annual and Biennial Reports of the State Superintendent of Public Education for the Years 1864 through 1962, published by Authority of the State of Louisiana subsequent to each school session.

These reports contain a survey of the tangible progress made in education during each preceding school year. They are used in this study to illustrate the State's rationale as to her provision for her Negro citizens.

State of Louisiana, Constitutions of the State of Louisiana, 1845, 1858, 1864, 1868, 1879, 1898, 1913, and 1921 as amended through the election of November 2, 1954, published by the Authority of the State of Louisiana subsequent to their adoption.

These are basic documents upon which all public school legislation depends. They are used to define the framework within which public education for Negroes developed.

State of Louisiana, "An Act: To amend several laws enacted on the subject of public schools within this State, and for other purposes", in Acts of the Legislature, First Session of the Fourth Legislature, 1819, p. 52-54.

-----, "An Act: To extend and improve the system of public education in the State of Louisiana", in Acts of the Legislature, First Session of the Fifth Legislature, 1821, p. 62-63.

-----, "An Act: To provide for the support and administration of parish schools and for other purposes", in Acts of the Legislature, First Session of the Eighth Legislature, 1827, p. 80-88.

-----, "Act No. 20. An Act: To authorize the municipalities of the city of New Orleans to establish public schools therein", in Acts of the Legislature, First Session of the Fifteenth Legislature, 1841, p. 21.

-----, "Act No. 155. An Act: To retrench the expenses of the State of Louisiana and to reduce the salaries and emoluments of certain officers", in Acts of the Legislature, Second Session of the Fifteenth Legislature, 1842, p. 444-450.

-----, "Act No. 67. An Act: To establish in the city of New Orleans a University for the education of persons of color; and to provide for its proper government", in Acts of the Legislature, Regular Session, 1860, p. 110-111.

-----, "Act No. 111. An Act: To promote the comfort of passengers on railway trains; requiring all railway companies carrying passengers on their trains in this State, to provide equal but separate accommodations for the white and colored races, by providing separate coaches or compartments so as to secure separate accommodations", in Acts of the Legislature, Regular Session, 1890, p. 152-154.

-----, "Act No. 214. An Act: In relation to free public schools and to regulate public education in the State of Louisiana", in Acts of the Legislature, Regular Session, 1912, p. 464-488.

-----, "Act No. 100. An Act: To provide a State Board of Education and parish school boards defining their duties and powers, and providing for the administration and supervision of the public schools of Louisiana", in Acts of the Legislature, Regular Session, 1922, p. 204-224.

State of Louisiana, "Act No. 161. An Act: Accepting the gift of the Lincoln Parish School Board", in Acts of the Legislature, Regular Session, 1928, p. 219-220.

-----, Act No. 142. An Act: Making certain appropriations for educational purposes", in Acts of the Legislature, Regular Session, 1946, p. 412-413.

-----, "Act No. 555, An Act: In the exercise of the police power of the State of Louisiana; to provide that all public elementary and secondary schools in the State of Louisiana shall be operated separately for white and colored children in order to promote and protect public health, morals, better education, and the peace and good order in the State; to provide penalties for the violation of provisions of this Act and to repeal all laws or parts of laws in conflict herewith", in Acts of the Legislature, Regular Session, 1954, p. 1034-1036.

-----, "Act No. 556. An Act: To amend Title 17 of the Louisiana Revised Statutes of 1950 by adding thereto a new section to be designated as R.S. 17: 81.1, relative to the powers of the superintendent in public school assignments and provisions for review", in Acts of the Legislature, Regular Session, 1954, p. 1036-1037.

-----, "Act No. 752. A Joint Resolution: Proposing an amendment to Section I of Article XII of the Constitution of Louisiana, relative to the State public educational system, police power, and special elections for amending Article XII", in Acts of the Legislature, Regular Session, 1954, p. 1338-1339.

-----, "Act No. 28. An Act: To amend and reenact Section 221 of Title 17 of the Louisiana Revised Statutes of 1950 relative to compulsory school attendance of certain children, and to add provision suspending said compulsory school attendance within public school districts, public school systems and/or private day school where integration of the races therein has been ordered by a judicial decree or other authority", in Acts of the Legislature, Regular Session, 1956, p. 68-69.

-----, "Act No. 319. An Act: To establish a method of classification of public school facilities in any city with a population in excess of three hundred thousand (300,000) to provide for the exclusive use of school facilities therein by white and Negro children respectively, the mode of changing the classification of any schools therein,

and to provide that white teachers shall teach only white children and Negro teachers shall teach only Negro children", in Acts of the Legislature, Regular Session, 1956, p. 654-656.

State of Louisiana, "Act No. 256. An Act: To authorize the Governor, as chief magistrate of the State, to secure justice for all, preserve the peace, and promote the interest, safety, and happiness of all the people by closing any racially mixed public school or school under court order to racially mix its student body", in Acts of the Legislature, Regular Session, 1958, p. 831-833.

-----, "Act No. 333. An Act: To prohibit the furnishing of free school books, school supplies or other school funds or assistance to integrated schools; and to provide penalties for the violation of provisions of this Act", in Acts of the Legislature, Regular Session, 1960, p. 679.

-----, "Act No. 495. An Act: To authorize the Governor of this State to preserve the peace and promote the interest, safety and happiness of all the people by closing all public schools when any public school or school system is, by court order, racially integrated in whole or in part", in Acts of the Legislature, Regular Session, 1960, p. 946-948.

-----, "Act No. 496. An Act: To establish a method of classification of public school facilities in all parish and city school systems to provide for the exclusive use of school facilities therein by non-Negro and Negro children respectively and the mode of changing the classification of any school therein", in Acts of the Legislature, Regular Session, 1960, p. 948-950.

-----, Acts of the Legislature, First Extraordinary Session, 1960, p. 1-45.

-----, "Act No. 2. An Act: To revise, amend and reenact Section 121 of Title 17 of the Louisiana Revised Statutes of 1950, which was repealed by Section 2 of Act No. 25 of the first extra session of 1960, so as to create the School Board of the Parish of Orleans", in Acts of the Legislature, Second Extraordinary Session, 1960, p. 52-54.

The foregoing acts are basic legislation concerning public schools in Louisiana. They are used in this study to provide the legal patterning of Louisiana's school system.

Territory of Orleans, "An Act: To institute a University in the Territory of Orleans", in Acts of the Legislature, First Session of the Legislature Council, 1805, p. 304-320.

-----, "An Act: To provide for the establishment of free public schools in the several counties of the Territory", in Acts of the Legislature, First Session of the First Legislature, 1807, p. 8-10.

The two foregoing acts are initial attempts to establish public schools in the Territory of Orleans. They contributed to the legal history of the development of public schools in Louisiana.

United States Bureau of the Census, U.S. Census of Population: 1960, General Population Characteristics, Louisiana, Washington, U.S. Government Printing Office, 1961, 108 p.

This publication contains statistics on the races in Louisiana and gives some of their significant features. It is used in this study to provide a background of the people in the State.

United States Commission on Civil Rights, The New Orleans School Crisis, Washington, U.S. Government Printing Office, 1961, vi-83 p.

The events which occurred during the desegregation of the public schools in Orleans Parish, the first parish system in the State to be desegregated, are herein described.

This publication is used to illustrate some of the initial resentment to school desegregation.

Wyatt, Walter, Reporter, "Brown et al. v. Board of Education of Topeka et al., May 17, 1954", in United States Reports, Vol. 347, 1954, p. 483-496.

In this case the United States Supreme Court ruled that the doctrine of separate but equal has no place in public education.

-----, "Brown et al. v. Board of Education of Topeka et al., May 31, 1955", in United States Reports, Vol. 349, 1955, p. 294-301.

The method for dealing with pending and subsequent cases was given.

The two foregoing cases were used in this study because they cleared the way for public school desegregation in Louisiana.

The following court cases, for which no reporters are given, are listed in chronological order.

"Ex Parte Plessy, December 19, 1892", in the Southern Reporter, Vol. 11, 1893, p. 948-951.

In this case, Act No. 111 of the State Legislature was upheld by the Supreme Court of Louisiana. It is pertinent to this study in that the State courts sanctioned racial segregation.

"Wilson v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, October 7, 1950", in the Federal Supplement, Vol. 92, 1951, p. 986-989.

This case concerns desegregation of the Law School and led to desegregation of other departments of the graduate school of Louisiana State University.

It is used in this study to indicate the initial steps towards public school desegregation.

"Tureaud v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College et al., September 11, 1953", in the Federal Supplement, Vol. 116, 1954, p. 248-255.

This case concerns desegregation of the undergraduate school of Louisiana State University. A judgment was rendered in Tureaud's favor because undergraduate courses at the white and Negro State universities were not comparable.

"Board of Supervisors of Louisiana State University and Agricultural and Mechanical College et al. v. Tureaud, October 28, 1953", in the Federal Reporter Second Series, Vol. 207, 1954, p. 807-813.

The Board's appeal was granted because the original case was not heard by a three-judge court.

"Alexander P. Tureaud, Jr., a minor, by Alexander P. Tureaud, Sr., his father and next friend, petitioner, v. Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, May 24, 1954", in the Supreme Court Reporter, Vol. 74, 1954, p. 784.

It was ruled that this case be considered in the light of the May 17, 1954 United States Supreme Court decision.

The three foregoing cases are of importance to this study because through them the undergraduate school of a formerly all-white State university was desegregated.

"Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants, February 15, 1956", in the Federal Supplement, Vol. 138, 1956, p. 336-342.

"Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants. Harry K. Williams et al., Plaintiffs, v. Jimmie H. Davis, Governor of the State of Louisiana et al., Defendants, August 29, 1960", in the Federal Supplement, Vol. 187, 1961, p. 42-46.

"Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants. Harry K. Williams et al., Plaintiffs, v. Jimmie H. Davis, Governor of the State of Louisiana, et al., Defendants. United States of America, Plaintiff, v. State of Louisiana et al., Defendants, November 30, 1960", in the Federal Supplement, Vol. 188, 1961, p. 916-938.

"Earl Benjamin Bush et al., Plaintiffs, v. Orleans Parish School Board et al., Defendants, December 21, 1960", in the Federal Supplement, Vol. 190, 1961, p. 861-867.

All of the Bush cases are class action cases concerning desegregation of the public schools in Orleans Parish. They are used in this study to show how deeply embedded in the minds of some of the people the idea of separate schools for whites and Negroes had become, and the efforts exerted by the State's highest public officials towards preserving the status quo.

APPENDIX 1

ABSTRACT OF

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### ABSTRACT OF

#### The Development of Public Education for Negroes in Louisiana

This thesis traces the development of public education for Negroes in Louisiana in the light of its racial and social background. In order to study educational development the problem was posed: What effect has racial segregation had upon the development of public education for Negroes? It was hypothesized that racial segregation has retarded the development of public education for Negroes in Louisiana to such an extent that it became necessary to take steps to abolish the dual system of public education.

The subject was divided into five chapters for study. In chapter one, Background and Beginnings of Public Education for Negroes in Louisiana, it was seen that the early development of Louisiana's system of education was within a cultural pattern predominantly French. It was influenced by a caste system based upon race and economics.

The major objectives for advocating education of the masses, while Louisiana was still a territory, were

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1 Mohamed J. Shaik, doctoral thesis presented to the School of Psychology and Education of the University of Ottawa, Ontario, September 1964, xvii-212 p.

self-government and statehood. The Negro could not partake of either of these, therefore his education was not considered.

When Louisiana was admitted into the Union as a state, its initial constitution contained nothing concerning education. Constitutions adopted in 1845 and 1852 provided public education for white children only. The provisions of the Black Code prevented education of Negroes.

War between the states and the freedom of the slaves precipitated initial efforts at public education of the Negro in Louisiana. General Banks, the Federal officer placed in command of Louisiana after it fell to the Union forces, issued General Orders No. 38 establishing schools throughout the State for the newly emancipated Negro.

In 1864, under military occupation, Louisiana adopted another Constitution. It freed the slaves, nullified the provisions of the Black Code and included public education for all children in the State.

Chapter two, Education during Reconstruction, considered the false sense of educational security afforded Negroes by the seemingly rapid progress which they experienced during this period. The Constitution adopted in 1868 not only provided education for all children but it prevented segregated schooling on the basis of race, color, or previous condition. There was open resentment to these provisions.

When William G. Brown, a Negro, was elected State Superintendent of Public Education, acts of lawlessness and violence occurred, particularly in the city of New Orleans.

The aftermath of Reconstruction, the return of Home Rule, was discussed in chapter three. The Constitution of 1879, by mentioning nothing concerning segregation, permitted local authorities to establish separate schools for white and Negro children.

Southern University was established for the higher education of Negroes. It also served as a high school and a Normal School for prospective teachers.

In 1896, the United States Supreme Court concurred with the decision of the State Supreme Court, in the case of Plessy versus Ferguson, by upholding the validity of Louisiana's segregation laws concerning transportation. The State took advantage of this rationale for separating the races and, in 1898, adopted another Constitution which made separate schools for whites and Negroes mandatory.

Coming to the aid of the Negro at this time were various organizations and individuals whose guidance and financial support assisted the development of his educational system.

The proposition underlying the United States Supreme Court decision permitting separation of the races was that civil and political equality would exist.

In chapter four, an investigation was made of the conditions existing in schools for white children and those for Negroes during the period from 1900 to 1945. Considering the pupils, it was found that the percentage of pupils reached and the per capita cost of education were lower in the schools for Negroes. The planned curricula of the schools for Negroes permitted only limited course offerings. In the area of teaching personnel, the schools for Negroes had a higher pupil-teacher ratio, paid lower salaries, and provided insufficient State-supported teacher-training institutions. Finally, schools for Negroes outnumbered those for whites. Small one-teacher schools were provided for Negro children whereas white children attended large consolidated schools. In value, however, school property for whites amounted to nine times that provided for Negroes, yet the white educable population was only one and one-half times the size of the Negro educable population.

The Negro populace realized that their segregated educational system would never be equal to the system provided for white children. Chapter five discussed the steps taken by the Negro leaders in desegregating Louisiana's system of public education. Desegregation started at the university level, moved to the elementary schools, and then to the high schools.

One by one, the various parishes of Louisiana are in the process of admitting Negroes to formerly all-white schools. The retardation caused in the development of public education for Negroes in Louisiana provoked by racial segregation is about to be eliminated through the adoption of a single system of public education in the State.