



INSTITUTE FOR COLORED YOUTH BUILDING (1866) BAINBRIDGE STREET, PHILADELPHIA
Courtesy of Harry C. Silcox

SCHOOL SEGREGATION IN NINETEENTH-CENTURY PENNSYLVANIA

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THE Pennsylvania Abolition Act of 1780 provided for the gradual abolition of slavery as well as the elimination of discriminatory laws, but it did not provide the black citizens of the commonwealth with equality. The general acceptance by whites of the concept of black inferiority and the fear of racial amalgamation or miscegenation led to segregation and discrimination in the social, political, and economic spheres of life. Blacks did not quietly accept these conditions.¹ They labored to improve their status by establishing various self-help organizations. Many considered educational activities to be the most important part of the self-help program since they saw education as a panacea for the problems facing the race.

Blacks have traditionally viewed education as a means of improving their condition in society. Their great faith in education was manifested in various ways. Leading black men established schools, formed literary societies, and urged others to take advantage of these institutions. Even though groups of philanthropic whites such as the Quakers established schools for the basic education of blacks, groups such as the African Methodist Episcopal Church also founded schools. Members of the black intelligentsia joined together to form literary societies which provided libraries and a forum for the exchange of ideas on topics of interest. During the ante-bellum period nine of these organizations were established in Philadelphia, and the black community in Pittsburgh supported two literary societies. Furthermore, state and national conventions of black men, which were held frequently prior to 1860, urged black people to improve

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¹ Stanley I. Kutler, "Pennsylvania Courts, the Abolition Act, and Negro Rights," *Pennsylvania History*, XXX (January, 1963), 14; Winthrop D. Jordan, *White Over Black: American Attitudes Toward the Negro, 1550-1812* (Chapel Hill, North Carolina, 1968), 543-544.

themselves through education. Nearly every convention called for improved education among blacks.²

Private schools and literary societies could not meet the needs of the black masses due to their small number and the expense involved in maintaining them. Most blacks, therefore, had to secure an education in the public schools which in many areas of the state were segregated. Some black leaders believed that segregated schools were improper and demanded that the public schools be integrated. They assumed that integrated schools would provide their children with a better education and would permit the children of both races to have rewarding contacts which would lead to the elimination of prejudice.³ This study will examine the efforts made by Pennsylvania's black citizens to acquire a decent education in the commonwealth's public schools and the results of their action.

Article seven, section one of the Pennsylvania Constitution of 1790 stated that each county should provide schools for the education of poor children and that the state would pay the salaries of the teachers. However, it was not until 1802 that the general assembly enacted a law to put this constitutional provision into effect. This act stipulated that private schools should admit poor children and that the state would reimburse them for doing so. Additional legislation passed in 1804 and 1809 strengthened the provisions of this act.⁴ Although these laws did not exclude black children from receiving an education at public expense, those in charge of education, especially in those areas with large black populations, often chose to ignore their needs because of increasing racial prejudice and the aversion of many whites to admitting them to the schools. Furthermore, many blacks did not send their children to school at public expense since they were required to declare that they were paupers in order to take advantage of these laws, and they

² Dorothy B. Porter, "The Organized Educational Activities of Negro Literary Societies, 1828-1846," *Journal of Negro Education*, V (October, 1936), 557; Howard H. Bell, "A Survey of the Negro Convention Movement, 1830-1861" (unpublished Ph.D. dissertation, Northwestern University, 1953), 262-263; Edward R. Turner, *The Negro in Pennsylvania: Slavery—Servitude—Freedom, 1639-1861* (New York, 1969), 129-130.

³ Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago, 1961), 143; Benjamin Quarles, *Black Abolitionists* (New York, 1969), 106.

⁴ Pennsylvania, Constitution of the Commonwealth of Pennsylvania (1790), art. VII, sec. 1; Pennsylvania, "Act of March 5, 1802," *Pennsylvania Laws*, 76; Pennsylvania, "Act of March 19, 1804," *Pennsylvania Laws*, 289-300; Pennsylvania, "Act of April 4, 1809," *Pennsylvania Laws*, 193-194.

did not want to be placed in the degrading position of being considered public charges.⁵

Not all whites were indifferent to the educational needs of Pennsylvania's black citizens. In 1795 the Pennsylvania Abolition Society appointed a committee to request that the general assembly meet its obligation under the 1790 constitution by establishing free schools for blacks. This action did not produce the desired results. Twenty-four years later the society petitioned the legislature to provide blacks with the share of the state school fund to which they were entitled. The legislature took affirmative action upon this request in 1820. The white citizens of the state apparently did not object to spending public funds for the education of blacks as long as the schools were separate.⁶

When local officials in Philadelphia, which had the largest black population in the state, did not move to provide a school for blacks, the abolition society appointed another committee to meet with the recently established board of controllers of the Philadelphia schools to request that the controllers comply with the law. The committee asserted that the law required all poor children to be educated at the expense of the state and that funds were available for this purpose. The controllers agreed with the position taken by the committee but argued that they had no building which could be used as a black school. The abolition society proposed a solution to this dilemma. It offered to provide a school building if the controllers would pay the teacher's salary. The controllers accepted this proposal, and in 1822 the first tax-supported school for blacks opened in the old Presbyterian Meeting House on Mary Street in Philadelphia.⁷

The first school acts did not provide for universal basic education in Pennsylvania. Therefore, a movement directed by the Pennsylvania Society for the Promotion of Public Schools developed to

⁵ Harry C. Silcox, "A Comparative Study in School Desegregation: The Boston and Philadelphia Experience, 1801-1881" (unpublished D.Ed. dissertation, Temple University, 1971), 142-143; Carter G. Woodson, *The Education of the Negro Prior to 1861: A History of the Education of the Colored People of the United States from the Beginning of Slavery to the Civil War* (New York, 1969), 307; Turner, *The Negro in Pennsylvania*, 130.

⁶ Minutes of the Committee for Improving the Condition of Free Blacks, 1790-1803. Pennsylvania Abolition Society Papers, Historical Society of Pennsylvania (HSP); Richard R. Wright, Jr., *The Negro in Pennsylvania: A Study in Economic History* (New York, 1969), 126; Woodson, *The Education of the Negro*, 309.

⁷ Edward Needles, *An Historical Memoir of the Pennsylvania Society for Promoting the Abolition of Slavery, the Relief of Free Negroes Unlawfully Held in Bondage, and Improving Conditions of the African Race* (Philadelphia, 1848), 69-70; Minutes of the Meetings of the Pennsylvania Abolition Society, March 30, 1820, Pennsylvania Abolition Society Papers, HSP.

agitate for the establishment of a general system of public education. This society had the support of leading Pennsylvanians such as Roberts Vaux and Thaddeus Stevens. Although the society slipped into oblivion after 1831 when the legislature provided for a common school fund, it had created an interest in public education among many influential citizens. Most noted among these individuals was Governor George Wolf who pressed the legislature to create a system of public schools in the commonwealth. The dream of those who labored for the cause of universal public education in Pennsylvania was achieved in 1834 when the general assembly passed an act to establish a general system of education by common schools which was popularly known as the free school law. The law established a network of common schools in Pennsylvania. Under this act blacks legally had the right to be admitted to any public school at which they presented themselves. However, the prevailing prejudice of whites against blacks was so great that many preferred to avoid attending the white schools. Blacks, therefore, attended segregated schools in areas where the black population was large enough to make separate schools economically feasible.⁸

There were many inadequacies in the free school law of 1834, and it became obvious that the law was in need of reform. This led to the passage of the school act of 1854. Section twenty-four of the law required school directors in districts with twenty or more black students to maintain segregated schools. In the absence of separate schools, the regular schools were to admit black children. The legislators included this section in the law because of the fear that white parents, especially those living in areas with large black populations, would take their children out of the common schools rather than permit them to attend racially mixed classes. This type of action would have destroyed the developing public school system.⁹

Although discriminatory in nature, the 1854 school law was an aid to blacks. Prior to 1854 many blacks remained away from the public schools. This act provided them with schools which they could attend without facing blatant prejudice in the classroom. It also

⁸ Pennsylvania "Act of April 1, 1834," *Pennsylvania Laws*, 170-179; James P. Wickersham, *A History of Education in Pennsylvania: Private and Public, Elementary and Higher, From the Time the Swedes Settled on the Delaware to the Present Day* (Lancaster, 1886), 290-316, 506; Joseph McCadden, *Education in Pennsylvania, 1801-1835: And Its Debt to Roberts Vaux* (Philadelphia, 1937), 270-300; Clara Harden, *The Negroes of Philadelphia: The Cultural Adjustment of a Minority Group* (Bryn Mawr, Pennsylvania, 1945), 103.

⁹ Pennsylvania, "Act of May 8, 1854," *Pennsylvania Laws*, 617-630; Wickersham, *A History of Education in Pennsylvania*, 506; Litwack, *North of Slavery*, 116.

increased the demand for black teachers in the segregated public schools. This occurred only in communities with sizeable black populations since black children continued to attend the racially mixed schools in districts where there were fewer than twenty of them in the student body.¹⁰

The cause of black education received a setback in February, 1869, when the general assembly passed a bill to consolidate the wards of Pittsburgh for educational purposes. Section fifty-four of this bill excluded blacks from attending the city's subdistrict schools. Although this section was in conflict with the provisions of the 1854 school act, none of the legislators seemed to be concerned with the inconsistency. The bill passed in both houses of the general assembly with no debate.¹¹ This was the last discriminatory school law passed by the Pennsylvania legislature.

The public schools established during the ante-bellum period were inadequate. The separate schools provided for blacks, like those for whites, were improving, but the conditions in these schools were discouraging. Due to the disproportionate distribution of school funds, classes frequently met in poorly ventilated and ill-equipped buildings. The teaching staff of the black schools was not always good. It was difficult to find well-trained black instructors, and competent white teachers avoided these positions because of the low wages and social ostracism which they faced if they taught in black schools. These factors led to a rapid turnover in the teaching staff. Furthermore, the curriculum in black schools was very elementary due to the belief in the mental inferiority of blacks which persisted in spite of individuals such as Anthony Benezet, the noted Quaker teacher, who denounced this idea as vulgar prejudice as early as the 1760s. In spite of their inadequacies, these schools provided an important service by teaching many blacks to read and write and by encouraging some to continue their education.¹²

Although most blacks in Pennsylvania realized that the education they received in the segregated schools was better than no education, they believed that their children could receive a better

¹⁰ Wickersham, *A History of Education in Pennsylvania*, 506; Woodson, *The Education of the Negro*, 310.

¹¹ Pennsylvania, *Legislative Record*, (February 2, 5, 1869), 177, 215-216; Pennsylvania, "Act of February 12, 1869," *Pennsylvania Laws*, 150-163.

¹² *The Christian Recorder*, September 14, 1876; Leslie H. Fishel, Jr., "The North and the Negro, 1865-1900: A Study in Race Discrimination" (unpublished Ph.D. dissertation, Harvard University, 1953), 35-36, 172, 206-207; Silcox, "A Comparative Study in School Desegregation," 191; Anthony Benezet, *A Short Account of that Part of Africa, Inhabited by the Negro* (Philadelphia, 1762), 8.

education only in integrated schools. They also considered integrated schools to be the key to improved relations between the races. Consequently, they protested against the commonwealth's segregated school system.¹³

Well-to-do black men, who felt the effect of racial discrimination more than their less fortunate brethren since they were trained for responsible positions which were closed to them, led these protests.¹⁴ For example, Robert Forten, a son of James Forten, the wealthy black sailmaker and leading abolitionist in Philadelphia, refused to send his daughter, Charlotte, to the segregated schools in Philadelphia. He sent her to Salem, Massachusetts, in order that she could attend an integrated school.¹⁵

Forten's brother-in-law, Robert Purvis, a wealthy black leader in Philadelphia, took another form of action to protest against school segregation. The school directors denied Purvis's children admission to the regular public schools in his township. They informed Purvis that his children would have to attend a school provided for blacks in a nearby village. Purvis considered this school to be a shanty and, therefore, provided tutors for his children in his home. Furthermore, he refused to pay his school tax, which was the highest in the township. He explained the reasons for his action in a letter written on November 4, 1853, to Joseph J. Butcher, the local tax collector. He stated that under the circumstances voluntary payment of the school tax was an outrage too great to endure. Unfortunately, Purvis's action failed to alter the segregation policy in the public schools.¹⁶

Most blacks did not have the financial means to educate their children outside the public schools. They, therefore, did what they could to aid the cause of integration while temporarily accepting the segregated schools. These schools were improving to some extent due to the efforts of men such as Jacob C. White, Jr., the highly respected black principal of Philadelphia's Roberts Vaux School. White used his influence with the school directors to settle many complaints raised by blacks, to secure jobs for black teachers, and to open the city's high schools to black students. Most blacks appreciated these efforts, but many continued to believe that their

¹³ Litwack, *North of Slavery*, 143.

¹⁴ Joseph Wilson, *Sketches of the Higher Classes of the Colored Society in Philadelphia by a Southerner* (Philadelphia, 1841), 95-97.

¹⁵ Charlotte L. Forten, *The Journal of Charlotte L. Forten* ed. Ray A. Billington (New York, 1953), 15-16.

¹⁶ *Liberator*, December 16, 1853.

children could achieve a better education only in integrated schools.¹⁷

Since most blacks had little or no influence as individuals, they united to agitate locally for integrated schools. Blacks in Allegheny City, which is now part of Pittsburgh, questioned the propriety of separate schools in October, 1871. The school directors dismissed the protest because they felt that the question of integration was improper. They stated that they provided blacks with a well-equipped school and a good teacher.¹⁸

Three months later the black citizens of Reading met to protest the exclusion of their children from the regular common schools of the city. They believed that the education blacks received in the separate schools was not adequate for gaining admission to high school and that only through integration could racial prejudice be eliminated. Those attending the meeting appointed a committee to present their grievances to the board of school controllers. At the regular meeting of the school board, held on February 19, 1872, the committee presented the resolutions passed by black citizens. The controllers rejected a proposal to immediately admit blacks to the regular public schools, but they did appoint a committee to meet with the delegation of blacks. At the next meeting of the school board, held on March 18, 1872, the controllers attempted to placate the black community by offering to provide a separate school with all the necessary conveniences. The blacks, however, would not compromise. They continued to press for admission to the regular public schools. One board member proposed integrating the schools at the beginning of the 1872-1873 school year, but the majority of the controllers continued to uphold the segregation policy.¹⁹ Blacks in Reading achieved the same results as their brethren in other parts of the state, continued segregation: Those who controlled the public schools either ignored the pleas of blacks or attempted to pacify them with unsatisfactory concessions. They remained unwilling to institute a policy of integration.

The failure of local protests to end segregation in the public schools caused blacks to turn their attention to legislative and judicial action in an attempt to alter the situation. Few blacks were members of the legal profession and none were members of the Pennsylvania general assembly. They needed the aid of whites for

¹⁷ *The Christian Recorder*, February 24, 1876.

¹⁸ *Pittsburgh Gazette*, October 4, 1871.

¹⁹ *Reading Eagle*, January 24, February 20, March 19, 1872.

this type of action and turned to the Republican party for assistance in their quest for equal education. They received aid from those Republicans who followed the example of national leaders such as Charles Sumner who fought for equal rights for blacks even in the face of great opposition. Beginning in 1872, blacks and their white allies set out to attempt to integrate the common schools of Pennsylvania.²⁰

The first of the discriminatory laws which came under attack was the Pittsburgh school act of 1869. On March 21, 1872, Senator George H. Anderson, an Allegheny County Republican, introduced a bill in the Pennsylvania senate to repeal section fifty-four of this law which excluded blacks from the city's subdistrict schools. Both houses of the legislature quickly passed the bill with no debate. This action ended the most blatant legal discrimination in the field of education.²¹

This law did not eliminate racial segregation in the public schools of the commonwealth since the discriminatory section of the 1854 school law remained in effect. Some school districts, however, did not strictly adhere to the provisions of the 1854 law. One law permitted adjoining school districts to cooperate in order to establish joint schools if the number of students in each district was not sufficient to warrant establishing a school in each district. Using the act, some school districts that had less than twenty black pupils combined to establish black schools. The first and third school districts of Wilkes-Barre used this scheme to institute a joint black school in the third district. A man named Brown, a black resident of the first district whose two children were denied admission to the regular common school of that district, questioned the legality of this action. He petitioned the Luzerne County Court of Common Pleas to grant a writ of mandamus ordering the school directors of the first school district to admit his children to the regular public school of that district. Brown argued that his children were excluded from the regular common school, which was located near his home, only because of their color. Furthermore, he charged that it was illegal to send children to schools outside the district where they resided unless it was inconvenient for them to attend the proper school. On March 21, 1873, the court ruled that the action of the school directors was illegal and granted Brown a writ of mandamus. This case eliminated the use of

²⁰ Wright, *The Negro in Pennsylvania*, 77, 180.

²¹ Pennsylvania, *Legislative Journal* (March 21, 28, April 2, 1872), 822, 983, 1081; Pennsylvania, "Act of April 9, 1872," *Pennsylvania Laws*, 1048-1049.

section twenty-four of the 1854 school law in combination with other laws to promote racial segregation in Luzerne County, but the discriminatory section of the 1854 law remained on the statute books.²²

The following year several senators attempted to have the discriminatory section of the 1854 school law repealed. Action aimed at this end began in the Pennsylvania senate on April 14, 1874, when Senator James L. Graham, a Republican from Allegheny County, introduced a bill to require the admission of all children over the age of six to the common schools of the state without regard to color. This was followed on April 16 by the introduction of a bill by Senator George H. Anderson to repeal all laws requiring school boards to maintain separate schools for the exclusive education of black children. These bills were combined because of their similar goal.²³

This bill was brought before the senate for discussion on May 5, 1874. The debate which ensued was partisan, with the Republicans favoring the bill and the Democrats opposing it. The Democrats claimed that there was no need for legislation of this nature since neither black nor white citizens had petitioned for a change in the existing school system. Furthermore, they asserted that integration would destroy the public school system since white parents would send their children to private schools rather than permit them to attend racially mixed classes. They also attempted to discredit the motives of the Republicans by charging that they were merely seeking the political support of the newly enfranchised black voters.²⁴ The Republicans attempted to counter these charges by pointing out that the prophecies of destruction of the army when blacks were permitted to join had never come to pass and that segregated schools violated the rights of blacks as defined by the Fourteenth Amendment to the United States Constitution. After the hostile debate ended, the bill was passed by a partisan vote of twenty to eleven.²⁵

The bill was sent to the house of representatives where the speaker assigned it to the education committee for study. It never emerged

²² Pennsylvania, *Commonwealth ex rel. Brown v. Williamson et al., School Directors and Co.*, 2 *Luzerne Legal Register* (1873), 211-214.

²³ Pennsylvania, *Legislative Journal* (April 14, 16, 30, 1874), 1152, 1214, 1527.

²⁴ Blacks in Pennsylvania lost their voting rights in 1838 when a new state constitution permitting only adult white males to vote was approved by the electorate. The ratification of the Fifteenth Amendment to the United States Constitution in 1870 voided the discriminatory provision of the Pennsylvania Constitution.

²⁵ Pennsylvania, *Legislative Journal* (May 5, 1874), 1622-1628.

from this committee. The general assembly adjourned on May 15, 1874, with the lower house having taken no action on the bill.²⁶

At the same time that the Pennsylvania senate was debating the bill providing for the admission of children to the common schools without regard to color, generally referred to as the mixed school bill, the United States Senate was considering Charles Sumner's civil rights bill. The major objection of the opponents of this bill concerned the provision for integrated schools.²⁷ It is possible to gain some insight into the forces working for and against the Pennsylvania mixed school bill by examining the opinions of the supporters and opponents of the Sumner bill.

Apparently the Republicans in the Pennsylvania senate followed the example of the Republican leadership in Washington. Several of the major supporters of the Sumner bill in Congress were from Pennsylvania. The most noted of these was William D. "Pig Iron" Kelley, whose trip to the South had impressed upon him the need for good education for blacks. He favored racially mixed rather than separate schools.²⁸ Republican leaders such as Kelley probably influenced the actions of the Republican leaders in Pennsylvania. Senator Thomas Cooper, a Delaware County Republican, noted during the debates on the mixed school bill in the Pennsylvania senate that Pennsylvania Republicans were trying to follow the national leaders in supporting this type of bill.²⁹

The rhetoric used both for and against the mixed school bill in the Pennsylvania senate was similar to that used in the United States Senate concerning the school provision of the Sumner bill. Republicans in the United States Senate, like their fellow party members in Pennsylvania, argued that blacks had the constitutional right to attend the regular public schools and that predictions of dire consequences made by Democrats when other institutions were integrated had never come to pass. The Democrats, on the other hand, stated that integration would destroy the public schools, that the only goal of the provision was to force unnatural association between the races, that prejudice could not be legislated out of existence, and

²⁶ *Ibid.*, (May 6, 1874), 1664; *Philadelphia Inquirer*, May 16, 1874.

²⁷ L. E. Murphy, "The Civil Rights Law of 1875," *Journal of Negro History*, XII (April, 1927), 122.

²⁸ Ira V. Brown, "William D. Kelley and Radical Reconstruction," *Pennsylvania Magazine of History and Biography*, LXXXV (July, 1961), 327; Alfred H. Kelly, "The Congressional Controversy Over School Segregation, 1867-1875," *American Historical Review*, LXIV (April, 1959), 544.

²⁹ Pennsylvania, *Legislative Journal* (May 5, 1874), 1627.

that the only reason the Republicans supported the bill was to get black votes in the next election.³⁰ Although there were differences on some points, the basic positions of those on both sides of the issue in Congress and in the Pennsylvania general assembly were similar. This seems to indicate that there was much contact between the state and national political leaders and that perhaps the leaders of both parties in Pennsylvania followed the dictates of their national counterparts.

It also appears that similar factors motivated Republicans in Congress and in the Pennsylvania legislature. Many of these men were true humanitarians and reformers who saw injustice and moved to correct the situation even when such action was very unpopular. However, the Democrats were also correct when they pointed out that some Republicans were merely attempting to secure the votes of blacks by supporting school integration.³¹ The similarities in rhetoric and motivation between the state and national political leaders and similar action taken in other states at this time seem to show that the action taken in Pennsylvania was part of a national program directed from Washington.³²

The reaction of the press in Pennsylvania to the state and national bills providing for integrated education was similar. Not even the Republican newspapers openly supported these bills. The Democratic press opposed the Pennsylvania mixed school bill because it applied only to public schools and not to private schools which catered to the wealthy. These papers made a similar charge against the school provision of the Sumner bill. They also accused both congressional and Pennsylvania Republicans of using these bills as bait to get the votes of blacks. According to these newspapers, this type of legislation was not necessary since neither black nor white citizens had requested it. They urged the voters to defeat those who supported these bills in the next election. The Democratic newspapers predicted a massive reaction of the voters against those who supported the controversial measures.³³

As the 1874 election drew near, the Republican leaders in Congress abandoned the Sumner bill. The mixed school bill in

³⁰ James S. Valone, "Prejudice and Politics: The Civil Rights Act of 1875" (unpublished M.A. thesis, The Pennsylvania State University, 1958), 38-80.

³¹ *Ibid.*, 105.

³² During the period 1867-1887 many northern states prohibited segregated schools. Michigan acted in 1867, Iowa in 1868, Connecticut in 1872, Minnesota in 1873, Illinois in 1874, Pennsylvania and New Jersey in 1881, and Ohio in 1887.

³³ *York Gazette*, May 11, 1874; *Harrisburg Patriot*, May 7, 9, June 2, 19, 25, 1874.

Pennsylvania had died in the house education committee. The Democrats, however, kept the issue alive in Pennsylvania by criticizing the strong stand which the state Republican convention took in favor of civil rights. The Democrats made this a major campaign issue by portraying the Republicans as mixed school candidates who were only interested in gaining the political support of blacks. The 1874 election was a major victory for the Democrats both nationally and in Pennsylvania. They gained control of the United States House of Representatives for the first time since the Civil War and seriously limited Republican power in the Senate. They won similar results in Pennsylvania where they gained a majority of twenty-one in the state house of representatives and reduced the Republican majority in the senate. The Democratic victory may have been the result of an off-year election where the majority party traditionally loses strength, but many Republicans believed that the civil rights issue caused their defeat.³⁴ As a result of the Republican defeat, the lame duck Republican-controlled Congress passed the Sumner bill without the school provision and Pennsylvania Republicans discontinued their efforts to integrate the public schools for several years.

Although the Republicans temporarily dropped their support for integrated schools, blacks did not give up hope. The Pennsylvania State Equal Rights League, an organization of blacks dedicated to the achievement of equal rights, issued an address "To the Colored People of Pennsylvania" during the summer of 1874. The broadside stated that the failure of Congress and the general assembly to enact legislation to provide for the equal rights of blacks was discouraging, but it urged blacks to unite and to continue to press for positive action.³⁵ Blacks in the commonwealth took heed of this suggestion. They petitioned the legislature every year from 1876 to 1880 urging that legal discrimination in the public schools of the state be ended.³⁶

It took several years before the efforts of blacks bore fruit. The first accomplishment came in 1879 when black students in Philadelphia obtained admission to the Central High School and the

³⁴ *Harrisburg Patriot*, November 7, 1874; Frank B. Evans, *Pennsylvania Politics, 1872-1877: A Study in Political Leadership* (Harrisburg, 1966), 125.

³⁵ Broadside, "To the People of Color of Pennsylvania," 1874, Leon Gardiner Collection, HSP.

³⁶ *Pennsylvania, Journal of the Senate*, 1878, 259; 1877, 332; 1878, 186; 1879, 814.

Girls' Normal School.³⁷ A year later the school directors in Pittsburgh placed blacks in the regular ward schools and high school departments.³⁸ The protests of blacks also brought their cause to the attention of leading educators. In December, 1880, James P. Wickersham, the state superintendent of public instruction, stated that in his opinion the 1854 school law did not absolutely require segregated schools. He also noted that if school directors established separate schools, they had to be equal to schools provided for whites in curriculum and accessibility.³⁹ The Teachers' Association of Allegheny County expressed its agreement with Wickersham's position in March, 1881.⁴⁰ This support gave the cause of integration a much needed boost.

Although blacks were obtaining the support of many whites, there was still a great deal of opposition among whites to integrated schools. In 1881 Henry J. Halliwell, secretary of the Philadelphia board of education, summarized the objections to integrated schools. Halliwell asserted that blacks did not learn as well as whites and, consequently, required special treatment in separate schools. He also claimed that blacks were given easier examinations than whites. He concluded that the admission of black students to the regular public schools would result in the lowering of the standards of education for whites.⁴¹

The continued aversion of many whites to integrated schools made voluntary desegregation impossible. As a result, blacks again turned to the courts in an attempt to abolish segregated schools. Elias H. Allen, a black resident of Meadville, applied to the school directors to admit his children to the Huidekoper Grammar School, the public school for the ward in which he lived. The directors informed Allen that he would have to send his children to the school provided for blacks. Allen petitioned the Crawford County Court of Common Pleas for a writ of mandamus ordering the controllers to admit his children to the Huidekoper school. Allen claimed that the directors violated his rights as defined by the Fourteenth

³⁷ Harry C. Silcox, "Philadelphia Negro Educator: Jacob C. White, Jr., 1837-1902," *Pennsylvania Magazine of History and Biography*, XCVII (January, 1973), 92.

³⁸ American Historical Society, *History of Pittsburgh and Environs* (New York, 1922), II, 355.

³⁹ James P. Wickersham, "Opinion of the Superintendent of Public Instruction in the Matter of Separate Schools in Allegheny City," *Pennsylvania School Journal*, XXIX (December, 1880), 251-252.

⁴⁰ James Dickson, "Formal Action of the Teachers' Association of Allegheny County," *Pennsylvania School Journal*, XXIX (March, 1881), 391-392.

⁴¹ *The Christian Recorder*, July 21, 1881.

Amendment to the United States Constitution. The school directors never answered this charge. They stated that they complied with section twenty-four of the 1854 school law by providing a school for blacks which was open the same number of days as the white school.

Judge Pearson Church ruled on May 9, 1881, that the Fourteenth Amendment protected the rights to life, liberty, and property of all citizens and their right to possess these rights freely and equally. Judge Church considered education to be property, which the Fourteenth Amendment protected. Furthermore, he noted that the white and black schools in Meadville were not equal since the white school was graded and the black school was ungraded. He did not attempt to decide which of the two plans was best, but it seemed to him that one of these plans was better than the other. The schools, therefore, were unequal. He also noted that the black school was not as convenient as the white school. Since the schools were not equal, the school directors of Meadville were violating section one of the Fourteenth Amendment. Judge Church granted a writ of mandamus ordering the school directors to admit Allen's children to the Huidekoper school.⁴² This decision was a major victory for blacks, but it did not apply to all areas of the state. Blacks in Pennsylvania needed action that would apply to every school district in the commonwealth.

The Pennsylvania senate took action aimed at statewide integration of the public schools while the Allen case was pending in Crawford County. Senator James Sill of Erie introduced a bill in the senate on April 1, 1881, to abolish all distinctions of race or color in the common schools of the state.⁴³ While the bill was awaiting its second and third readings, the senate received several petitions urging its passage. The petitions came from the Equal Rights League of Potter and Blair counties and from citizens of Reading, Oil City, Nickel Mines, and Williamsport. It appears that there was support for the bill throughout the state but that the rural areas and small towns gave it more support than the large urban centers. On May 26, 1881, the bill was brought up for discussion. There was no debate on this bill, and the senate passed it by a vote of thirty-six to zero.⁴⁴

The bill was then sent to the house of representatives where it was approved on June 6 by a vote of 109 to 35. Two days later Governor

⁴² *Meadville Crawford Journal*, May 13, 1881.

⁴³ Pennsylvania, *Legislative Record* (April 1, 1881), 888.

⁴⁴ *Ibid.* (May 26, 1881), 1943-1944.

Henry M. Hoyt signed the bill into law. This act provided blacks with a legal weapon which they could use to acquire an equal education.⁴⁵

While this bill was under consideration in the general assembly the newspapers of the state made no comment on it. As seen in the lack of discussion on this bill in the senate and the large majorities in both houses who voted for it, the bill had much greater support than the 1874 bill. The bill received bipartisan support. Although blacks constituted only 2 percent of the population of the state, they probably held the balance of power in some election districts. It appears that they were beginning to gain some benefit from the franchise.⁴⁶

Unfortunately, the 1881 law did not eliminate segregated schools. Cases soon came before the courts concerning the failure of the officials in charge of the common schools to put the 1881 law into effect. A case reached the Pennsylvania Supreme Court in 1882 regarding the failure of the school directors of Uniontown to admit the son of John Manaway, a black resident of that town, to the main public school. Manaway charged that the school directors denied his son admission to the main school because of his color. The directors avoided answering this charge. They asserted that they assigned Manaway's son to school number two because it was closer to his home. They did not mention that school number two was located only one hundred yards from the main school. They stated that Manaway's charge that they denied his son the privilege of an education was false. According to the school directors, the child was not receiving an education because his father would not permit him to attend the school to which they had assigned him. The Pennsylvania Supreme Court ruled on December 30, 1882, that the school directors of Uniontown violated the 1881 law and ordered the directors to admit black children into the main public school.⁴⁷

This decision did not eliminate segregated schools throughout the commonwealth since the 1881 law had no provision for punishing offenders. Local school directors, therefore, continued to evade the law. For example, the school directors of Philadelphia who had responsibility for admitting black students to the neighborhood

⁴⁵ *Philadelphia Inquirer*, June 7, 1881; *Philadelphia Public Ledger*, June 8, 1881; Pennsylvania, "Act of June 8, 1881," *Pennsylvania Laws*, 76.

⁴⁶ Ira V. Brown, "Pennsylvania and the Rights of the Negro, 1865-1887," *Pennsylvania History*, XXVIII (January, 1961), 56.

⁴⁷ *Kaine et al., School Directors v. The Commonwealth ex. rel. Manaway*, 101; *Pennsylvania State Reports* (1882), 490-495.

schools generally told blacks that there were no available seats for their children and that they would be informed if openings occurred.⁴⁸ James P. Wickersham noted in 1885 that nearly all separate schools for blacks remained. Although the regular public schools admitted some blacks, these pupils met with harsh treatment. As a result, many blacks petitioned to keep the separate schools.⁴⁹

Black teachers also hoped to keep the separate schools. If the schools were integrated, they would have lost their jobs due to the policy of having only white instructors to teach white children. Many black educators, such as Jacob C. White, Jr., realized that black schools provided opportunities for black teachers and for the development of black leaders while white institutions caused blacks to forget the problems of their own communities.⁵⁰ Some black teachers used their influence to save their positions. In 1886 a black teacher in Pennsylvania announced his candidacy for the office of lieutenant governor on the platform of saving the jobs for black teachers.⁵¹ Loyalty to black teachers combined with a fear of harsh treatment in white schools caused many black children to remain in separate schools even though they had the right to attend the regular public schools.⁵²

Although many communities in Pennsylvania with few black residents had never established segregated schools, by 1900 most small towns which had done so were complying with the provisions of the 1881 law. In those places the maintenance of separate facilities for blacks was too expensive. In areas, such as Philadelphia, where there were large black populations the school directors continued to evade the law. W. E. B. DuBois in his study of blacks in Philadelphia during the 1890s found that the school directors maintained a *de facto* system of segregation.⁵³

Even though segregated schools remained in operation in the cities, the quality of these schools slowly improved. DuBois found that the black public schools in Philadelphia had a reputation for ef-

⁴⁸ Mrs. Nichols to J. C. White, September 5, 1881; Louise Kromer to J. C. White, September 5, 1881; C. Richards to J. C. White, October 12, 1881, Leon Gardiner Collection, HSP.

⁴⁹ Wickersham, *A History of Education in Pennsylvania*, 506.

⁵⁰ *The Christian Recorder*, January 18, 1877.

⁵¹ *New York Freeman*, June 5, 1886.

⁵² W. E. B. DuBois, *The Philadelphia Negro: A Social Study* (New York, 1967), 349-350.

⁵³ *Ibid.*, 349-350.

ficient work. In spite of the problem of irregular attendance, most black children were at least receiving a basic education.⁵⁴

A study of the education of blacks in Philadelphia done fifteen years later was more critical of the public schools. This study asserted that few black children were receiving more than a rudimentary education. Few black children completed elementary school and even fewer attended high school. It did note, however, that in 1910 immigrants had a higher illiteracy rate than blacks.⁵⁵

The efforts of blacks and their white allies to integrate Pennsylvania's public schools culminated in the 1881 school act. This law did not meet the great expectations of many blacks since it achieved its purpose only in those areas where segregated schools were too expensive to maintain due to the small number of blacks residing in these communities. In areas with large black populations school directors avoided complying with the law by establishing *de facto* systems of segregation based upon residential patterns. This type of segregation, which is still apparent today, is far more difficult to destroy than the *de jure* system.

The years of agitation for improved education through integrated public schools might be viewed as a failure. However, the actions of the advocates of integrated schools did lead to the improvement of the schools attended by blacks in communities where segregation continued as well as establishing a precedent for the future.

⁵⁴ *Ibid.*, 93-94.

⁵⁵ Howard W. Odum, "Negro Education in the Public Schools of Philadelphia," *Annals of the American Academy of Political and Social Science*, XLIX (September, 1913), 205-207.