

**“SEPARATION IS NOT EQUALITY”: THE RACIAL DESEGREGATION  
MOVEMENT OF CREOLES OF COLOR IN NEW ORLEANS, 1862-1900**

Mishio Yamanaka

A dissertation submitted to the faculty at the University of North Carolina at Chapel Hill in partial fulfillment of the requirements for the degree of Doctor of Philosophy in the Department of History in the College of Arts and Sciences.

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Approved by:

W. Fitzhugh Brundage

Heather A. Williams

Jerma A. Jackson

William Sturkey

Blair L. M. Kelley

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## ABSTRACT

Mishio Yamanaka: “Separation Is Not Equality”: The Desegregation Movement of Creoles of Color in New Orleans, 1862-1900  
(Under the direction of W. Fitzhugh Brundage)

This dissertation examines how Creoles of color from the Civil War to the end of the nineteenth century advocated for racial equality through the desegregation of public institutions in New Orleans. Previous scholarship has emphasized how Creoles’ class and ethnic identities as francophone transatlantic free people of color shaped their political activism. My dissertation argues that the significances of Creoles of color extends beyond these roots because their desegregation ideology served a common cause for all people; they built coalitions with Anglicized blacks and white radicals, and expanded their efforts beyond male participants to include women and children. Creoles of color succeeded in incorporating their desegregation agenda into the Republican Party’s platform in Louisiana during Reconstruction. Furthermore, they were able to lead anti-Jim Crow protests into the 1890s, which culminated in challenging the 1890 Louisiana separate car act in the 1896 *Plessy v. Ferguson* United States Supreme Court case. This dissertation specifically focuses on Creoles’ everyday struggles through the lens of public schools, transportation, and churches. By combining archival research and digital methodologies, it portrays Creole community members’ desegregation activism and explains how their shifting relationships with the Anglicized black population and white radicals shaped their civil rights movement that persisted for nearly four decades in late nineteenth century New Orleans.

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## LIST OF ABBREVIATIONS

|        |  |
|--------|--|
| AANO   | Archives of the Archdiocese of New Orleans                             |
| ACERA  | American Citizens Equal Rights Association                             |
| AMAA   | American Missionary Association Archives                               |
| ARC    | Amistad Research Center  |
| ASC    | Archives and Special Collection  |
| CHRCAP | Catholic Historical Research Center of the Archdiocese of Philadelphia |
| CCHS   | Chautauqua County Historical Society                                   |
| CBRP   | Charles Barthelmy Roussève Papers                                      |
| DFC    | Desdunes Family Collection   |
| ELL    | Earl K. Long Library   |
| GPO    | Government Publishing Office   |
| HNOC   | Historic New Orleans Collection  |
| JFA    | Josephite Fathers Archives   |
| LaRC   | Louisiana Research Collection  |
| LC     | Library of Congress  |
| LLMVC  | Louisiana and Lower Mississippi Valley Collections                     |
| LRWSCL | Louis Round Wilson Special Collections Library                         |
| LSC    | Louisiana Special Collections  |
| LSU    | Louisiana State University   |
| NA     | National Archives  |
| NARC   | Notary Archives Research Center  |
| NY     | New York   |

|       |   |
|-------|---|
| OPSB  | Orleans Parish School Board                 |
| RG    | Record Group                                |
| SBSA  | Sisters of the Blessed Sacrament Archives   |
| SCLC  | Supreme Court of Louisiana Collection       |
| SHC   | Southern Historic Collection                |
| TU    | Tulane University                           |
| UNCCH | University of North Carolina at Chapel Hill |
| UNO   | University of New Orleans                   |
| WRC   | Williams Research Center                    |
| XUL   | Xavier University Library                   |

## INTRODUCTION

On April 26, 1867, the *New Orleans Tribune* called for the right to participate in public institutions without discrimination based on race or color. The newspaper declared, “We must have the practice of equality of rights in the community at large, in things of common life, in the manners and customs, before full and impartial protection may become a reality for the men of African race.”<sup>1</sup> Published and organized by prominent Creole men of color, the *Tribune* staked out a concrete definition of freedom after the Civil War: racial equality and access to public institutions for all citizens of the United States.

From the Civil War to the turn of the twentieth century, Creoles of color in New Orleans advocated for racial equality in public space. As soon as the Union army occupied the city in spring 1862, Creoles of color sought entry to all public facilities, starting with streetcars and schools. While seeking political power, Creoles of color turned public services and places into testing grounds for civil rights during Reconstruction. Toward the end of the nineteenth century, they then transferred their energies to halting the spread of Jim Crow laws, culminating in their attempt to overturn the 1890 Louisiana separate car act with the 1896 *Plessy v. Ferguson* appeal to the United States Supreme Court. This dissertation examines how and why Creoles of color organized to promulgate their racial ideals and sustained their activism through nearly four decades despite increasing white opposition.

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<sup>1</sup> “No Separate Schools,” *New Orleans Tribune*, April 26, 1867.

## Who Are Creoles of Color and Anglicized Blacks?

In order to understand the activism of Creoles of color, this dissertation examines how the community of Creoles of color has been defined both by the members of the community as well as subsequent observers. While the presence of Creoles of color has been visible in the historical accounts and popular culture of New Orleans, Creoles' ethnic, racial, class, and economic in-between-ness and malleability have defied the efforts of historians and others to assign precisely membership in the community. Since the late-1980s, historians have paid greater attention to the diversity of the African American population in the history of New Orleans.<sup>2</sup> Conceptualizing the city as a host of colonial and American racial systems, scholars have recognized Creoles of color and Anglicized blacks as two different communities. Creoles of color were roughly defined as a group of francophone free people of color based on the "three-tiered Caribbean racial structure," which consisted of whites, free people of color, and slaves. Anglicized blacks were the population of African descent who were under the "two-tiered American counterpart," which was based on the white master and black slave racial order.<sup>3</sup>

Historians have used ethnic, racial, class, and economic characteristics of Creoles of color as markers that separated them from Anglicized blacks. First, scholars have included Creoles of color in New Orleans as members and descendants of French and Spanish colonial New Orleans society. Historian Joseph G. Tregle and anthropologist Virginia Domínguez refuted the Jim Crow era myth of 'Creole' as a term only applied to people of pure French and Spanish descent.

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<sup>2</sup> Before the 1980s, many scholars had recognized the cultural and political accomplishments of Creoles of color in the late-nineteenth century, but had not fully questioned how distinctiveness had an influence within the African American population. See Alice Dunbar-Nelson, "People of Color in Louisiana: Part I," *Journal of Negro History* 1, no. 4 (October 1916): 361-76, and "People of Color in Louisiana: Part II," *Journal of Negro History* 2, no. 2 (January 1917): 51-78. Charles B. Roussève, *The Negro in Louisiana: Aspects of His History and His Literature* (New Orleans: The Xavier University Press, 1937).

<sup>3</sup> Arnold Hirsch and Joseph Logsdon, "Introduction," in *Creole New Orleans: Race and Americanization*, eds., Arnold Hirsch and Joseph Logsdon (Baton Rouge: Louisiana State University Press, 1992), 189.

They argued that in colonial Louisiana, the word ‘Creole’ was primarily used to distinguish people born in the New World from those who had migrated from the Old World with no distinction of race or color. In addition, the Americanization of New Orleans after the Louisiana Purchase in 1803 put another layer to the meaning of ‘Creole.’ The term began to signify people, culture, and customs of Louisiana’s colonial periods, distinct from those of post-Louisiana Purchase Anglo-Saxon era. Still, the term did not have any particular racial connotations. This discovery paved a way to acknowledge the community of African descent who had deep roots in the French and Spanish colonial periods.<sup>4</sup>

Historians have also recognized Creoles of color as a group of free people of color. While ‘Creole’ encompassed people of different racial backgrounds, Creoles of African descent were often described as Creoles of color, or ‘colored’ Creoles to distinguish them from Creoles of ‘pure’-European descent. Free Creoles of African descent were more frequently described as ‘gens de couleur libres.’ In fact, most of free people of color in antebellum New Orleans belonged to the Creole community. In colonial New Orleans, both French and Spanish governments desperately needed the enslaved population as a military and labor force for their colony’s survival, which created opportunities for enslaved people to gain manumission and expand their freedom.<sup>5</sup> In addition, at the turn of the nineteenth century, refugees from the

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<sup>4</sup> Joseph G. Tregle, Jr., “Early New Orleans Society: A Reappraisal,” *Journal of Southern History* 18, no. 4 (February 1952): 23; Virginia R. Domínguez, “Social Classification in Creole Louisiana,” *American Ethnologist* 4, no. 4 (November 1977): 592-93; In 1865, the New York based African American newspaper, *Anglo African*, observed race relations of New Orleans and stated, “The term Creole refers, not as many suppose, to the miscegens or mixed bloods, but indiscriminately to all, white or colored, who are native of the city.” See *Invisible Green*, “Letters Written on the Wing, No. X,” *Anglo African*, January 28, 1865.

<sup>5</sup> Gwendolyn Midlo Hall, *Africans in Colonial Louisiana: The Development of Afro-Creole Culture in the Eighteenth Century* (Baton Rouge: Louisiana State University Press, 1992); Kimberly S. Hanger, *Bounded Lives, Bounded Places: Free Black Society in Colonial New Orleans, 1769-1803* (Durham, NC: Duke University Press, 1997); Shannon Lee Dawdy, *Building the Devil’s Empire: French Colonial New Orleans* (Chicago: University of Chicago Press, 2008), 178-81.



Haitian Revolution, many of whom were free people of color, emigrated to New Orleans.<sup>6</sup> These historical changes created a distinct class of free people of African descent in New Orleans Creole society. In 1860, the census shows that most of free people of color concentrated in francophone neighborhoods below Canal Street along the Mississippi River, such as the French Quarter, Tremé, Marigny, and the Seventh Ward. Creoles of color and free people of color were oftentimes synonymous.<sup>7</sup>

**Table 1: The Ward-by-Ward Population of People of Color in the 1860 Census<sup>8</sup>**

| Ward             | Location    | Free People of Color | Slaves | Total | % (FPC) | %(Slaves) |
|------------------|-------------|----------------------|--------|-------|---------|-----------|
| 1st              | Above Canal | 227                  | 1,613  | 1,840 | 12.3%   | 87.7%     |
| 2 <sup>nd</sup>  | Above Canal | 210                  | 1,572  | 1,782 | 11.8%   | 88.2%     |
| 3 <sup>rd</sup>  | Above Canal | 836                  | 1,768  | 2,604 | 32.1%   | 67.9%     |
| 4 <sup>th</sup>  | Below Canal | 1,080                | 960    | 2,040 | 52.9%   | 47.1%     |
| 5 <sup>th</sup>  | Below Canal | 1,999                | 1,868  | 3,867 | 51.7%   | 48.3%     |
| 6 <sup>th</sup>  | Below Canal | 1,441                | 1,608  | 3,049 | 47.3%   | 52.7%     |
| 7 <sup>th</sup>  | Below Canal | 1,735                | 845    | 2,580 | 67.2%   | 32.8%     |
| 8 <sup>th</sup>  | Below Canal | 1,232                | 400    | 1,632 | 75.5%   | 24.5%     |
| 9 <sup>th</sup>  | Below Canal | 1,390                | 450    | 1,840 | 75.5%   | 24.5%     |
| 10 <sup>th</sup> | Above Canal | 113                  | 708    | 821   | 13.8%   | 86.2%     |
| 11 <sup>th</sup> | Above Canal | 426                  | 1,593  | 2,019 | 21%     | 79%       |

<sup>6</sup> Nathalie Dessens, *From Saint-Domingue to New Orleans: Migration and Influences* (Gainesville: University Press of Florida, 2007).

<sup>7</sup> Amy R. Sumpter, "Segregation of the Free People of Color and the Construction of Race in Antebellum New Orleans," *Southeastern Geographer* 48, no. 1 (May 2008): 19-37.

<sup>8</sup> Department of the Interior, *Population of the United States in 1860; Compiled from the Original Returns of the Eighth Census* (Washington D.C.: Government Publishing Office (GPO), 1864, New York: Norman Ross Publishing Inc., 1990), 195. Citations refer to the Norman Ross edition.

Historians have also shed light on the considerable interracial heritage among Creoles of color. In colonial period, and even after New Orleans became an American city and the Louisiana government banned interracial marriage, liaisons between whites and persons of color frequently occurred. In these instances, historians revealed that colonial racial practices often prevailed in the forms of manumission, the acknowledgement of interracial children by white fathers, and passing of family inheritance to these descendants. In addition, historian Emily Clark argued that free people of color married to each other to assert and secure their freedom.<sup>9</sup> As a result of these practices, most of free people of color were classified as mulattos in the census. In the 1860 U.S. census, 77.87 percent of free people of color were categorized as mulattos. In contrast, the percentage of mulattoes among the enslaved population was only 25.76 percent.<sup>10</sup>

**Table 2: Racial Classification among People of Color in New Orleans in the 1860 Census<sup>11</sup>**

|            | Free People of Color |         |        | Slaves |         |        |
|------------|----------------------|---------|--------|--------|---------|--------|
|            | Black                | Mulatto | Total  | Black  | Mulatto | Total  |
| Number     | 2,365                | 8,324   | 10,689 | 9,937  | 3,448   | 13,385 |
| Percentage | 22.13%               | 77.87%  |        | 74.24% | 25.76%  |        |

The last characteristic of Creoles of color was their economic power. Throughout the antebellum period, New Orleans maintained a Caribbean-like tripartite racial system of white, free people of color, and slaves in the Creole section of the city. The importance of the city as an economic hub of the Mississippi River created high demands for the skilled labor of Creoles of

<sup>9</sup> Hall, *Africans in Colonial Louisiana*; 262-274; Hanger, *Bounded Lives, Bounded Places*; Judith Kelleher Schafer, *Becoming Free, Remaining Free: Manumission and Enslavement in New Orleans* (Baton Rouge: Louisiana State University Press, 2003); Emily Clark, *The Strange History of the American Quadroon: Free Women of Color in the Revolutionary Atlantic World* (Chapel Hill: University of North Carolina Press, 2013).

<sup>10</sup> Department of the Interior, *Population of the United States in 1860*, xiii.

<sup>11</sup> Department of the Interior, *Population of the United States in 1860*, xiii.

color, including carpentry, cigar-making, and shoemaking. Some free people of color engaged in the booming businesses of real-estate and land speculation as New Orleans grew, and others took up trading based on their ties to the French Caribbean, all of which enabled the acquisition of wealth.<sup>12</sup> These economic practices allowed free people of color in New Orleans to maintain a social and cultural position in-between whites and slaves. In the peak year of 1810, free people of color accounted for 28.7 percent out of the total population of New Orleans. Even though the number dropped to 6.4 percent by 1860, free people of color still represented 44.4 percent of the New Orleans African American population.<sup>13</sup> Free people of color were vital to Creole society and economy.

In contrast to the studies about Creoles of color, few scholars have paid attention to the Anglicized black community in New Orleans. Historians Caryn Cossé Bell and Joseph Logsdon, however, have articulated that Anglicized blacks were people of African descent who shared their cultural and social background with Anglo-American society. Anglicized blacks included free black migrants and emancipated slaves, who settled in New Orleans for economic opportunities and hopes for better racial climate. There they built their own distinct social foundations in the city before the Civil War. In 1848, for instance, Anglicized black community members established St. James A. M. E. Church. In addition, they founded the Prince Hall masonic lodges. While Creoles of color had greater connections to the Caribbean, Anglicized blacks retained their economic connections to the Mississippi River and gained geographic

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<sup>12</sup> Robert C. Reinders, "The Free Negro in the New Orleans Economy, 1850-1860," *Louisiana History* 6, no. 3 (Summer 1965): 273-85; Donald E. Everett, "Free Persons of Color in Colonial Louisiana," *Louisiana History* 7, no. 1 (Winter 1966): 21-50.

<sup>13</sup> Joseph Logsdon and Caryn Cossé Bell, "The Americanization of Black New Orleans, 1850-1900," in *Creole New Orleans*, 206.

mobility as steward and ship crew. Similar to Creoles of color, Anglicized blacks also maintained their vibrant community despite the smaller number of population.<sup>14</sup>

Recent scholarly works, however, have questioned the traditional generalization of the Creole communal identity. Blair L. M. Kelley, for instance, problematized the concept of Creoles of color as economically affluent citizens and pointed out the significant number of the working class population within the community.<sup>15</sup> In addition to the economic diversity, free status did not encompass all Creoles of color, as some had been enslaved at one point of their lives.<sup>16</sup> Many Anglicized blacks were also free and blurred distinctions between the two groups of African descent. Furthermore, although many had interracial heritage, some had lighter skin than others, which had important consequences for their daily social interactions with whites. While Creoles of color shared certain patterns in surnames, occupations, residence, marriages, and language, their wide range of characteristics have challenged scholars to accurately describe the inner workings of the community.

These historical, cultural, and demographic characteristics all influenced how Creoles of color transformed themselves as a political group that shaped its vision of racial equality and turned this vision into an ideologically common political goal of desegregation to attract a broad swathe of African American and some white supporters. But to understand Creoles of color and their radical pursuit of racial equality in the postbellum period, we need to recognize that socio-

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<sup>14</sup> Logsdon and Bell, “The Americanization of Black New Orleans,” 209-15.

<sup>15</sup> Blair L. M. Kelley, *Right to Ride: Streetcar Boycotts and African American Citizenship in the Era of Plessy v. Ferguson* (Chapel Hill: University of North Carolina Press, 2010).

<sup>16</sup> For example, Elizabeth Neidenbach examined the life of Marie Couvent. Couvent was born in Africa and brought to Haiti as a slave, and lived as a free woman of color in New Orleans. Despite her origin, she was part of the Creoles of color community. Elizabeth Clark Neidenbach, “The Life and Legacy of Marie Couvent: Social Networks, Property Ownership, and the Making of a Free People of Color Community in New Orleans” (PhD diss., College of William and Mary, 2015).

politically imposed group markers such as free status and ethnicity do not accurately reveal the Creole community. Roger Brubaker argued that rather than using “identity” as a frame of analysis, “identification” would bring more attention to agency in examining group making “processes.”<sup>17</sup> The community dynamics of Creoles of color were in flux, and members constantly created and renewed their memberships and networks. It is important, therefore, to acknowledge the shifting nature of the Creole community and examine how Creoles of color identified themselves, positioned in society, and build relationships with other New Orleanians. I argue that in postbellum period Creoles of color moved their activist boundaries inside and outside of its community through interactions and collaborations with various community leaders.

This dissertation describes Creoles of color, or, in this text, Creoles as a group that held the characteristics of antebellum gens de couleur libres, but more broadly, consisted of a group of postbellum francophone people of color who contributed to the expansion of a racial equality ideology in public institutions. To highlight their collaborations with various New Orleans groups, I use the term, ‘Anglicized blacks’ to indicate the group of African Americans who possessed socio-cultural ties to Anglo-American society. My use of ‘African Americans’ indicates the general racial group of African descent including both Creoles of color and Anglicized blacks. I also use ‘white New Orleanians’ to indicate white Creoles and other whites, including Anglo-Saxon Americans and relatively recent immigrant groups from Europe. It is important to note that some white New Orleanians, regardless of their ethnic backgrounds, supported desegregation. I describe them as white radicals.

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<sup>17</sup> Rogers Brubaker, *Ethnicity without Groups* (Cambridge, MA: Harvard University Press, 2004), 41-44.

## The Civil War and Creoles of Color

The Civil War was a turning point of race relations for Creoles of color. First, emancipation created new opportunities for Creoles to engage with the warfare and voice their political opinions to the public. Yet, the Civil War also signified the loss of Creoles' privileged status as francophone free people of color. After emancipation, the title of free person of color no longer served as a distinct social marker in official records, further muddling the line between Creoles of color and others of African descent. In addition, the population of African Americans boomed after the Civil War. New Orleans was a haven for formerly enslaved people who left nearby plantations. The Union occupation of New Orleans created an opportunity for free people of color across the North and South to work for the army. In 1860, the city's African American population was only about 14.5 percent of the total. By 1870 its population had nearly doubled to approximately 26 percent.<sup>18</sup> This new group of people included many freedpeople and Anglicized blacks, who did not share a cultural background with Creoles of color.

In addition to the Americanization of New Orleans, the blatant manifestation of white supremacy forced the black and white racial binary to Creoles of color. Race riots, everyday harassment, and black codes targeted not only freedpeople but also free people of color. Michael Omi and Howard Winant argued that racial formation is "a process of historically situated *projects* in which human bodies and social structures are represented and organized," but is also "the evolution of hegemony."<sup>19</sup> In the post-Civil War white supremacy campaign, white New

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<sup>18</sup> The New Orleans population in 1860 was 174,491 (whites: 149,068, slaves: 14,484, free people of color: 10,939). In 1870, it increased to 191,418 (whites: 140,923, African Americans: 50,495). Department of the Interior, *Population of the United States in 1860*, 194; John W. Blassingame, *Black New Orleans, 1860-1880* (Chicago: University of Chicago Press, 1973), 221.

<sup>19</sup> Michael Omi and Howard Winant, *Racial Formation in the United States: From the 1960s to the 1990s*, 2d ed. (New York: Routledge, 1994), 55-56.

Orleanians no longer allowed the co-existence of the Caribbean-type and Anglo-American based racial structures. Whites forcefully reclassified Creoles of color as ‘blacks’ and reconstructed white dominance in the city. As a result, Creoles of color faced an unprecedented challenge as a community. In this situation, Creoles of color began advocating for equal access to and treatment in all public institutions.

Scholars have discussed Creoles’ activism as a response to post-Civil War social changes. Since Louis R. Harlan’s 1962 account of New Orleans school desegregation during Reconstruction, scholars have explained what motivated Creoles of color to lead the radical political movement in Louisiana.<sup>20</sup> David C. Rankin, in “The Forgotten People,” argued that Creoles of color demanded desegregation in an attempt to protect their antebellum class status and hoped to be classified differently from formerly enslaved people.<sup>21</sup> In recent decades, other scholars have focused on the ethno-racial identity among Creoles of color to explain the roots of their political movement. In “The Americanization of Black New Orleans, 1850-1900,” Joseph Logsdon and Caryn Cossé Bell argued that Creoles of color pursued radical politics not only because of their antebellum status, but also because of the influence of the French and Haitian Revolutions and the emancipation of slaves in the French Caribbean in 1848.<sup>22</sup>

While scholars have agreed on the transatlantic radical influences on Creoles of color, they have not reached a consensus about why or how Creoles of color sought a new racial order in postbellum New Orleans. In *Exiles at Home*, Shirley Elizabeth Thompson pointed out the

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<sup>20</sup> Louis R. Harlan, “Desegregation in New Orleans Public Schools during Reconstruction,” *The American Historical Review* 67, no. 3 (April 1962): 663-75.

<sup>21</sup> David C. Rankin, “The Forgotten People: Free People of Color in New Orleans, 1850-1870” (PhD diss., The Johns Hopkins University, 1976).

<sup>22</sup> Logsdon and Bell, “The Americanization of Black New Orleans.”

persisting cultural and physical ambiguity of Creoles of color, and how these unique identities drove them to pursue politics. Yet she emphasized Creoles' isolation from the rest of the New Orleans population in this process. In contrast, in *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana*, Caryn Cossé Bell argued that French ideological influences helped Creoles of color work with white and Anglicized black Republican members.<sup>23</sup>

These scholars, however, often framed Creoles of color as a static political unit that adhered to its antebellum free status and francophone ideology despite great social changes in New Orleans after the Civil War. The depiction of Creoles of color as an exclusive group based upon class and ethnic identity also tends to overlook the diversity within the community and various social interactions that Creoles of color had with non-Creoles. Creoles of color deployed desegregation as a slogan to challenge white supremacy. At the same time, this policy also required Creoles of color to transform their community, because they advocated for desegregation as a common ground to collaborate with Anglicized blacks and white radicals. This dissertation put a particular emphasis on Creoles' changing community dynamics and the ebb and flow of their relationships with their allies.

### **Segregation and Racial Equality**

Segregation was a daily symbol of new racial hierarchy in the post-Civil War United States. Since C. Vann Woodward framed segregation as a turn of the twentieth century creation, various scholars have identified segregation practices that had existed in the nineteenth century.<sup>24</sup>

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<sup>23</sup> Shirley Elizabeth Thompson, *Exiles at Home: The Struggle to Become American in Creole New Orleans* (Cambridge, MA: Harvard University Press, 2009); Caryn Cossé Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana, 1718-1868* (Baton Rouge: Louisiana State University Press, 1997).

<sup>24</sup> C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 1955, New York: Oxford University Press, 2002) Citations refer to 2002 edition.



Leon Litwack, Richard C. Wade, Ira Berlin and Roger A. Fischer, in particular, have highlighted that free people of color experienced segregation in the antebellum North and in Southern cities.<sup>25</sup> Furthermore, Howard N. Rabinowitz argued that antebellum discriminatory practices took the form of the exclusion of African Americans from public places and privileges, and segregation replaced exclusion during the post-Civil War period.<sup>26</sup> These works suggested that segregation had functioned to cement racial hierarchy before the Civil War, but its actual practices varied from exclusion to the physical separation of races within space.

These frameworks, however, often omit African American perspectives toward segregation. Recent scholarship on urban race relations has revealed that desegregation was a distinct demand of African Americans in securing racial equality after the Civil War. In *An Example for All the Land*, Kate Masur recounted African Americans' struggles to achieve access to public space. Working closely with radical Republicans in Congress, African Americans in Washington D.C. succeeded in partial desegregation, including transportation, labor unions, and medical facilities. The struggle for equal access to public institutions occurred in the North as well. In *We Will Be Satisfied with Nothing Less*, Hugh Davis discussed how African Americans in the North advocated for suffrage and entry to white public schools as two pillars of their emancipation agenda. Davis argued that African Americans demanded desegregation as a means to bring Reconstruction to the North. By focusing on the Pennsylvania State Equal Rights League, he argued that northern African American activists' network prodded the Republican

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<sup>25</sup> Richard C. Wade, *Slavery in the Cities: The South 1820-1860* (New York: Oxford University Press, 1964); Leon F. Litwack, *North of Slavery: The Negro in the Free States, 1790-1860* (Chicago: The University of Chicago Press, 1961); Ira Berlin, *Slaves without Masters: The Free Negro in the Antebellum South* (New York: Oxford University Press, 1974); Roger A. Fischer, *The Segregation Struggle in Louisiana, 1862-77* (Urbana: University of Illinois Press, 1974).

<sup>26</sup> Howard N. Rabinowitz, "From Exclusion to Segregation: Southern Race Relations, 1865-1890," *Journal of American History* 63, no. 2 (September 1976): 326.

Party to push for more comprehensive civil rights, culminating in the Civil Rights Bill of 1875. These works revealed that African Americans considered both exclusion and segregation unacceptable to achieving full citizenship.<sup>27</sup>

This emerging scholarship is useful to clarify both the universality and uniqueness of Creoles' desegregation activism. Similar to African American communities across the United States, especially in Northern cities, Creoles of color wanted nothing to do with any form of separation of races in public spaces. In other words, Creoles' movement was part of the larger African American actions to demand racial equality across the United States. Yet, Creoles' uniqueness lies in the degree of their success during Reconstruction and their persistence until almost the end of the nineteenth century. Scholars have attributed the case of New Orleans race relations to its relaxed racial order derived from its colonial period.<sup>28</sup> However, this dissertation argues that Creoles of color's efforts to build a tenuous yet enduring coalition with Anglicized blacks and white radicals was the source of their four-decade long desegregation activism.

The strength of the Creole movement is the extensive interracial coalition that Creoles of color developed in the postbellum period. In "Public Rights, Social Equality, and the Conceptual Roots of the *Plessy* Challenge," Rebecca Scott pointed out the concept of 'public rights' as the unifier behind radical Republicanism in New Orleans. She argued that Creoles of color advocated for public rights as a slogan to instill a "broad anticaste principle" including voting

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<sup>27</sup> Kate Masur, *An Example for All the Land: Emancipation and the Struggle for Equality in Washington D.C.* (Chapel Hill: University of North Carolina, 2010); Hugh Davis, *We Will Be Satisfied with Nothing Less: The African American Struggle for Equal Rights in the North during Reconstruction* (Ithaca, NY: Cornell University Press, 2011).

<sup>28</sup> Howard N. Rabinowitz, for example, exempted New Orleans from his analysis as "its pattern of race relations was likely to be atypical." Howard N. Rabinowitz, *Race Relations in the Urban South, 1865-1890* (New York: Oxford University Press, 1978, Athens: University of Georgia Press, 1996). xxiii. Citations refer to the University of Georgia Press edition.

rights and the protection of African Americans from race-based “public humiliations.”<sup>29</sup> Equal access to public facilities emerged as a concept to establish their manhood and ensure citizenship in public space. Scott highlighted that this concept developed under the influence of francophone culture. However, she also suggested the broader implication of public rights as leverage to improve social life also attracted Anglicized blacks and white radicals.

Recent local studies also help understand the interracial coalition building that underpinned the desegregation movement. In *Before Jim Crow: The Politics of Race in Postemancipation Virginia*, Jane E. Dailey argued that the Readjuster Party advocated for interracial liberalism based on the distinction “between public and private space.”<sup>30</sup> Black and white supporters of the Readjusters undertook an explicit campaign to refute the notion that interracial political unity would result in miscegenation and the degradation of whites. Instead, these men insisted that the policy would enhance the public good for both races. While African Americans eventually failed to expand the public realm to include muted racial distinctions, Dailey emphasized the emerging idea of African American civic equality that allowed Virginians to cross the color line and unite politically.

Yet political coalition building did not fully explain the struggles of Creoles of color’s movement in New Orleans. This dissertation argues that African Americans’ everyday experiences of exclusion and unequal treatment, regardless of ethnic origin or class differences, created a unifying hunger for freedom of access. The ability to use public institutions promised both social mobility and freedom of movement. These daily life experiences and aspirations

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<sup>29</sup> Rebecca J. Scott, “Public Rights, Social Equality, and the Conceptual Roots of the *Plessy* Challenge,” *Michigan Law Review* 106, no. 5 (March 2008): 78.

<sup>30</sup> Jane E. Dailey, *Before Jim Crow: The Politics of Race in Postemancipation Virginia* (Chapel Hill: University of North Carolina Press, 2000), 11.

generated a strong bond between all people of African descent in postbellum New Orleans. Creoles of color presented the desegregation of public space as new civil rights that encompass racial equality to all people of color. At the same time, Creoles' new ideal of racial equality was often fragile to imminent threats of racial violence and Anglicized blacks' desire to have independently owned institutions free from the scrutiny of whites. Creoles of color constantly struggled to maintain their alliance.

In order to reveal daily struggles against segregation, this dissertation examines public schools, transportation, and churches and examines how Creoles of color demanded equal access to and treatment in these public institutions. Historians have tended to focus on one public institution and its racial policy when examining race relations.<sup>31</sup> However, this approach is not always effective to examine African Americans' broad attempts to demand equality in public space. Schools, transportation, and churches were foundational in Creoles' educational, political, and religious lives, and these facilities became the subjects of hotly contested debates throughout the late nineteenth century. In addition, because segregation took various forms from separate accommodations to division of shared spaces, Creoles of color and their allies flexibly deployed political, legal, and grassroots organizing tactics to achieve access and equal treatment to these institutions. This dissertation sheds light on these intricate processes of Creoles' desegregation efforts and reveals the whole dynamics of their movement.

Through the examinations of Creoles' struggles in these public institutions, this dissertation also connects Creoles' everyday lives with politics. While Creole leaders often

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<sup>31</sup> Since Roger A. Fischer's *The Segregation Struggle in Louisiana*, few works on New Orleans have examined African Americans' pursuit of desegregation in multiple public institutions. However, numerous works have revealed various race relations and policies of schools, accommodations, and churches individually. As for schools, see Donald E. DeVore and Joseph Logsdon, *Crescent City Schools: Public Education in New Orleans, 1841-1991* (Lafayette, LA: The Center for Louisiana Studies, University of Southwestern Louisiana, 1991). For public accommodations, Blair L. M. Kelley, *Right to Ride*, For church segregation, see James B. Bennett, *Religion and the Rise of Jim Crow in New Orleans* (Princeton, NJ: Princeton University Press, 2005).

vocalized their demands in political fields, ordinary men also made efforts in desegregating public institutions by taking civil disobedience, enduring white harassment, and organizing protests. The everydayness of Creoles' struggles also demonstrates that their movement transcended the actions of male leaders to encompass significant participation by larger community members. Most of the postbellum African American history of Louisiana has focused on Creole and Anglicized black leaders.<sup>32</sup> In addition, despite the extensive scholarly focus on Creole women of color in antebellum New Orleans, few studies have considered them as active agents in the postbellum period.<sup>33</sup> Yet, ordinary women and children also contributed to desegregation by engaging in what James C. Scott named "infrapolitics," powerless people's collective resistance against those who have the power in their daily lives.<sup>34</sup> This dissertation regards various Creoles of color as stakeholders in the desegregation activism that characterized the movement.

To uncover Creoles' desegregation efforts in these institutions, this dissertation uses archival sources and digital methodologies. Newspapers, various pamphlets and other writings of Creoles of color and Anglicized blacks provided much of my information. I also explored

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<sup>32</sup> Fischer, *The Segregation Struggle in Louisiana*, Charles Vincent, *Black Legislators in Louisiana during Reconstruction* (Baton Rouge: Louisiana State University Press, 1976); Hirsch and Logsdon, *Creole New Orleans*; Bell, *Revolution, Romanticism, and Afro-Creole Protest Tradition in Louisiana*.

<sup>33</sup> Postbellum New Orleans gender studies primarily have focused on how white New Orleanians controlled women of color. While these studies were insightful for my study to point out women's particular hardship and autonomy after the Civil War, these studies do not portray women as active agents of the community. See Alecia P. Long, *The Great Southern Babylon: Sex, Race, and Respectability in New Orleans, 1865-1920* (Baton Rouge: Louisiana State University Press, 2004); Elizabeth Parish Smith, "Southern Sirens: Disorderly Women and the Fight for Public Order in Reconstruction-Era New Orleans" (PhD diss., University of North Carolina at Chapel Hill, 2012); Ashley Baggett, *Intimate Partner Violence in New Orleans: Gender, Race, and Reform, 1840-1900* (Jackson: University Press of Mississippi, 2017). Emily Clark recently challenged the popular characterization of free women of color as submissive and exotic subjects of plaçage and argued that it was a creation of the antebellum period, which was repeated reinforced by whites in the late nineteenth century. However, because of her focus on antebellum Creole women's cultural representation, it is still unclear how they actually experienced post-Civil War social transformation. Clark, *The Strange History of the American Quadroon*.

<sup>34</sup> James C. Scott, *Domination and the Arts of Resistance: Hidden Transcripts* (New Haven, CT: Yale University Press, 1990), 183.

numerous court cases, white newspaper articles and editorials, and other accounts of racial conditions of New Orleans in the late nineteenth century. In addition, I deployed digital social network and geospatial analyses to help fill the void of written records and grasp more accurately the dynamics of the community activism I describe. Geographical analysis provided useful insights because in late nineteenth century New Orleans, as Creoles of color concentrated residence in the areas adjacent to the French Quarter such as Tremé, Marigny, and the Seventh Ward, whereas Anglicized blacks lived mainly in the upriver section above Canal Street. These geographical characteristics help explain how demography and ethno-racial features played a part in desegregation efforts. Social network analysis also reveals how Creoles of color developed their social and political connections. I used membership records of various organizations, names in petitions, and newspaper social announcement sections to uncover social connections underlying their activism and also to identify the contribution of women and children.

This dissertation is organized chronologically, and each chapter focuses on multiple public institutions that reflect Creoles of color's varying efforts at different crisis points. Chapters 1 and 2 center on Creoles' coalition building during the Civil War and early Reconstruction and the creation of a political consensus from which to pursue desegregation of public institutions. Chapter 1, in particular, discusses how Creoles of color experienced discrimination from the onset of the Civil War as soldiers and civilians, and how these hardships turned Creoles of color into political activists who allied with Anglicized blacks and white Unionists. Chapter 2 examines how Creoles of color forged mass protests against streetcar and school segregation and used the momentum to achieve their agendas of racial equality with the ratification of the radical 1868 state constitution. At the convention, Creoles of color, along with

Anglicized blacks and white radical Republicans, created the concept of public rights to guarantee equal access to and equal treatment of all people at public institutions. In addition, they successfully enacted the acts to abolish the segregation of public schools, transportation, and all the other commercial facilities and accommodations.

Chapters 3 and 4 elucidate the ebb and flow of Creoles' desegregation activism between 1868 and the end of Reconstruction. Chapter 3 explores how Creoles of color implemented the principles of the 1868 state constitution even as white New Orleanians persistently worked to protect their racial privilege. Creoles of color and their radical coalition aimed further political reforms, sought for legal redress, and organized grassroots actions. As a result, Creoles of color succeeded in achieving partial desegregation of public schools and transportation. However, Creoles of color sought alternative religious practices to cope with discrimination in the Catholic Church. Chapter 4 highlights Creoles' resistance to public school resegregation at the end of Reconstruction. Public schools catalyzed white backlash against Reconstruction radicalism. Creoles of color, along with Anglicized blacks, challenged white supremacists by creating a wide-range of resistance movement. However, this chapter also points out that racial backlash prevailed in New Orleans with the slogan of 'separate but equal.' The end of Reconstruction was the significant setback for Creoles' desegregation agenda, as they lost the 1868 radical constitution.

Lastly, Chapter 5 reveals how Creoles of color fought against the rise of Jim Crow laws in the 1890s, focusing on the efforts they put in regenerating their power through educational networks and journalistic efforts. While Jim Crow segregation quickly spread over railroads and churches at the turn of the twentieth century, these community efforts ultimately laid the groundwork for *Plessy v. Ferguson*

## CHAPTER 1: “ACCOUREZ DONC TOUS, AMIS DU PROGRÈS!”: THE RISE OF RECONSTRUCTION RADICALISM, 1862-1866

### Introduction

On September 27, 1862, Creoles of color expressed their determination for freedom in their newspaper, *L'Union*. Its inaugural issue proclaimed, “Without fear and without trouble, we inaugurate today a new era in the destinies of the South.” The newspaper pledged their adherence to the Declaration of Independence, praised republicanism, advocated for unionism, and called for “friends of the Progress” to join Creoles of color to launch a political movement. Since the fall of New Orleans in April 1862, Creoles of color led struggles to shape African American rights after the Civil War. They called for universal equality based on the abolition of slavery, universal male suffrage, and equal treatment in and access to public institutions with whites.<sup>1</sup>

Throughout the Civil War, Creoles of color actively participated in the military conflict and coped with rapid social transformation on the home front. In these struggles, they expressed their desire to be recognized as full citizens. Creoles’ wartime experiences taught them that racial discrimination would prevail even after emancipation unless Creoles of color and Anglicized blacks demanded its end. The Civil War motivated Creoles of color to formulate their political movement for suffrage, which led to their campaign for racial equality in public space. These efforts became the foundation of their late nineteenth century desegregation movement.

Military and civilian experiences helped Creoles of color to overcome ethno-racial differences between Anglicized blacks and white radicals in New Orleans. African Americans in

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<sup>1</sup> “Au Public,” *L'Union*, September 27, 1862.



New Orleanians, whether they were free or freed, universally endured unequal treatment in the military, everyday harassment, and threats of violence. These common hardships bonded Creole and Anglicized black leaders. Creoles' goals for equality also attracted white unionists and Republicans, who desperately needed African American votes to compete against conservative Democratic forces. Creoles of color became key players in the radical coalition.

To forge racial equality, Creoles of color strove their efforts to publish newspapers and build suffrage organizations. Beginning with their first newspaper, *L'Union*, Creoles of color expanded their political networks and launched the *New Orleans Tribune* with the aid of white radicals and Anglicized blacks. Creoles of color, both military officers and civilian leaders, also joined various organizations with Anglicized blacks to advocate for suffrage. Organizations such as the National Equal Rights League further united Creoles of color and Anglicized blacks. Culminating in the establishment of the Friends of Universal Suffrage and the Republican Party of Louisiana, these coalition building efforts created a political foundation for Creoles of color to pursue their ideals.

Creoles' new movement, however, provoked widespread white resistance. The Mechanics' Hall massacre of 1866 proved that whites would resort to violence to strike down the radical political movement. African American male suffrage supporters were not only unable to hold a radical constitutional convention, but also were brutally assaulted by white former Confederates and their sympathizers. During the riot, white mobs primarily attacked Creoles of color and Anglicized blacks. These traumatic experiences, however, strengthened Creoles' ties with Anglicized blacks and white radicals further to resist white violence. Creoles of color and their allies used this massacre to call for more radical political reform across the South.

This chapter explains how during the Civil War Creoles of color created a political foundation and alliance for universal male suffrage, which later developed into campaigns for racial equality in public institutions. The chapter first explores the ways in which Creoles of color experienced the Civil War with Anglicized blacks and enslaved soldiers in the Union army. Second, it traces social changes among Creoles of color on the home front. Particular attention is paid to the ways that Creoles of color envisaged freedom through their educational institution, L'Institution Catholique des Orphelins Indigents, and the newspaper, *L'Union*. Third, this chapter discusses the political formation of Creoles of color and their coalition building with Anglicized blacks and white radicals. Last, I study the Mechanics' Hall Massacre of 1866 and its impact for upcoming radical Reconstruction.

### **Military Experiences**

On September 27, 1862, only five month after the fall of New Orleans, the Union army organized the First Regiment of the Louisiana Native Guards. Later renamed as the Corps d'Afrique and United States Colored Infantry, the Native Guards were regiments of African American soldiers. Regimental officers included prominent Creoles of color and free Anglicized blacks in New Orleans. These military units enabled Creoles of color to interact with Anglicized blacks and enslaved soldiers more than during the antebellum period. They soon shared the abolition of slavery as their common goal, endured discrimination in the military, and protested together. These common experiences solidified Creoles of color's ideas to pursue racial equality as an essential element of freedom after the Civil War.

The Louisiana Native Guards were originally free African American Confederate regiments. The Guards, comprised of thirty-six officers and 870 enlisted men, included many

notable and wealthy Creoles of color.<sup>2</sup> Scholars have proposed multiple causes behind Creoles of color joining the Confederacy. Many enlistees were successful merchants and skilled artisans whose businesses might have been greatly disrupted by a Union army invasion. Some Native Guards were even slaveholders who had been free for multiple generations, which distinguished them from the largely enslaved Anglicized-black population. Some were pressured to cooperate with the Confederates. Captain Arnold Bertonneau explained that men of color had no choice but to support the Confederacy. He recalled, “The condition and position of our people were extremely perilous. When summoned to volunteer in the defense of the State and city against Northern invasion, situated as we were, could we do otherwise than heed the warning, and volunteer in the defense of New Orleans?”<sup>3</sup>

Regardless of motivations behind Creole men’s enlistment, the Confederates never treated the Native Guards as equals of white soldiers. The Confederate army provided neither uniforms nor military equipment and consciously avoided the deployment of the Native Guards for actual operations. The presence of African American soldiers was always problematic for the Confederacy, which after all was founded as a white slaveholders’ republic. Therefore, in January 1862, Confederate Louisiana declared its military to be whites-only and disbanded the Native Guards in the following month. In March, however, the Native Guards were again

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<sup>2</sup> Thomas O. Moore, “Orders no. 1396,” in *The Negro in the Military Service of the United States, 1639-1886*, comp. Elon A. Woodward (Washington D.C: Adjutant General’s Office, 1888), 1027-28, reel 1.

<sup>3</sup> For the debates about the motivations behind the establishment of the Confederate Louisiana Native Guards, see Charles H. Wesley, “The Employment of Negroes as Soldiers in the Confederate Army,” *Journal of Negro History* 4, no. 3 (July 1919): 241-44; Mary F. Berry, “Negro Troops in Blue and Gray: The Louisiana Native Guards, 1861-1863,” *Louisiana History* 8, no. 2 (Spring 1967): 165-190; David C. Rankin, “The Impact of the Civil War on the Free Colored Community of New Orleans,” *Perspective in American History* 11 (1977-78): 379-416; James G. Hollandsworth Jr., *The Louisiana Native Guards: The Black Military Experience during the Civil War* (Baton Rouge: Louisiana State University Press, 1995); “Dinner to Citizens of Louisiana,” *Liberator*, April 15, 1864.

reinstated due to the encroachment of the Union army. In the eyes of the Confederacy, the Native Guards were never authentic regiments.<sup>4</sup>

The Confederate treatment of the Native Guards explains why they changed sides to the Union with no hesitation. Shortly after the fall of the city, Creole soldiers in the Guards approached General Benjamin Butler to surrender their arms.<sup>5</sup> First Lieutenant Charles S. Sauvinet, who was working as a translator for the Union army, arranged a meeting with General Butler for his Native Guard cohorts: Henry Louis Rey, Edgard Davis, Eugene Rapp and Octave Rey. On August 15, these officers affirmed their loyalty to the Union. They then urged Butler to use African Americans as a military force. In New Orleans, the Union army lacked enough soldiers to protect the city while waging campaigns around Louisiana. Although Butler initially refused to recruit African Americans to the Union cause, he had no other recourse but to deploy them to fill the army. In late August, Butler called for the formation of regiments of free people of color. Louisiana Native Guards then became union army force.<sup>6</sup>

While not all Confederate Louisiana Native Guard members became Union soldiers, most rallied for the new Louisiana Native Guards and contributed to the creation of the regiments. Sauvinet later recalled that he “was instrumental in raising the 1st and 2nd regiments” and became a first lieutenant in the Second Regiment.<sup>7</sup> The Guards used their own family and friend

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<sup>4</sup> Hollandsworth, *The Louisiana Native Guards*, 7-11; “An Act to Reorganize the Militia,” in *The Negro in the Military Service of the United States*, 1031, reel 1; Thomas O. Moore and John L. Louis, “Untitled note, February 11, 1862,” in *The Negro in the Military Service of the United States*, 1033, reel 1; Thomas O. Moore and M. Grivot, “Orders No. 426,” in *The Negro in the Military Service of the United States*, 1035, reel 1.

<sup>5</sup> Benjamin F. Butler to E. M. Stanton, May 25, 1862, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, comp. United States War Department (USWD), ser. I, vol. XV (Washington D.C.: GPO, 1886), 439-42.

<sup>6</sup> Hollandsworth, *The Louisiana Native Guards*, 17-19.

<sup>7</sup> “Testimony,” in *Report of the Select Committee on the New Orleans Riots* (Washington D.C.: GPO, 1867), 44.

networks to form regiments. Captain Edgard Davis and Second Lieutenant Joseph L. Montieu had “always been intimate friends” and volunteered for the First Regiment together.<sup>8</sup> Second Regiment Captain William Barrett claimed that some of his company were “near friends of mine and have[d] been my companions, when [we] were civilians.”<sup>9</sup> By February 1863, the Louisiana Native Guards consisted of three regiments with the total number of 3,251 soldiers and African American officers.<sup>10</sup>

Officers of the Native Guards included Creole men of color with education, assets, and skills. For instance, Major Francis E. Dumas of the Second Regiment was educated at La Université de Paris and ran a successful business as a clothing store owner.<sup>11</sup> Captain Henry Louis Rey of the First Regiment was born in 1831 to a wealthy free family of Haitian origin.<sup>12</sup> His brothers, Hippolyte and Octave, also joined the Native Guards. Born in 1834, Second

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<sup>8</sup> Josephine Davis, Widow’s pension application no. 1096595, Service of Edgard Davis, Civil War and Later Pension Files, Department of Veterans Affairs, Record Group (RG) 15, National Archives (NA).

<sup>9</sup> William B. Barrett to Daniel Ullmann, May 17, 1863, in Compiled service record, William B. Barrett, Capt., Co. B, 2nd Reg. La. Inf. Native Guards, Civil War, Carded Records Showing Military Service of Soldiers Who Fought in Volunteer Organizations during the American Civil War, compiled 1890-1912, documenting the period 1861-1866, RG 94; NA.

<sup>10</sup> Nathaniel P. Banks, “Report,” in *The Negro in the Military Service of the United States*, 1094, reel 2; The First Regiment of the Louisiana Native Guards was formed on September 27, 1862. The Second Regiment was created on October 12, and the Third Regiment was established on November 24, 1862. Edwin C. Bearss, *Historic Resource Study: Ship Island, Harrison County, Mississippi, Gulf Islands National Seashore, Florida/Mississippi* (Denver: United States Department of the Interior, National Park Service, Denver Service Center, 1984), 207. The First and Third Regiments were deployed in the Battle of Port Hudson, while the Second Regiment was stationed in Fort Pike (Companies: A, E, H) and Ship Island (Companies B, C, D, F, G, I, and K). Bearss, *Historic Resource Study Ship Island*, 211. The First Regiment included African American line officers and white field officers. The line officers of the Second Regiment were all African Americans. It also had all African American officers except for the rank of colonel, lieutenant colonel, and adjutant. The Third Regiment contained line officers of both races. The three regiments had non-commissioned officers, who were all African Americans. Vincent, *Black Legislators in Louisiana during Reconstruction*, 14, Joseph T. Wilson, *The Black Phalanx: A History of the Negro Soldiers of the United States in the War of 1775-1812, 1861-’65* (Hartford, Conn.: American Publishing Co., 1888), 195, 211.

<sup>11</sup> “Major Dumas,” *New Orleans Tribune*, March 20, 1868; Hollandsworth, *The Louisiana Native Guards*, 26.

<sup>12</sup> Melissa Daggett, “Henry Louis Rey, Spiritualism, and Creoles of color in Nineteenth-Century New Orleans” (master’s thesis: University of New Orleans, 2009), 11-21.

Regiment Captain Arnold Bertonneau was a wine merchant and a member of La Société d'Economie d'Assistance Mutuelle, a mutual-aid organization for Creole men of color.<sup>13</sup> Emile Detiége, a first lieutenant in the First Regiment, engaged in masonry. Most were literate, and they had been commercially successful or established themselves as artisans during the antebellum period.<sup>14</sup>

The Louisiana Native Guards also held Anglicized black officers. Similar to Creole officers, they had been free in the antebellum period. Many found a socio-economic niche by working on the Mississippi River. James Lewis, a captain in the First Regiment, for instance, was born in 1832 in Woodville, Mississippi and worked as a steward on the river.<sup>15</sup> Second Regiment Captain P. B. S. Pinchback was a son of a planter and an enslaved mother in Macon, Georgia. He was manumitted by his father at the age of six, went to school in Cincinnati, and worked as a steward in the Midwest before the war. After the war broke out, he crossed the Mississippi River to New Orleans to fight for freedom.<sup>16</sup> Second Lieutenant John H. Crowder of the First Regiment was born free in Louisville, Kentucky in 1846 and grew up in New Orleans. Like Lewis and Pinchback, he worked as a steward and porter along the Mississippi River before he joined the Native Guards.<sup>17</sup> Many of these Anglicized officers, similar to their fellow Creoles,

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<sup>13</sup> David C. Rankin, "The Origin of Negro Leadership in New Orleans during Reconstruction," *Journal of Southern History* 40, no. 3 (August 1974): 437; *Journal des Séances de la Direction de l'Institution Catholique pour l'Instruction des Orphelines dans l'Indigence, 1859-1875*, July 1, 1859, 13, Archives of the Archdiocese of New Orleans (AANO).

<sup>14</sup> Rankin, "The Origin of Negro Leadership in New Orleans during Reconstruction," 437.

<sup>15</sup> William J. Simmons, *Men of Mark: Eminent, Progressive and Rising* (Cleveland, OH: Geo. M. Rewell & Co., 1887), 954-58.

<sup>16</sup> Simmons, *Men of Mark: Eminent*, 759-81; James Haskins, *The First Black Governor: Pin[c]kney Benton Stewart Pinchback* (New York: Macmillan, 1973, Trenton, NJ: Africa World Press, Inc. 1996), 6-21. Citations refer to the 1996 edition.

<sup>17</sup> Hollandsworth, *The Louisiana Native Guards*, 28, Joseph T. Glatthaar, "The Civil War through the Eyes of a Sixteen-Year-Old Black Officer: The Letters of Lieutenant John H. Crowder of the 1<sup>st</sup> Louisiana Native Guards,"

were literate and had experienced considerable social and geographic mobility in the antebellum period.

Although the Native Guards were in principle composed of free people of color, they also included some formerly enslaved.<sup>18</sup> Robert H. Isabelle, lieutenant in the Second Regiment, reported that his soldiers named Wimba and August Congo were slaves from Africa smuggled into Louisiana in 1858. When the Union approached to their plantation, they fled and volunteered themselves as soldiers. Isabelle was impressed by these African soldiers and commented, “We want ten thousand more brave sons of Africa like these.”<sup>19</sup> Major Francis E. Dumas of the Second Regiment also deployed his slaves for his company.<sup>20</sup> This congregation of people of color of different shades, origins, status, and ethnic identities created a strong sense of unity to end slavery. First Regiment Captain Henry Louis Rey wrote, “You will be able to see the enthusiasm of black soldiers... You will cross a thousand white bayonets gleaming in the sun, held by black, yellow, or white hands. Be aware that we have no prejudice; that we receive everyone at the camp.”<sup>21</sup>

White Union officers responded variously to the Louisiana Native Guards. Many were surprised at the wealth, intelligence, and physical characteristics of free people of color. These

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*Louisiana History* 35, no. 2 (Spring 1994): 203-4.

<sup>18</sup> William H. Wiegel to S. H. Stafford, September 11, 1862, in *The Negro in the Military Service of the United States*, 969, reel 1.

<sup>19</sup> Robert H. Isabelle, “Letter 56,” in *A Grand Army of Black Men: Letters from African-American Soldiers in the Union Army, 1861-1865*, ed. Edwin S. Redkey (New York: Cambridge University Press, 1993), 140-41.

<sup>20</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 12.

<sup>21</sup> Henry Louis Rey, “Correspondence,” *L’Union*, October 18, 1862. The division between free soldiers and enslaved people, however, remained in the private aspects of soldiers’ lives. For example, John H. Crowder met an enslaved girl with whom he felt in love. However, he needed to conceal his feeling because of their status differences. See Glatthaar, “The Civil War through the Eyes of a Sixteen-Year-Old Black Officer,” 206.

features convinced some officers to believe that no clear difference between African American soldiers and white soldiers existed. Nathan W. Daniels, a white colonel from New York, commented on Captains P. B. S. Pinchback and Arnold Bertonneau in the Second Regiment, “The question as to whether colored officers are not quite as competent when properly instructed, I am not as yet inclined to deny, at least my experience has thus far proved that they are, and their standard of Intelligence is quite as high as that of any line officer of any Rgt[Regiment] that I have yet seen.”<sup>22</sup>

Yet, the majority of white soldiers openly discriminated against African American soldiers, which created daily conflicts within the ranks. On May 3, 1863, Charles Bennett, a white volunteer from Connecticut, wrote a letter to his parents describing a fight between a white officer and African American soldiers in Camp Parapet near New Orleans. During the fight, a white officer attempted to punish an African American soldier for an alleged misdemeanor. His fellow soldiers resisted this punishment in group by shouting at the white officer, “You have no right to strike him.”<sup>23</sup> On another occasion, on December 9, 1863, in Fort Jackson, Lieutenant-Colonel Augustus Benedict whipped two African American drummer boys in the Second Regiment of the Louisiana Native Guards. This use of the whip aroused fierce opposition from soldiers, prompting some to fire their guns in protest.<sup>24</sup> More generally, the Union hesitated to deploy African American soldiers for combat and used them mainly as menial laborers for the

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<sup>22</sup> Nathan W. Daniels, “March 24<sup>th</sup> 1863,” in *Thank God My Regiment an African One: The Civil War Diary of Colonel Nathan W. Daniels*, ed. C. P. Weaver (Baton Rouge: Louisiana State University Press, 1998), 63.

<sup>23</sup> Charles Bennett to his parents, May 3, 1863, Charles Bennett Letters, Folder 7, Williams Research Center (WRC), Historic New Orleans Collection (HNOC).

<sup>24</sup> Nathaniel P. Banks to H. W. Halleck, in *The Negro in the Military Service of the United States, 1834-38*, reel 2.



construction of forts and trenches. African American soldiers did not receive equal equipment or to pay to white soldiers.<sup>25</sup>

White commanders blamed African American officers for causing racial unrest in the Union army. In November 1862, Lincoln replaced Benjamin Butler with Nathaniel P. Banks as commander of the Gulf. Banks revealed that he was opposed to African American officers, because their presence allegedly “demoralizes both the white troops and the negroes.”<sup>26</sup> By early February 1863, Banks had determined to remove African American officers and replace them with white ones. In late January 1863, when the Third Regiment of the Louisiana Native Guards moved to Baton Rouge, Banks worked to eliminate its African American officers. Within a few days of their arrival, the Third Regiment had a trouble with white soldiers of the Thirteenth Maine Infantry Regiment. One of the Native Guard captains was assigned to inspect white soldiers in the Maine unit; however, these soldiers disobeyed his orders and instead threatened to murder him.<sup>27</sup> Banks sided with the white soldiers, brought African American Third Regiment officers to New Orleans, and urged them to resign to avoid disgrace. On February 19, 1863, these officers reluctantly followed Banks, obtained the Special Order No. 50, which stated their resignations, and returned to Baton Rouge. However, when they arrived in their camp, Banks had already informed the regiment that he had appointed new white officers. The Third Regiment

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<sup>25</sup> Daniel Ullmann to Henry Wilson, December 4, 1863, in *The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*, ser. III, vol. III, comp. USWD (Washington D.C.: GPO, 1899), 1126-28.

<sup>26</sup> Nathaniel P. Banks to L. Thomas, February 12, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867: Selected from the Holdings of the National Archives of the United States*, ser. II, eds. Ira Berlin, Joseph P. Reidy, and Leslie S. Rowland (New York: Cambridge University Press, 1982), 316.

<sup>27</sup> Hollandsworth, *The Louisiana Native Guards*, 43; “Colorphobia in the Army,” *Chronicles of the War, National Anti-Slavery Standard*, February 28, 1863. Around the same time, other companies of the thirteenth Maine Infantry stationed in Ship Island with the Second Regiment of the Louisiana Native Guards. Colonel Nathan W. Daniels ordered both to practice together, and Maine soldiers refused. Some records mixed this incident with the Baton Rouge incident. See Weaver, *Thank God My Regiment an African One*, 92-97.

African American officers then realized that Bank's true intention was to replace them with white officers by forcing them to voluntarily resign.<sup>28</sup>

This hardship unified Creole and Anglicized black Native Guard officers to demand justice. After the mass resignation of the Third Regiment, Banks attempted to eject officers of the First and Second Regiments by installing a board of examination that was set to evaluate the fitness of African American officers. This process infuriated them because examiners were whites with inferior rank in the military.<sup>29</sup> On March 2, 1863, eighteen Creole and Anglicized black officers of the Second Regiment, including Captains Joseph Villeverde and P. B. S. Pinchback, sent a letter to Banks with their grievances, explaining that their assignments were mostly construction work at Ship Island in Mississippi and "they have not been able to acquire that perfect knowledge of Military, that would fit us to go before a board of examination."<sup>30</sup> The letter further contended that even with substantial military knowledge and experience, they would not pass the examination because its nature was "a preliminary step to our being mustered out of the Service."<sup>31</sup>

When they learned that their protest was a futile attempt, Second Regiment officers began submitting their resignation letters in protest of discrimination. On March 3, 1863, Creole officers, Robert H. Isabelle, Octave Rey, Arnold Bertonneau, and Ernest Morphy resigned their

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<sup>28</sup> J. A. Gla et al. to Nathaniel P. Banks, February 19, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 316-17; Joseph G. Parker to E. M. Stanton, May 30, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 317-19.

<sup>29</sup> Hollandsworth, *The Louisiana Native Guards*, 72; S. W. Ringgold to Nathaniel P. Banks, July 7, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 325-26.

<sup>30</sup> P. B. S. Pinchback et al. to Nathaniel P. Banks, March 2, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 321-323.

<sup>31</sup> P. B. S. Pinchback et al. to Nathaniel P. Banks, March 2, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 321-323.

positions because of discrimination.<sup>32</sup> Isabelle wrote, “After five or six months experience I am Convinced that the same prejudice still exist[s] and prevents that Cordial harmony among officers which is indispensable for the success of the army.”<sup>33</sup> Anglicized black officers as well left the military. In July 1863, First Lieutenant Joseph Jones and Captains William B. Barrett, Samuel Ringgold, and Samuel J. Wilkinson resigned. In his resignation letter, Wilkinson specifically complained that the board of examiners was consisted of “inferior rank” to him, and he refused to take this disgrace. In September 1863, P. B. S. Pinchback followed them. He was the last African American officer stationed in Fort Pike.<sup>34</sup>

Creole and Anglicized black officers in the First Regiment likewise left their posts. On September 5, 1863, First Lieutenant Jules Mallet and second lieutenant Victor Lavigne, both Creoles of color, resigned in protest against the incorporation of the First Regiment into the Twentieth Corps d’Afrique, one of Banks’ new African American regiments with all white officers. On February 18, 1864, Creole Captain Joseph Follin submitted his resignation letter dissenting, “Daily events demonstrate that prejudices are so strong against colored officers, that no matter what be their participation and their anxiety to fight for the flag of their native land, they cannot do it with honor to themselves.”<sup>35</sup> In November 1864, Captain James Lewis also

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<sup>32</sup> Compiled service record, Robert H. Isabelle, 2nd Lieut., Co. H, 74 U.S. Col’d Inf., Civil War, RG 94; NA; Compiled service record, Ernest Morphy, 1<sup>st</sup> Lieut., Co. E, B, 74 U.S. Col’d Inf., Civil War, RG 94, NA; Compiled service record, Arnold Bertonneau, Capt., Co. H, C, 74 U.S. Col’d Inf., Civil War, RG 94, NA; Octave Rey, Pension application no. C2553938, Service of Octave Rey, Civil War and Later Pension Files, Department of Veterans Affairs, RG 15; NA.

<sup>33</sup> Robert H. Isabelle to Wickham Hoffman, March 3, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 323.

<sup>34</sup> Samuel J. Wilkinson to Nathaniel. P. Banks, July 6, 1863, in Compiled service record, Samuel J. Wilkinson, Capt., Co. K, F, 74 U.S. Col’d Inf., Civil War, RG 94, NA.

<sup>35</sup> Joseph Follin to George B. Drake, February 18, 1864, in Compiled service record, Joseph Follin, Capt., Co. C, 73 U.S. Col’d Inf., Civil War, RG 94, NA.

resigned because the board of examination told him that “it was not the intention...to pass any colored officer.”<sup>36</sup> At the end of the war, only Louis A. Snaer of the First Regiment and Charles S. Sauvinet of the Second Regiment, both Creoles of color, maintained their positions.<sup>37</sup>

The experience in the Louisiana Native Guards led Creoles of color to conclude that their military contributions would not automatically secure equal rights. These soldiers originally considered that equality was something that they could earn through their service. When the Third Regiment officers protested against Banks’ policies, they wrote, “We did not expect, or demand to be put on a Perfect equality In a social point of view, with the whites.” However, they hoped to receive “the Privileges, and respect due to a soldier who had offered his services and his life to his government, ever ready and willing to share the common dangers of the Battle field.” When their military efforts were not acknowledged respectfully, they left the army and sought ways to ensure equality after emancipation. Upon their return to New Orleans, many Creole officers, along with their Anglicized black comrades, shifted their focus to crafting a post-emancipation plan for racial equality.<sup>38</sup>

## **Civilian Experiences**

During the Civil War, Creoles of color also confronted challenges to their freedom on the home front. In particular, educational and journalistic efforts undergirded Creoles’ campaign for

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<sup>36</sup> James Lewis to George B. Drake, November 17, 1864 in Compiled service record, James Lewis, Capt., Co. K, 73 U.S. Col’d Inf., Civil War, RG 94, NA.

<sup>37</sup> Sauvinet claimed that he served as captain, assistant quartermaster, and quartermaster of the Second Regiment. See “Testimony,” in *Report of the Select Committee on the New Orleans Riots*, 44; Compiled service record, Charles S. Sauvinet, Reg. Qr. Mt., Co. F, G, 74 U.S. Col’d Inf., Civil War, RG 94, NA; Hollandsworth, *The Louisiana Native Guards*, 78.

<sup>38</sup> J. A. Gla et al. to Nathaniel P. Banks, February 19, 1863, in *Freedom: A Documentary History of Emancipation, 1861-1867*, ser. II, 316-17.

postbellum racial equality and wartime political activism. Despite racial oppression throughout the antebellum period, Creoles of color had developed their educational organizations to empower themselves. These institutions helped Creoles of color to adjust the social transformation caused by the Civil War.

Since the late 1840s, L’Institution Catholique des Orphelins Indigents, more commonly referred as the Catholic Institute, was at the heart of the Creole community. Initiated in 1837 by the will of Marie Justine Cirnaire, also known as Marie Couvent, a free woman of color born in Africa, the school epitomized Creoles’ community organizing. While the school officially belonged to the Catholic Church, Creole men and women independently operated the school since its charter by François Lacroix, a wealthy tailor, and nine other Creole men in 1847.<sup>39</sup> Free people of color were barred from attending city public schools that launched in the 1840s, and the school was the central institution that ensured the wider access to education for their children.<sup>40</sup> Although the Institute’s name implied that the school enrolled only orphaned children,

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<sup>39</sup> “Incorporation de la ‘Société Catholique pour l’Instruction des Orphelines dans l’Indigence’,” April 20, 1847, Octave de Armas, vol. 40, Act 85, Notary Archives Research Center (NARC). In addition to Lacroix, the charter was signed by François Escoffié, Martial Dupart, Barthélemy Rey, Chazal Thomas, Joseph Jean Pierre Lamma, Etienne Cordoviolle, S. Brulée, Joseph Claude Thomas, and Nelson Fouché. To make Couvent’s will come true, first, Creoles of color needed to convince a Catholic priest to hand over the project. In her will, Marie Couvent specifically named Father Constantine Maenhaut as the supervisor for the establishment of a school. Maenhaut, however, had no incentive to establish a school. For the details about the establishment of the Institute, see Neidenbach, “The Life and Legacy of Marie Couvent,” 405-08; *Anglo-African*, a New York-based African American newspaper described that François Lacroix “is a colored gentleman, and keeps the largest clothing store in the city. His place of business is on St. Charles street, a few doors from the St. Charles Hotel, which is the largest hotel in the city and the head-quarters of Maj. Gen. Banks.” See “Domestic Correspondence,” *Anglo-African*, February 7, 1863.

<sup>40</sup> In the antebellum period, some wealthy free people of color sent their children to France for education or hire private tutors. Catholic orders occasionally provided free children of color education although most were short-lived. After the orders by free women of color were established, free children of color had a limited but more stable access to education. For example, the Ursuline Nuns offered education for free and enslaved girls. See Devore and Logsdon, *Crescent City Schools*, 41-43; Brother Benedict Westrick, F. S. C., “The History of Catholic Negro Education in the City of New Orleans, La (1724-1950)” (master’s thesis: St. Mary’s University of San Antonio, Texas, 1950). Rodolphe Lucien Desdunes also recalled, “Before her [Marie Couvent’s] time there were schools in our city, but poor people were unable to attend them.” See Rodolphe Lucien Desdunes, *Our People and Our History: Fifty Creole Portraits*, trans. and ed. Sister Dorothea Olga McCants (Baton Rouge: Louisiana State University Press, 1973), 106.

in fact it also accepted all free children of color. The board of directors consisted of renowned Creole leaders. Both female and male teachers taught there.<sup>41</sup> Individual Creoles as well as Creoles' social organizations such as La Société d'Economie et D'assistance and La Société des Francs-Amis regularly donated funds to maintain the Institute.<sup>42</sup> A focus of community hopes and investment, the Institute was more than a mere educational institution.

Once the Civil War erupted, the Catholic Institute became a gathering place for Creoles to discuss their communal response to the Confederacy. In the evening of April 22, 1861, Creole leaders, led by Principal Armand Lanusse, met at the Catholic Institute and decided to rally for the Confederacy in hope to protect their native city. The meeting attracted approximately two-thousand participants, including Catholic Institute students.<sup>43</sup> J. C., one of the students in the audience reported, "We have just now formed the colored militia and every man signed his name...Monday last they met in the Catholic Institution; there they made speeches about war, when they had filled the list of names every member retired and yesterday they sent it to the governor of the State of Louisiana."<sup>44</sup> Another student, John Blandin, impressed by the passionate speeches, especially admired Principal Armand Lanusse's speech, saying, "Every word he said weighted a pounds[sic]."<sup>45</sup>

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<sup>41</sup> *Prospectus de L'Institution Catholique des Orphelins Indigents* (New Orleans: Maitre Desarzent, 1847), 2-3, Louisiana Research Collection (LaRC), Tulane University (TU); Board of Directors, *History of the Catholic Indigent Orphan Institute* (New Orleans: 1917), Charles Barthelmy Roussève Papers (CBRP), Box 1, Folder 20, Amistad Research Center (ARC), TU.

<sup>42</sup> As for donors, see, for example, *Journal des Séances de la Direction de l'Institution Catholique pour l'Instruction des Orphelins dans l'Indigence, 1859-1875*, July 1, 1859, 13, September 1, 1859, 16, and September 12, 1864, 96, AANO.

<sup>43</sup> "Meeting of the Colored Population," *Daily Picayune*, April 22, 1861; "Meeting of the Free Colored Population," The City, *Daily Picayune*, April 23, 1861.

<sup>44</sup> J. C. to E. Meunier, April 24, 1861, in *Catholic Institution English Composition Copy Book (Copy Book II)*, 23, AANO.

<sup>45</sup> J. Blandin to Henry Vasserot, April 24, 1861, *Copy Book II*, 24, AANO.

In spite of Creoles' allegiance to the Confederacy, both they and the Catholic Institute were targets of racial hatred. In May 1862, shortly after the Union army occupied the city, it confiscated the neighboring Fillmore School, which had been renamed for Jefferson Davis during the war. Angry Fillmore students attacked Catholic students on the street. One Catholic Institute student Ernest Brunet told his friend, J. Burel, that these Fillmore students tried to capture a student named F. Richard "and wanted to whip him...some of them had knives some racks, some sticks, and some had slingshots."<sup>46</sup> The crowd from the Fillmore School numbered about fifty, and according to another letter by Etienne Pérault to F. Spalding, they attacked two other boys after they failed to catch Richard on the street.<sup>47</sup> The attacks on the Institute pupils reminded Creoles of color of their precarious position as free people of color even after the Union occupation of the city.

The arrival of Union forces created a sense of hope for the Catholic Institute managers and students. School Principal Armand Lanusse, while excusing his previous support for the Confederacy, declared that henceforth as a free person of color he would support Native Guard soldiers and the federal government.<sup>48</sup> Students were also keenly aware of what Union occupation meant in the city. On October 8, 1862, Etienne Pérault wrote that there was an incident in which white men attacked an African American man. To the surprise of Pérault, the white man was arrested and put in a prison, while the African American man was released with no penalty. He reflected, "If it would be the Confederates who were in possession of the town, they would fine the colored man \$25 and would put him two or three months in prison, whilst the

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<sup>46</sup> Ernest Brunet to J. Burel, May 21, 1862, *Copy Book II*, 211-12, AANO.

<sup>47</sup> E. Pérault to F. Spalding, May 21, 1862, *Copy Book II*, 213, AANO.

<sup>48</sup> Armand Lanusse, "Explication," *L'Union*, October 8, 1862.

white man has been punished to three months at Port Jackson.”<sup>49</sup> To Péroult, the Union offered unimagined opportunities for racial equality.

To seize an opportunity for the future under the Union occupation, Creoles of color founded a newspaper to advocate for their vision of postwar freedom. On September 27, 1862, Louis Charles Roudanez, with financial aid from the Union army, began publishing a French newspaper, *L'Union*. Roudanez was born in St. James Parish in 1823 to Louis Roudanez, a Saint Domingue refugee and Aimée Potens, a free woman of color. When he was a medical student at La Faculté de Médecine de Paris, Roudanez witnessed the French Revolution of 1848, which abolished slavery in its colonies and granted voting rights to freedmen.<sup>50</sup> Paul Trévigne served as the editor-in-chief for *L'Union*. He was born in New Orleans in 1825 to a Spanish veteran of the Battle of New Orleans and Josephine Decoudreaux, a free woman of color. Although the details of his early life are unknown, he was well educated in both French and English literature, and he and his wife taught both white and African American children at their home beginning in 1848.<sup>51</sup> He simultaneously taught at the Catholic Institute.

The French Second Republic was the ideological basis of *L'Union*. In particular, its emancipation of slaves appealed Creoles of color. One of the *L'Union* contributors and a Catholic Institute teacher, François Boisdoré, demanded that the United States follow the French Revolution of 1848. He wrote, “Ah France...She has tried to make them [freedmen] men and citizens, who she is honored to possess. Nations of Americas! Whatever are your systems of

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<sup>49</sup> E. Péroult to P. Ouido, October 8, 1862, *Copy Book II*, 243, AANO.

<sup>50</sup> David Rankin, “Introduction,” in Jean-Charles Houzeau, *My Passage at the New Orleans Tribune*, ed. David Rankin, trans. Gerald F. Denault (Baton Rouge: Louisiana State University Press, 1984), 27.

<sup>51</sup> “The School Board Report,” *New Orleans Tribune*, September 21, 1867.



government, in the name of Christianity, model your fundamental principles on those of France.”<sup>52</sup>

In addition to French republicanism, Creoles of color solidified their postwar vision of freedom in *L'Union* to include abolitionism and equal rights. First, the newspaper repeatedly denounced slavery as an institution that had spread quickly in Louisiana due to “a retrograde legislation” during the antebellum period, and that it deprived the enslaved of “the culture of his intelligence” and “all hope of liberty.” *L'Union* further foresaw two consequences of slavery: that slaves “will rebel,” and that the Southern states “will see the events of Saint-Domingue,” or alternatively that the United States will “represent a noble and elevated civilization” by abolishing slavery.<sup>53</sup> As a rare African American-owned newspaper published in the Deep South, *L'Union* resonated with Northern abolitionists. Citing the New York-based anti-slavery French newspaper *Messenger Franco-Américain*, *L'Union* called for the immediate emancipation of slaves and argued that freedom could not be achieved without abolition, as slavery was the core reason for the secession.<sup>54</sup>

*L'Union* also argued that slavery had generated racial prejudice in the United States. Paul Trévigne argued that “of all the evils which follow from slavery, none is more unjust or more cruel than the inept prejudice” and refuted the biological inferiority of the black race. He argued that “Like the malicious treatment that slaves suffer made them exhausted, their race was considered to be an inferior order.” Based on this point, Trévigne criticized the United States: “You refuse men of color all participation in the benefit of a democratic and free government,

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<sup>52</sup> F. B., “La Liberté,” *L'Union*, October 18, 1862.

<sup>53</sup> “L’Esclavage,” *L'Union*, September 27, 1862.

<sup>54</sup> “La Cause de la Guerre,” *L'Union*, December 10, 1862.

under the futile pretext that they come from a race which your laws have degraded?" Trévigne, like Boisdoré, urged that the nation abolish slavery and ensure African American rights as citizens.<sup>55</sup>

For *L'Union*, the Louisiana Native Guards were counterevidence to innate black inferiority. The newspaper described how much Native Guards remained loyal to the Union despite constant discrimination within the army, and had made significant military contributions. During the Siege of Port Hudson in 1863, the First and Third Regiments of the Louisiana Native Guards engaged in fierce battles, which resulted in the deaths of many Creole and Anglicized black officers including Captain André Cailloux and Second Lieutenant John Crowder. *L'Union* praised their sacrifice: "There can be no freedom without martyrdom."<sup>56</sup>

Similar to Louisiana Native Guard officers, *L'Union* also acknowledged that military contribution did not automatically guarantee racial equality. Pointing out deep racial bigotry among whites, the newspaper argued against "the illegitimate politics of the old prejudices, which itself alone, has done more harm to the Republic." *L'Union* claimed, "The time has come that all these heresies must disappear; and it is the progressive men who have not gained the retrogressive principle of slavers, to boldly lay the first foundation stone which must strengthen the new civil edifice which the Louisiana unionists must build." By problematizing racial prejudice based on slavery, *L'Union* played the leading role in conceptualizing freedom as complete equality with whites.<sup>57</sup>

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<sup>55</sup> P. T., "De l'Esclavage et du Prejuge de Caste," *L'Union*, October 25, 1862.

<sup>56</sup> "Legion Fremont," *L'Union*, May 30, 1863.

<sup>57</sup> "Le Gouvernement d'Etat," *L'Union*, April 16, 1863.

## Political Formation

These military and civilian experiences inspired Creoles of color to create a suffrage movement. To carry out their ideals, they built an alliance with white unionists and Anglicized African American leaders. During the Civil War New Orleans harbored a considerable number of white unionists: many of whom were migrants from the North before the war. Among them Philadelphia-born Thomas J. Durant was known to be a radical unionist. While previously known as a staunch supporter of the Democratic Party, after the occupation Durant launched the Union Republican Association, a white radical unionist organization in 1863. His movement, however, almost failed because Nathaniel P. Banks supported conservative unionists. Durant and his fellow radical unionists needed African American allies to bolster their forces. Creoles of color saw these unionists as their associates to pursue suffrage.<sup>58</sup>

Creoles of color also collaborated with Anglicized blacks. On November 5, 1863, Creoles of color, Anglicized blacks, and white unionists held a joint meeting at the Economy Hall to petition Governor George Foster Shepley for universal male suffrage. During the meeting, Creoles of color and Anglicized blacks found a common ground in their military experiences. François Boisdoré, a teacher of the Catholic Institution, remarked, “If the United States has the right to arm us, it certainly has the right to allow us the rights of suffrage.” P. B. S. Pinchback, a former captain of the Louisiana Native Guards, resonated with Boisdoré claiming that “if colored people were citizens they had a right to vote. If they were not citizens, they were exempted from the draft.” The meeting aimed to demand the 1864 Louisiana state constitutional convention granted black suffrage. However, Banks rejected their request, as the Lincoln administration considered

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<sup>58</sup> Ted Tunnell, *Crucible of Reconstruction: War, Radicalism, and Race in Louisiana, 1862-1877* (Baton Rouge: Louisiana State University Press, 1984), 26-36.

universal male suffrage too radical. On December 8, 1863, President Lincoln announced the exclusion of any African American voters to the Louisiana state constitutional convention as well.<sup>59</sup>

In response to these setbacks, Creoles of color organized their community further. Creole leaders collected more than a thousand signatures from their communities seeking the right to vote. At least twenty original Louisiana Native Guard officers contributed to the petition.<sup>60</sup> In addition, the Catholic Institute teachers, managers, and students' families also signed. Teacher and *L'Union* editor Paul Trévigne signed a petition along with his brother Raymond. Some board of directors including Eugène Chessé also supported the petition. Among families of Catholic Institute students, E. H. Relf, Armand Cloud, and Etienne Pérault also signed. Collecting signatures was a kinship effort as well. For instance, six Bonseigneur family members signed the petition. The Decuir and Degruy families likewise collected eight signatures. The Ricard family gathered ten signatures.<sup>61</sup> Emerging Creole leaders such as Antoine Dubuclet, Aristide Dejoie, and Pascal M. Tourné also supported the cause.<sup>62</sup>

The petition demonstrated free people of color's desire to be recognized as full citizens. It claimed free people of color to be citizens who "possess to liberty and the pursuit of happiness"

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<sup>59</sup> "A Meeting of Free Colored Citizens at Economy Hall," *New Orleans Times*, November 6, 1863.

<sup>60</sup> Among the original Louisiana Native Guards officers, Alfred Bourgeau, Charles F. Butler, Arnold Bertonneau, Edgard Davis, Louis Degruy, Francis E. Dumas, Alphonse Fleury, Jr., Joseph Follin, Octave Foy, Robert H. Isabelle, W. F. Keeling, L. D. Larrieu, J. H. Latting, Valdes Lessassier, James E. Moore, Louis Petit, Hippolyte Rey, Octave Rey, J. P. Louis, and A. F. Tervalon signed a petition. In addition to them, soldiers such as Rudolphe Baquie, and Eugene Meilleur also left their signatures. "Petition of Natives of Louisiana and Citizens of the United States of African descent," March 15, 1864, file SEN38A-H19, NA.

<sup>61</sup> "Petition of Natives of Louisiana and Citizens of the United States of African descent," March 15, 1864, file SEN38A-H19, NA.

<sup>62</sup> Antoine Dubuclet became a state treasurer, Aristide Dejoie served as state senate, and Pascal M. Tourné worked as a city school board member between 1877 and 1878. See Vincent, *Black Legislators in Louisiana during Reconstruction*, 146, 151; DeVore and Logsdon, *Crescent City Schools*, 85.

as included in the Declaration of Independence. It argued that petitioners were loyal citizens who sacrificed their lives under the direction of Banks. It beseeched, “We are men; treat us as such.” While the petition specifically asked for voting rights of free people of color, it also proposed that in the future suffrage should extend to freedmen: “The extension of this privilege [suffrage] to those born slaves, with such qualifications as shall affect equally the white and the colored citizen.”<sup>63</sup>

Creoles of color used the petition to negotiate directly with President Lincoln. On February 23, 1864, Creoles of color held a mass meeting and appointed a committee to send the delegates, Arnold Bertonneau and Jean Baptiste Roudanez, to Washington D.C. Bertonneau was a former captain of the Louisiana Native Guard. Jean Baptiste Roudanez was a brother of Louis Charles Roudanez and worked as a machinist. Both were well known Creole men of color and, according to the *Liberator*, they belonged to successful “business circles in New Orleans.”<sup>64</sup> In March 1864, Bertonneau and Roudanez, met Abraham Lincoln, Massachusetts senator Charles Sumner and Pennsylvania House of Representative George Keller. The delegates, however, failed to receive positive responses from Lincoln. Lincoln was largely sympathetic with Bertonneau and Roudanez. However, he refused to grant suffrage to free people of color. Roudanez later reported, he “sympathized with our object,--but said he could not aid us on moral grounds, only as a military necessity.”<sup>65</sup>

Despite their failure in Washington D.C., Bertonneau and Roudanez enlarged their vision

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<sup>63</sup> “Petition of the Colored Citizens of Louisiana,” *Liberator*, April 1, 1864.

<sup>64</sup> “The Colored People of New Orleans,” *Liberator*, March 11, 1864.

<sup>65</sup> “Dinner to Citizens of Louisiana,” *Liberator*, April 15, 1864. Lincoln, after his meeting with Bertonneau and Roudanez, sent Governor Michael Hahn a letter suggesting limited suffrage for free people of color, but he ordered Hahn to keep it private. As a result Hahn did not disclose Lincoln’s letter to the public. See LaWanda Cox, *Lincoln and Black Freedom: A Study in Presidential Leadership* (Columbia: University of South Carolina Press, 1981), 94.

for racial equality during their Northern tour. After their disappointing meeting in Washington D.C., they visited Boston and met a group of renowned abolitionists and Massachusetts political leaders including William Lloyd Garrison, Wendell Phillips, Frederick Douglass and Governor John A. Andrew. Bertonneau and Roudanez explained to their Northern audience the strong presence of free people of color in New Orleans, their military and political influence in Louisiana, and their struggles for voting rights. They were impressed by the degree of rights for African Americans that Boston abolitionists had achieved during the antebellum period. Bertonneau commented, “When we return to New Orleans we shall tell our friends that in Massachusetts we could ride in every public vehicle; that the colored children not only were allowed to attend public schools with white children, that they were compelled by law to attend such schools.”<sup>66</sup> These experiences inspired Creoles of color to expand yet further their vision of freedom.

In Louisiana, however, the political situations did not favor Creoles of color or their aspirations. In March 1864, Michael Hahn was elected governor of Louisiana and rejected black enfranchisement. Under the supervision of Banks, Louisiana held a state constitutional convention to amend the 1852 constitution. While the convention officially abolished slavery in Louisiana, it failed to determine voting rights eligibility. Eventually, the constitution granted the legislature the power to decide whether voting rights should be extended to free men of color. The state legislature, comprised of conservative factions, declined to extend to African Americans. In addition, the Union army ceased financial contributions to *L’Union*, thereby further undermining the Creoles’ campaign for suffrage and equality.<sup>67</sup>

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<sup>66</sup> “Dinner to Citizens of Louisiana,” *Liberator*, April 15, 1864.

<sup>67</sup> Joe Gray Taylor, *Louisiana Reconstructed, 1863-1877* (Baton Rouge: Louisiana State University Press, 1974), 47; Logsdon and Bell, “The Americanization of Black New Orleans,” 229.

In response, on June 21, 1864, the editors of *L'Union* launched a new organ, the *New Orleans Tribune*. Paul Trévigne and Louis Charles Roudanez made drastic changes to reflect their coalition with Anglicized blacks and white unionists. First, they decided to publish the *Tribune* as an English-French bilingual paper. Second, in November 1864, they welcomed white radicals such as a Belgium-born Jean-Charles Houzeau and a French-born Michel Vidal to become editors.<sup>68</sup> In particular Houzeau's presence became a symbol to white radicals who cooperated with Creoles of color. Houzeau later recalled that his mission was "to prepare for the future, by immediately making it [the *Tribune*] the organ of five million black and brown-skinned men of the United States" and "to transform a local newspaper into a newspaper of national importance."<sup>69</sup> Third, the *Tribune* hired both Creole and Anglicized black editors. For instance, it employed J. Clovis Lazier, a trilingual newspaperman whose father was Swiss and mother a free woman of color. In addition, Charles Dallas, an Anglicized black unionist from Texas joined the *Tribune* as an editor. Fourth, the new managerial and editorial team made the *Tribune* a daily newspaper. By 1866, its daily circulation reached about three thousands, despite ongoing harassment by white conservatives.<sup>70</sup>

The *New Orleans Tribune* functioned as the core of many African American political organizations. For instance, in 1864, when Anglicized black ministers at St. James A. M. E. Church in Tremé formed the National Union Brotherhood Association, the organization called

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<sup>68</sup> Houzeau, *My Passage at the New Orleans Tribune*, 78, 144.

<sup>69</sup> Houzeau, *My Passage at the New Orleans Tribune*, 79.

<sup>70</sup> Rankin, "Introduction," 29; "Testimony," in *Report of the Select Committee on the New Orleans Riots*, 73-74; "The New Orleans Tribune," *New Orleans Tribune*, July 21, 1864; Mark Charles Roudané, *The New Orleans Tribune: An Introduction to America's First Black Daily Newspaper* (Printed by the author, 2014), 4; "Testimony," in *Report of the Select Committee on the New Orleans Riots*, 76; Houzeau also noted that white planters openly threatened to destroy the printing press of *L'Union* and the newspaper office. Houzeau, *My Passage at the New Orleans Tribune*, 71-72.

for the importance of sustaining the *Tribune*. In the same year, James Ingraham, an Anglicized black former captain of the Louisiana Native Guards, established a branch of the National Equal Rights League in New Orleans. When Ingraham became president of the branch, he welcomed the *Tribune* as its official organ. The organization was an advocacy of the abolition of slavery and black suffrage. These organizations meshed seamlessly with the goals of the *Tribune*.<sup>71</sup>

Creoles of color worked closely with Anglicized blacks. In 1865, when the conservative Louisiana state legislature proposed the Smith Bill, known as the ‘octoroon bill,’ which extended suffrage only to free people of color, the *Tribune* vehemently criticized it for failing to address suffrage for all people of color. Furthermore, the National Equal Rights League movement made efforts to unite African Americans in New Orleans. James Ingraham argued, “We have to set aside all differences and unite in one spirit” at a meeting in December 1864.<sup>72</sup> At another meeting, J. P. Randolph, a well-known black abolitionist from the North, urged, “I do not represent the three-fourths black: I stand here tonight as the representative of the African.”<sup>73</sup> Creoles of color and Anglicized blacks were building a common ground for political collaboration.

In June 1865, Creoles of color and Anglicized blacks joined with white unionists led by Thomas J. Durant to establish the Friends of Universal Suffrage. The *New Orleans Tribune* became the official organ of the organization. The executive committee of the organization included white unionist and future Governor Benjamin Flanders, Anglicized black and future

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<sup>71</sup> “Proceedings of the Meeting of the National Union Brotherhood Association No. 1 Held in St. James Church (A. M. E.),” *New Orleans Tribune*, July 21, 1864; “State Convention of the Colored People of Louisiana, Jan. 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup>, 1865,” in *The Proceedings of the Black State Conventions, 1840-1865*, vol. 2, eds. Philip S. Foner and George E. Walker (Philadelphia: Temple University Press, 1979), 251.

<sup>72</sup> Logsdon and Bell, “The Americanization of Black New Orleans,” 232; “Mass Meeting at the School of Liberty,” *New Orleans Tribune*, December 27, 1864.

<sup>73</sup> “Grand Mass Meeting at Economy Hall,” *New Orleans Tribune*, December 3, 1864.



Lieutenant Governor Oscar J. Dunn, and Catholic Institute teacher Firmin Christophe.<sup>74</sup> The organization argued that to advance freedom struggle, African Americans had to “secure that liberty and to give it a practical shape, by extending to all men the rights and immunities that justly belong to citizens.”<sup>75</sup> Universal male suffrage was the immediate goal. The following month, the organization joined the National Republican Association of Louisiana with the National Union Republican Club, a more moderate Republican group led by an Ohio-born Henry C. Warmoth on the condition that together they agitate for universal male suffrage. Once united, the groups formed the Republican Party in Louisiana. The Central Executive Committee of the Friends of Universal Suffrage became the Central State Executive Committee of the Republican Party.<sup>76</sup> This reorganization meant that Creoles of color and Anglicized blacks joined their cause to that of a national party and had a prominent stake in the state’s Republican party.

### **The Mechanics’ Hall Massacre**

Although Creoles of color rapidly developed their networks with Anglicized blacks and sympathetic whites, they endured tremendous white violence. In the mid-1860s, Louisiana politics became highly polarized due to the return of Confederate soldiers, politicians, and sympathizers. With the endorsement of President Andrew Johnson’s administration in 1865, the Louisiana state legislature enacted a series of black codes, which restricted freedom of mobility among African Americans. In response to growing concerns about the drift of Johnson’s policies,

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<sup>74</sup> “Universal Suffrage,” *New Orleans Tribune*, June 17, 1865.

<sup>75</sup> “The Friends of Universal Suffrage,” *New Orleans Tribune*, June 18, 1865.

<sup>76</sup> *Proceedings of the Convention of the Republican Party of Louisiana* (New Orleans: The New Orleans Tribune Office, 1865), 30.

in early 1866, African American leaders and white unionists planned to convene a state constitutional convention to pursue black male suffrage.<sup>77</sup>

White New Orleanians resorted to violence to shut down the constitutional convention. Former Confederates dominated the city police, and they openly planned to stop the convention by arms. On July 30, 1866, on the eve of the state constitutional convention, a group of African American convention supporters carrying a United States flag marched through Marigny and the French Quarter on their way to the Mechanics' Hall meeting site. When these marchers approached Canal Street, near the Hall, armed white protestors began harassing demonstrators and shot one man. Despite the danger, the group continued its march. When it arrived at the Hall, police surrounded the building and began shooting at the marchers and convention participants. Street fights immediately degenerated into a citywide riot in which white mobs attacked African American convention supporters, many of whom were unarmed. While attacking marchers in the streets, police also broke into Mechanics' Hall and brutally attacked white unionists and African American spectators inside.<sup>78</sup>

White mobs attacked African Americans regardless of ethno-racial identities or class status. Manuel Camps, a Creole man of color and a board member of the Catholic Institute, was one of the victims who barely survived. He was taken to the Marine Hospital and diagnosed with an "incised wound of head, punctured wound of back; extensive contusions of head and face."<sup>79</sup> A white police officer attacked Anglicized black captain of the Louisiana Native Guards, Charles Gibbons, and one of his fellow officers. When the fight broke out, the policeman shouted at

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<sup>77</sup> James G. Hollandsworth Jr., *An Absolute Massacre: The New Orleans Race Riot of July 30, 1866* (Baton Rouge: Louisiana State University, 2001), 36-42; Taylor, *Louisiana Reconstructed*, 47.

<sup>78</sup> Hollandsworth, *An Absolute Massacre*, 97-125.

<sup>79</sup> *Report of the Select Committee on the New Orleans Riots*, 15.

Gibbons, “There goes one dammed nigger captain, the son of a bitch; kill him.”<sup>80</sup> While Gibbons narrowly escaped the violence, his companion was shot. Victims included not only conference-goers and supporters, but also passersby and streetcar passengers near Mechanics’ Hall. The widespread violence led to the official death toll of thirty-four with additional 119 wounded African American residents. The massacre made manifest that whites were prepared to employ violence to suppress the radical activism.<sup>81</sup>

While many white unionists, including Thomas J. Durant, fled New Orleans, Creoles of color and their allies attempted to transform the tragedy into a movement for change. After the massacre, Jean-Charles Houzeau, the Belgian editor of the *New Orleans Tribune*, immediately wrote articles both in English and French about the massacre and reported the incident across the nation. In six days, he wrote twenty-eight articles and interviewed about two hundred witnesses to inform the world know what had happened in New Orleans.<sup>82</sup> The *Tribune* resumed its publication within the month. In its first issue after the riot, a writer initialed J. W. M. expressed his anger: “What have they done then, to merit *execution without trial*? Simply because they are *black*—nothing more! Their color is the crime.”<sup>83</sup>

These efforts had a national impact. General Philip Sheridan wrote a report to Andrew Johnson and acknowledged that the Mechanics’ Hall incident “was an absolute massacre by the police.”<sup>84</sup> Northern activists denounced Andrew Johnson claiming that his sympathy for

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<sup>80</sup> “Testimony,” in *Report of the Select Committee on the New Orleans Riots*, 125.

<sup>81</sup> Hollandsworth, *An Absolute Massacre*, 120; *Report of the Select Committee on the New Orleans Riots*, 12.

<sup>82</sup> Hollandsworth, *An Absolute Massacre*, 136; Houzeau, *My Passage at the New Orleans Tribune*, 159.

<sup>83</sup> J. W. M., “What is Their Crime?” *New Orleans Tribune*, August 31, 1866.

<sup>84</sup> “Sheridan’s Dispatches,” *New Orleans Tribune*, August 31, 1866.

Confederates made white violence in New Orleans possible.<sup>85</sup> Public pressure led Congress to formerly investigate the event. Through an extensive investigation that lasted from December 1866 to early 1867, Congress acknowledged that the event of July 30, 1866 was “a massacre so inhuman and fiend.”<sup>86</sup> Inspired in part by the Mechanics’ Hall Massacre, Congress broke with President Johnson and pursued a more drastic measures of reform in the South, thereby initiating congressional Reconstruction. Creoles of color and their allies used this national attention to re-launch their campaign in New Orleans.

## Conclusion

Soon after the Union occupation of New Orleans in spring 1862, Creoles of color began their long campaign for racial equality. While their visions were influenced by francophone trans-Atlantic events and thoughts, they did not develop their vision for postwar freedom alone. Military engagement created new opportunities for Creole men of color to bond with Anglicized blacks and enslaved soldiers. Creoles of color and their allies not only aimed to abolish slavery, but also to struggle together against racism within the military. Their daily experiences prompted Creoles of color to envision racial equality as the core of postwar society. Likewise, Creoles of color on the home front faced both racism and disruptions under the Union occupation. To articulate and publicize their visions they founded *L’Union*.

These Creoles’ efforts generated a new political movement. Creoles of color collaborated with white unionists and Anglicized black leaders in New Orleans. The alliance welcomed both military officers and civilian leaders as political agents. In addition, Creoles of color transformed

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<sup>85</sup> “The New Orleans Riots—Resolutions of the Cooper Institute Meeting,” *New Orleans Tribune*, August 31, 1866.

<sup>86</sup> *Report of the Select Committee on the New Orleans Riots*, 1.

their organ, *L'Union* into the *New Orleans Tribune* in order to reach an even wider audience and to work effectively within their radical coalition. The paper exemplified the new socio-political networks that Creoles of color had developed during the war. Its editors included Creole men, white radicals, and Anglicized black leaders. Setting suffrage as their primary goal, Creoles of color shaped the nascent radical political activism that led to the formation of the Friends of Universal Suffrage and the Republican Party in Louisiana. Through coalition building, Creoles of color set a foot on the stage of Reconstruction politics. Despite the trauma of the Mechanics' Hall Massacre in 1866, their alliance continued to be the foundation for the radical movement during Reconstruction. In this struggle, Creoles of color began articulate their further vision for postwar freedom—racial equality in public institutions.

## CHAPTER 2: NO STAR SYSTEM: THE MAY 1867 PROTEST AND THE 1868 STATE CONSTITUTION

### Introduction

On May 12, 1867, the *New Orleans Tribune* argued, “Separation is not equality. The very assignment of schools to certain children on the ground of color, is a distinction violative[sic] of the first principles of equality.”<sup>1</sup> The article appeared shortly after the conclusion of the successful May 1867 streetcar mass protest and prior to the upcoming Republican convention in Louisiana. Nine months had passed since the Mechanics’ Hall massacre, and over a year since Congress had passed the Civil Rights Bill of 1866. The *Tribune* expressed its sense of urgency and called for further actions to secure equal treatment and access to public institutions, in particular, schools, for all people of color.

When the war had ended, Creoles’ demands for equality evolved into an orchestrated campaign to desegregate public institutions. Beginning during the Union occupation of New Orleans, Creoles of color had advanced their vision of postwar freedom. While they joined multiple meetings to advocate for universal male suffrage, they also began mobilizing their grassroots power and negotiating with public institutions for access and better treatment. Streetcars and public schools became their primary targets, as these institutions were central to their everyday lives and the promise of postwar socio-economic mobility. Their struggles with these institutions helped cement their radical Republican coalition with Anglicized blacks and whites. This strategic alliance led to the ratification of the 1868 state constitution, which

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<sup>1</sup> “Star Schools,” *New Orleans Tribune*, May 12, 1867.

protected access to public accommodations and schools for all people without distinction of race or color in the name of ‘public rights.’

While scholars have acknowledged African American leadership in Louisiana politics during the early period of Reconstruction, they have tended to overlook the significance of African Americans’ everyday struggles with streetcars and schools in New Orleans.<sup>2</sup> Exclusion from or discrimination in these institutions occurred regardless of ethno-linguistic identity, skin tone, economic prosperity, or status prior to the Civil War. Access to all cars and school buildings was essential to Creoles’ vision of freedom. The over-riding characteristic of African Americans’ grassroots movement was its well-developed strategy. Although some white newspapers and previous scholars described African American activists as ‘mobs’ or ‘riotous people,’ most protests involved ordinary men and women of all ages and were carried out in carefully staged acts of civil disobedience.<sup>3</sup> These protests urged on Creole and Anglicized black political leaders to secure the principle of equality in the state constitution.

The struggle to insert public rights into the state constitution symbolized the unified goal for racial equality between Creoles of color and Anglicized blacks. Although some scholars have traced the origins of public rights to francophone civic ideals of the mid-nineteenth century, I argue that the concept was widely shared by both Creoles of color and Anglicized blacks.<sup>4</sup> While they still recognized socio-cultural boundaries, in the political field both Creoles of color and

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<sup>2</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*; Logsdon and Bell, “The Americanization of Black New Orleans,” In 1974, Roger A. Fischer examined black New Orleanians’ daily struggles to gain access to streetcars and schools in *The Segregation Struggle in Louisiana*.

<sup>3</sup> Scholars tend to take white newspapers’ words for granted. In 1968, Roger A. Fischer described the protesters of the May 1867 streetcar unrest as a mob, but I argue that this is not the case. Roger A. Fischer, “A Pioneer Protest: The New Orleans Street-car Controversy of 1867,” *Journal of Negro History* 53, no. 3 (July 1968): 223-24.

<sup>4</sup> Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana*; Scott, “Public Rights, Social Equality, and the Conceptual Roots of the *Plessy* Challenge.”

Anglicized blacks supported enacting public rights and clauses to secure access to all public institutions. Only after the gubernatorial election in spring 1868 did Creoles and Anglicized blacks separate themselves into different factions within the Republican Party.

While Creoles of color were able to maintain their alliance with Anglicized blacks and white radicals at the state constitutional convention, the 1868 gubernatorial election campaign challenged Creoles of color to navigate Republican factionalism and the machinations of white Democrats. Articles from the *New Orleans Tribune* in early 1868 reveal that Creoles of color gradually grew distant from Anglicized blacks as they fought against the white moderate Republicans.<sup>5</sup> When Henry C. Warmoth rose as a prominent Republican candidate for governorship and ran with Oscar J. Dunn, an Anglicized black leader, Creoles of color supported James Taliaferro, a unionist planter from Catahoula Parish for governor and Francis E. Dumas, a Creole veteran of the Civil War, for lieutenant governor. As historians Logsdon and Bell have argued, the loss at the election damaged Creoles' political power.<sup>6</sup> Yet, the election did not permanently impede Creoles' alliance with Anglicized blacks and white radicals.

This chapter first explores the racial conditions of streetcars and public schools, and how Creoles of color and Anglicized blacks demanded access to and improved service from them. Second, it examines the May 1867 mass protest and how it pushed the creation of the radical Republican Party in Louisiana. Third, this chapter studies the ways in which Creoles of color ratified clauses to secure equal access to and treatment in all public spaces during the state

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<sup>5</sup> I examined the copies of the *New Orleans Tribune* published between January and April 1868 at the Boston Athenaeum. I greatly appreciate Mark Charles Roudané for sharing his knowledge about the locations of *Tribune* copies.

<sup>6</sup> Logsdon and Bell, "The Americanization of Black New Orleans," 249.



constitutional convention. Last, it uncovers the 1868 gubernatorial election and how the division within the Republican Party isolated Creoles of color from Anglicized blacks.

## **The Star System**

Beginning in the 1830s, streetcars propelled the economy and civic life in New Orleans. As the city expanded during the antebellum period, railroads such as the Carrollton Railroad Company and the Pontchartrain Railroad Company constructed short lines connecting the city center with its uptown and lakeside suburbs. In 1860, responding to the increasing demand for public transportation, the city council decided to create a horse-driven streetcar system within the city limits and chartered the New Orleans City Railroad Company. The construction of lines began in the midst of the secession crisis. On June 1, 1861, the company, nevertheless, managed to begin the operation of six routes for a total of twenty-six miles.<sup>7</sup>

The expansion of streetcar routes continued during the Civil War and under the Union occupation. In addition to the original six lines, the City Railroad Company added a line from the Mississippi River to Jackson Barracks. The St. Charles Street Railroad Company also built new lines. The Union army also operated a streetcar on St. Joseph Street. In 1866, the Crescent City Railroad Company established a streetcar line from Tchoupitoulas Street between Canal and Joseph Streets. By the end of the 1860s, the Canal and Claiborne Streets Railroad Company, the Orleans Railroad Company, and the New Orleans, Metairie and Lake Railroad Company also

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<sup>7</sup> Thomas Ewing Dabney, "Mid-Century," 4-7, in *Public Service of New Orleans*, Unpublished manuscript, Thomas Ewing Dabney Papers, Box 11, Folder 1, LaRC, TU. These lines were: 1) Magazine Street Line, 2) Camp and Prytania Line, 3) Canal Street and Metairie Ridge Line, 4) Rampart Street and Esplanade Line, 5) Rampart Street and Poland Street Line, and 6) Rampart, Esplanade and Barracks Line.

received franchises.<sup>8</sup> By 1870, approximately seventy-seven miles of track crisscrossed the city.<sup>9</sup> More and more people used streetcars for work and leisure, prompting the *New Orleans Times*, a local white newspaper, to admonish, “People ride too much in the horse cars, and travel too little on their feet. This is equally true of men, women and children.”<sup>10</sup>

For African American residents, the New Orleans streetcar system were painful symbols of the antebellum and Confederate racial regimes. In the antebellum period, streetcars excluded African Americans except for the occasional cars designated for blacks-only. For instance, in 1835, the line between St. Claude Avenue and Bayou St. John provided separate cars for white and African American passengers, both free and enslaved.<sup>11</sup> When the New Orleans Railroad Company began its operation in June 1861, it codified its segregation policy: “Colored persons, of both sexes, are allowed to ride in all cars having Stars painted on the sides.”<sup>12</sup>

Even under the Union occupation of New Orleans, African Americans of all ages and status were denied equal privilege as whites because of the star car rule. The infrequent operation of star cars further limited African American mobility. In 1865, the *New Orleans Times* reported that the ratio of streetcars was “two white cars to one star car.”<sup>13</sup> This arrangement required more waiting time for African American residents. One Catholic Institute student wrote to J. R.

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<sup>8</sup> Dabney, “Leaders,” in *Public Service of New Orleans*, 2-7, Thomas Ewing Dabney Papers, Box 11, Folder 1, LaRC, TU.

<sup>9</sup> Louis C. Hennick and E. Harper Charlton, *The Streetcars of New Orleans* (Gretna, LA: Jackson Square Press, 2005), 224.

<sup>10</sup> “People Ride too Much,” *New Orleans Times*, September 3, 1865.

<sup>11</sup> Dabney, “City Building,” 5, in *Public Service of New Orleans*, Thomas Ewing Dabney Papers, Box 11, Folder 1, LaRC, TU.

<sup>12</sup> J. B. Slawson, “Special Notices,” *Daily Picayune*, June 20, 1861.

<sup>13</sup> “Suggestions,” Town Talk, *New Orleans Times*, September 29, 1865.

Slawson, president of the New Orleans Railroad Company, about how his community members complained, “Every time that they want to go in, they must wait half an hour at a corner.”<sup>14</sup> Furthermore, whites were allowed to use star cars at their convenience. The *Daily Picayune*, the major white conservative newspaper, observed, “White persons can ride in the ‘star’ cars if they choose, but they have no right to object to the presence of darkeys there.”<sup>15</sup> The *New Orleans Republican*, the white Republican organ, noted, “The white portion of the traveling community are constantly in the habit of crowding into the star cars, to the almost total exclusion of the colored people.”<sup>16</sup> Yet, white New Orleanians responded violently to African Americans who defied the rules. In 1865, Robert I. Cromwell, a physician and free person of color from Virginia, reported to the *New Orleans Tribune* that he was beaten by white officers when he insisted on taking a white car due to pressing business in the city.<sup>17</sup>

The star car system enforced psychological and physical white dominance. African American passengers on star cars were in constant danger of harassment by whites. In September 1865, an African American man pushed a white man by accident on a streetcar on Natchez Street. In return, the white man shouted at the man that he “would ‘knock the head off.’”<sup>18</sup> While they avoided a physical fight, this incident demonstrated the power imbalance between white and African American passengers. In addition, white riders disrespected African American women

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<sup>14</sup> Valentine to J. B. Slawson, February 14, 1862, *Copy Book II*, 174, AANO.

<sup>15</sup> “Negroes in City Cars,” *Daily Picayune*, November 9, 1864.

<sup>16</sup> “The Star Car Question,” *New Orleans Republican*, April 30, 1867.

<sup>17</sup> “News of the Day. The Star Car Nuisance,” *New Orleans Tribune*, June 25, 1865. Robert I. Cromwell moved to New Orleans from Wisconsin in 1864 and cooperated in the Union army as a supervising agent of the Treasury Department in the Department of the Gulf. See *Freedom: A Documentary History of Emancipation, 1861-1867: Selected from the Holdings of the National Archives of the United States*, ser. I. vol. III, eds. Ira Berlin, et al. (New York: Cambridge University Press, 1982), 558-559.

<sup>18</sup> “The Star Cars,” Town Talk, *New Orleans Times*, September 24, 1865.

on star cars. The *New Orleans True Delta* stated, “We...bear witness to the fact that colored women have been obliged to stand up the greater part of the time, the seats being filled by whites.”<sup>19</sup> The *New Orleans Tribune* raged against star cars: “Our exclusion from the ‘white cars’ is a brand put upon us, and a relic of slavery that ought not to be tolerated.”<sup>20</sup> To African Americans in New Orleans, segregation of public transportation signified unfulfilled freedom and continued racial subjugation.

African American soldiers initiated struggles for universal access to streetcars as soon as the Louisiana Native Guards were formed in September 1862. Despite their service in arms, soldiers suffered not only from discrimination in the military but also in public accommodations. Soldiers actively resisted their subordinate status on streetcars and voiced their dissatisfaction to their white officers. On October 16, 1862, an Anglicized black captain, Hannibal Carter, was arrested for refusing to leave a white car.<sup>21</sup> Henry Louis Rey, a Creole captain of the Second Regiment, also reported in *L’Union* that certain streetcar drivers “appear to oppose that we enter certain carriages” and questioned his “colonel if a soldier of the United States are not entitled to rights than a rebel who betrays his flag.”<sup>22</sup> African American union soldiers, regardless of their ethnic identities, unanimously believed that they should have equal access to public transportation.

Initially, these Native Guard soldiers hoped that the Union army would accommodate their demands in return for their military service. The Union army acted to protect some soldiers’

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<sup>19</sup> “The City Cars,” *Daily True Delta*, September 24, 1865.

<sup>20</sup> “The Car Question,” *New Orleans Tribune*, February 28, 1865.

<sup>21</sup> “The City,” *Daily Picayune*, October 17, 1862. He was described as Carty in the newspaper, but his surname is Carter.

<sup>22</sup> Henry Louis Rey, “Correspondence,” *L’Union*, October 18, 1862.

interests, but failed to offer a permanent solution. For instance, on September 24, 1862, Colonel Stafford advised white New Orleanians in the *Daily Picayune* that they should behave well in streetcars and that railroad companies should increase the number of star cars. Next, General Benjamin Butler ordered railroad companies to allow African American soldiers full access to streetcars. However, a local court intervened to nullify his action. Butler's successor, General Nathaniel P. Banks was reluctant to respond to African American soldiers' demands. It was only in the summer of 1864, when soldiers of the Corps d'Afrique complained about streetcar discrimination that Banks half-heartedly issued an order to secure access for all African American Union soldiers.<sup>23</sup> However, Banks refused to extend his policy to civilians. Even if an African American soldier in uniform was able to ride a whites-only car, his civilian companion could not. This distinction infuriated African American residents. The *New Orleans Tribune* reported, "The mother of a soldier in the service of the Republic was brutally ejected from a city car, when accompanying her son, a colored volunteer."<sup>24</sup>

White newspapers repeatedly denounced African American officers' access to white cars. In response to Hannibal Carter's experience, the *Daily True Delta*, a white newspaper, wrote that his action "has been construed by some ignorant colored people as giving all of their class an indiscriminate right to ride in the cars among white people."<sup>25</sup> To avoid forceful integration, the *New Orleans Times* even suggested the compromise of installing "a special apartment for colored people" to "a third or fourth of the number" of cars in order to ease the tension.<sup>26</sup> Some

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<sup>23</sup> "The City," *Daily Picayune*, September 24, 1862; "No Title," *New Orleans Tribune*, January 13, 1865; Fischer, "A Pioneer Protest," 220.

<sup>24</sup> "The Car Question," *New Orleans Tribune*, February 28, 1865.

<sup>25</sup> "To the Colored People of New Orleans," *Daily True Delta*, November 9, 1862.

<sup>26</sup> "Suggestions," Town Talk, *New Orleans Times*, September 29, 1865.

streetcars made changes to their racial policies. By fall 1865, for example, the Baronne streetcars allowed all passengers to use the upper floor of their double decker cars.<sup>27</sup> However, the policy was most likely intended for the benefit of smokers, and it did not resolve the affront of the star car rule.

African American soldiers' anti-star car protest expanded to include streetcar desegregation as a formal political goal. In January 1865, at the State Convention of the Colored People of Louisiana, an Anglicized black and former Native Guard Captain William B. Barrett commented, "There is one class of colored men, already admitted in the cars; the soldiers. But we want something more; we want that no distinction be made between citizens and soldiers. We must claim the right of riding for every one of us."<sup>28</sup> Furthermore, in July 1865, the Central Executive Committee of the Friends of Universal Suffrage proposed to work on putting an end to "the odious system of star car."<sup>29</sup>

In agreement with Native Guard soldiers and African American political organizations, many civilians openly expressed their dissatisfaction and took actions to abolish the star car system. On August 4, 1865, the *New Orleans Tribune* reported that Major General E. R. S. Canby issued an advisory statement to ban discrimination against persons of color. Encouraged by his statement, one citizen who called himself Veritas Jr. proposed sit-ins and lawsuits in the *Tribune*: "Let every colored citizen of New Orleans...enter into any car of the C. R. R. C. [The Carrollton Railroad Company] and if ordered out—take a seat; and if afterwards he is ejected, sue the company."<sup>30</sup> Consecutively African Americans tested their first streetcar desegregation

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<sup>27</sup> "Why Is It?," Town Talk, *New Orleans Times*, October 12, 1865.

<sup>28</sup> "State Convention of the Colored People of Louisiana, Jan. 9<sup>th</sup>, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup>, and 14<sup>th</sup>, 1865," 248.

<sup>29</sup> "Friends of Universal Suffrage. Central Executive Committee," *New Orleans Tribune*, July 8, 1865.

<sup>30</sup> "The First Civil Victory," *New Orleans Tribune*, August 4, 1865; "Letters to the People," *New Orleans Tribune*,

case. Victor Bishop, Charles Dafran, A. A. Demarge, and Edward Forrest took a white car on the Dauphine Streetcar Line and refused to move. Soon after, they were arrested on the charge of inciting a riot, and the provost court decided that the city railroad company had a right to designate seating passengers based on race. Yet, this case marked the first major reported case during which a group of individuals engaged in civil disobedience in a whites-only car.<sup>31</sup>

Similar to streetcars, access to education drove African American activism. In antebellum New Orleans, public education was exclusive to white children. As soon as the city fell to the Union, African Americans expressed their desire for their children to attend public schools. The earliest educational opportunities were limited to Union-sponsored black schools, which were both distinct and separated from the whites-only public school system. Creoles of color, along with Anglicized blacks, considered this system an intolerable remnant of slavery and began demanding access to all public schools.

Under the occupation, education for enslaved soldiers was especially an urgent issue. Enslaved soldiers demonstrated keen interest in learning how to read and write, and the military considered literacy necessary for African American soldiers to carry out orders. General Nathaniel P. Banks, who was generally reluctant to give services to freedpeople, even launched an education system in the military. In 1863, he appointed members of the American Missionary Association to teach African American regiments and in 1864, he ordered chaplains to serve as teachers for each African American regiment.<sup>32</sup>

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August 8, 1865.

<sup>31</sup>“An Interesting Case Before the Provost Court,” Town Talk, *New Orleans Times*, September 1, 1865.

<sup>32</sup> John W. Blassingame, “The Union Army as an Educational Institution for Negroes, 1862-1865,” *Journal of Negro Education* 34, no. 2 (Spring 1965): 156; DeVore and Logsdon, *Crescent City Schools: Public Education in New Orleans*, 57.

The Union army also provided schooling for civilians. In October 1863, upon the appointment of General Banks, Superintendent of Schools W. B. Stickney reported that the army opened five schools, which enrolled five-hundred and nine students.<sup>33</sup> In January 1864, the American Missionary Association joined the movement and established its first school in the city. In March 1864, Banks systematized education for freedpeople by establishing the Board of Education. It rapidly expanded its system and within nine months, it operated “95 schools, with 162 teachers and 9,571 pupils.”<sup>34</sup> In 1865, the Freedmen’s Bureau took over the administration of the school system and began providing free education. While these schools were not officially incorporated into the city school system, Union-controlled black schools functioned as a pseudo public school system. Superintendent Stickney himself described them as “public schools.”<sup>35</sup>

The majority of African Americans considered the Union-led efforts to institutionalize educational opportunities an important milestone and enthusiastically welcomed the opportunity. For instance, a school named the School of Liberty enrolled more than “six hundred children” of color in a confiscated former medical college hall. African American families’ passion for education and their children’s learning ability was clear to white teachers. Daniel W. Knowles, one of the white missionary teachers at the school, commented, “I do not know any difference in between them [African Americans] and white children in my estimation of them. I find examples among them of intellectual activity and brightness that is truly remarkable if not surprising.”<sup>36</sup>

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<sup>33</sup> W. B. Stickney to Nathaniel Banks, October 13, 1863, Nathaniel P. Banks Papers, Box 29, Folder 10, Library of Congress (LC).

<sup>34</sup> Department of the Gulf, *Department of the Gulf, Report of the Board of Education for Freedmen for the Year 1864* (New Orleans: The Office of the True Delta, 1865), 6.

<sup>35</sup> W. B. Stickney to Nathaniel Banks, October 13, 1863, Nathaniel P. Banks Papers, Box 29, Folder 10, LC.

<sup>36</sup> Daniel W. Knowles to Mr. Prince, June 12, 1864, Federal Occupation of New Orleans Collection, Folder 135, WRC, HNOG.



The *Black Republican*, owned by Anglicized blacks, praised General Banks' school policy as "the blow that would stagger slavery."<sup>37</sup>

African American community leaders were not simply waiting for the Union army to offer opportunities. Louisiana Native Guard officers took part in expanding educational opportunities. In August 1862, Robert H. Isabelle, a former captain of the Second Regiment, established a Protestant school in the Wesleyan Chapel after he had taught freedpeople at Camp Parapet, one of the fortifications situated outside of New Orleans. He claimed that his was the first Protestant school for people of African descent in the city. Another Second Regiment Captain Arnold Bertonneau and James Lewis, a colonel of the First Regiment, worked with the Freedmen's Bureau to open schools. Many African American leaders also joined the Freedmen's Bureau as teachers. George T. Ruby, a New York-born free man of color, moved to New Orleans sometime after 1862. In 1864, he began teaching at a night school in the Reverend Hooker's Crescent City Church. In 1865 and 1866, Ruby served as principal of the Frederick Douglass School and as a traveling inspector for the Bureau.<sup>38</sup>

White resentment to these new institutions was swift and severe. On March 6, 1866, a white plantation manager Auvignac Dorville living in New Orleans sent a letter to his employer, Anatole de Ste-Gême about how the family needed to pay for black schools. Dorville angrily wrote, "We were forced to pay this tax, it was so much different to me that I tremble until now.

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<sup>37</sup> "Gen. Banks's Labor and School Systems," *Black Republican*, May 13, 1865.

<sup>38</sup> Robert H. Isabelle, "Domestic Correspondence," *Anglo-African*, June 13, 1863. Isabelle claimed that he taught enslaved people at a camp with the aid of Clara Hyde, a white woman from the North; "No Title," *New Orleans Tribune*, May 30, 1867; Joseph A. Walkes, Jr., *Jno G. Lewis, Jr.—End of an Era: The History of the Prince Hall Grand Lodge of Louisiana, 1842-1979* (Leavenworth, KS: printed by the author, 1986), 57; George T. Ruby was born in New York and raised in Maine. Before he moved to New Orleans, he travelled to Haiti. Barry A. Crouch, "Black Education in Civil War and Reconstruction Louisiana: George T. Ruby, the Army, and the Freedmen's Bureau," *Louisiana History* 38, no. 3 (Summer 1997): 287-96.

Freeing our slaves who were our properties, ruining us, and forcing us again to pay their education.”<sup>39</sup> It was unthinkable to some white New Orleanians that black schools let alone a desegregated public school system should exist.

Yet other whites tolerated black schools as a means to exclude African Americans from their own public schools. The color line was a particular concern for whites with children in city public schools. Racial crossing had occurred even before the war. The Department of the Gulf reported that some mixed-race children obtained “occasional admission to the white schools” by not revealing their lineage.<sup>40</sup> The Union occupation of the city facilitated more racial passing. In 1862, the board of visitors in the French Quarter reported that a free African American child had been admitted to the Barracks School, located in the Tremé neighborhood. They found that a teacher named Miss Snyder had passed as white and had helped her relative to enroll in the school. The board immediately expelled both the teacher and student. White New Orleanians felt compelled to tighten the color line in order to keep the privileged whites-only public schools for themselves.<sup>41</sup>

Union-led black schools symbolized the social advancement of the African American population of New Orleans, but the exclusion from the public school system remained a compelling frustration, particularly among Creoles of color. Throughout the 1860s, they experienced financial challenges in sustaining the Catholic Institute. Although the war had led to the decline of the enrollment, in September 1865, the Institute still had 240 students. In order to fund the school, the board of directors held charity events to collect donations. However, New

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<sup>39</sup> Auvignac Dorville to Anatole de Ste-Gême, March 6, 1866, Ste-Gême Family Papers, Folder 413, WRC, HNOC.

<sup>40</sup> Department of the Gulf, *Report of the Board of Education for Freedmen for the Year 1864*, 3.

<sup>41</sup> Fischer, *The Segregation Struggle in Louisiana*, 110; Devore and Logsdon, *Crescent City Schools*, 55.

Orleans' severe financial straits during and after the war precluded sufficient financial support. Board members then sought financial aid from the Bureau of Education directed by General Banks, but it offered minimal support.<sup>42</sup> Furthermore, in August 1865, the city rejected funding for the Institute. In September, the Institute's board of directors reported insufficient funds and asked children with two parents to pay tuition in advance. In order to pay three months' worth of salaries for teachers, the Institute sold one of its properties and rented out others it owned. Even so, the Institute's finances remained a constant problem and underscored to Creoles of color the absolute necessity of a comprehensive publicly-funded school system.<sup>43</sup>

The co-existence of the whites-only city schools and Union-sponsored black schools disadvantaged African American communities. Between 1862 and 1867, the city and state refused to fund Union-sponsored black schools. In 1864, the Louisiana state constitutional convention acknowledged African American rights to education. However, it failed to provide any tax reserves to fund black schools. The city followed the state by refusing to allocate money for black schools. Since the beginning of the Freedmen's Bureau, sale and rent from confiscated Confederate properties and the property tax from planters underwrote the schools it oversaw.<sup>44</sup> African Americans paid school tax to maintain the public school system even though black schools received no financial support from it. The *New Orleans Tribune* expressed its anger at

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<sup>42</sup> Loren Schweninger surveyed that "Among the 98 free persons of color listed in the 1860s and 1870 census returns" who lived in the old Creole neighborhoods of "the Fourth, Fifth, and Sixth wards," "nearly half experienced losses, only one of four kept their holdings intact, and only 23 expanded their wealth." Loren Schweninger, "Antebellum Free Persons of Color in Postbellum Louisiana," *Louisiana History* 30, no. 4 (Autumn 1989): 357; Neidenbach, "The Life and Legacy of Marie Couvent," 423.

<sup>43</sup> *Journal des Séances de la Direction de l'Institution Catholique pour l'Instruction des Orphelines dans l'Indigence, 1859-1875*, September 27, 1865, 107, and January 5, 1866, 109, AANO; Neidenbach, "The Life and Legacy of Marie Couvent," 424.

<sup>44</sup> Devore and Logsdon, *Crescent City Schools*, 57-58; Blassingame, *Black New Orleans, 1860-1880*, 111; Jacquelyn Slaughter Haywood, "The American Missionary Association in Louisiana during Reconstruction" (PhD diss., University of California, Los Angeles, 1974), 97.

this blatant inequality: “We are paying a school tax in Louisiana. But, the civil government, with a partiality worthy of slave-owners, uses this tax *for the benefit of the whites only*.”<sup>45</sup>

This financial instability paralyzed the Freedmen’s Bureau and its schools. In the fall of 1865, President Johnson rejected the school budget plan for the Freedmen’s Bureau for Louisiana. In January 1866, the Bureau temporarily shut down all its schools in Louisiana. When the schools reopened, the Bureau required students to pay tuition.<sup>46</sup> As a result, the number of black schools dwindled. In October 1865, the board was managing nineteen schools with 5,330 students. Five months later, it only retained ten schools and 1,359 students.<sup>47</sup> The situation of Freedmen’s schools did not improve in subsequent years. In January 1867, E. S. Stoddard, a teacher and a Bureau’s superintendent, wrote in his diary: “Schools open with but a poor prospect...it is discouraging to visit them.”<sup>48</sup> In 1867, only 2,713 children were enrolled in Freedmen schools while there were over 23,000 school age African American children in New Orleans.<sup>49</sup>

Creoles of color wanted access to all public schools for financial reasons, but also they viewed public education as crucial to achieve interracial and interethnic unity. Deploying the French Revolution slogan, “liberté, égalité, fraternité,” the *New Orleans Tribune* argued, “We want to see our children seated on the same benches with the white girls and boys, so that every

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<sup>45</sup> “Two Hundred and Thirty Schools about to be Closed,” *New Orleans Tribune*, November 3, 1865.

<sup>46</sup> Howard Ashley White, *The Freedmen’s Bureau in Louisiana* (Baton Rouge: Louisiana State University Press, 1970), 175-76; Devore and Logsdon, *Crescent City Schools*, 66.

<sup>47</sup> “Superintendent of Education, Louisiana, School Report, 1865-1868,” in Bureau of Refugees, Freedmen, and Abandoned Lands Records, RG 105, NA, quoted in Blassingame, *Black New Orleans*, 111.

<sup>48</sup> E. S. Stoddard, *Diary*, vol. 8, January 2, 1867, E. S. Stoddard Papers, LaRC, TU.

<sup>49</sup> Margaret M. Williams, “An Outline of Public School Politics in Louisiana since the Civil War,” (master’s thesis, Tulane University, 1938), 1-25, quoted in Blassingame, *Black New Orleans*, 111.

prejudice of color may disappear from childhood, and the next generation be aroused to a sentiment of fraternity.”<sup>50</sup> As with public transportation segregation, by 1867, Creoles of color could no longer tolerate the perpetuation of black schools and the whites-only public school system.

### **The Spring 1867 Protest**

In the spring of 1867 a street protest culminated in the grassroots mobilization for racial equality by Creoles of color and Anglicized blacks. It began in early April of 1867, when the city Board of Aldermen attempted to meet African Americans’ demands for public education by incorporating Freedmen’s schools into the city school system. Its goal was to establish a segregated public school system for white and African American children. This decision infuriated Creoles of color because they considered the plan a poor compromise that failed to address their hope for desegregation. The *New Orleans Tribune* angrily asked, “This very Board who consigned one-half of the children of New Orleans to forced ignorance, are ‘real’y[sic], willing and desirous to educate the colored children?”<sup>51</sup> This dissatisfaction soon spread into streetcars. On April 24, 1867, the *Tribune* criticized the star car system: “There is not a single one bold enough to compel the company to comply with the law. It is evidently useless to depend upon anybody’s action, outside of colored men themselves.”<sup>52</sup>

Soon after the *Tribune* article, a number of African Americans rushed into streetcars and demanded the abolition of star cars. It is important to note, however, that while white newspapers

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<sup>50</sup> “Our Platform,” *New Orleans Tribune*, March 5, 1865.

<sup>51</sup> “A Bit of Advice,” *New Orleans Tribune*, April 14, 1867.

<sup>52</sup> “The Car Question,” *New Orleans Tribune*, April 24, 1867.

described these protestors as riotous, violent crowds, this series of streetcar protests was executed by many individuals who deployed measured tactics of civil disobedience. On the afternoon of April 29, 1867, William Nichols, a Virginia-born Anglicized black painter in his early-thirties, sat in a whites-only Bayou Road Streetcar Line on Canal Street.<sup>53</sup> The white car starter, Edward Cox, realized that Nichols had entered the car and asked him to leave. Nichols refused and asserted that he “had as good right to ride in this car as any white man had.”<sup>54</sup> Cox then called a policeman, but, the officer was unable to arrest Nichols, as he was not creating any disturbance. To solve this dilemma, Cox forcibly removed Nichols, then demanded the policeman to arrest him and Nichols together. The policeman agreed, then arrested Nichols and Cox, and took them to the court. Cox had a prior record of trouble with African American streetcar riders. About two years before the Nichols incident, on August 28, 1865, Cox was arrested for forcibly ejecting a Creole man of color named Joseph Rousseau on the Bayou Road Streetcar Line. The Freedmen’s Court charged him with “assault and battery.”<sup>55</sup> Almost certainly Nichols and the African American community knew of Cox’s history and his character.

The resolution of the Nichols case, however, demonstrated that lawsuits were insufficient to enforce the abolition of star cars. The *New Orleans Tribune* expected the case to “settle all the other questions under the Civil Rights Bill,” including rights to public education and

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<sup>53</sup> The 1870 Census recorded William Nichols as a 34-old man born in Virginia, Louisiana. 1870 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans, p. 184, dwelling 1355, family 2608, William Nichols, digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>.

<sup>54</sup> “The Star Car Question,” Local Intelligence, *New Orleans Republican*, May 1, 1867.

<sup>55</sup> “Freedmen’s Court,” *New Orleans Tribune*, August 29, 1865. *Daily Picayune* provided a different account of the 1865 incident, “In one of the Dauphine street cars without a star, yesterday, arose a violent concussion between the driver and certain citizens of the African persuasion, who insisted on riding in said car. The driver escaped with several wounds, bruises and contusions.” See “The Cars,” The City, *Daily Picayune*, August 29, 1865.

accommodations.<sup>56</sup> The judges, however, attempted to solve the Nichols-Cox incident without enforcing desegregation. One of the judges named Hawkins argued he found “no connection between the arrest and the question of equal privileges to all persons in all of the street cars.”<sup>57</sup> The presiding judge, Recorder Gastinel agreed with Hawkins and on April 30, released Nichols due to no evidence of misdemeanor and asserted that “this court has no jurisdiction” over streetcar segregation.<sup>58</sup> Nichols was not satisfied with this decision and immediately sued Cox for forcibly removing him from the car.<sup>59</sup>

Similar to the judges, white army officials, railroad companies, and the newspapers attempted to avoid acknowledging that the Nichols incident was a civil rights issue. A day after the case was settled, General Schofield advised the police that railway companies should increase the number of star cars to avoid further protests.<sup>60</sup> The streetcar companies also tried “a policy of passive resistance” in order to maintain the star car system without enforcing a desegregation plan.<sup>61</sup> On May 3, the *Tribune* reported that the streetcar companies ordered the drivers of whites-only cars “to tell each person of color that may enter a car that they have no right to do so; but if said persons insist upon taking passage on the car, the driver must make no further objection.”<sup>62</sup> Editorials in white papers encouraged New Orleanians to respect the color line in order to maintain the star car system. On May 5, the *New Orleans Crescent*, a white

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<sup>56</sup> “The Car Question,” Local Intelligence, *New Orleans Tribune*, April 30, 1867.

<sup>57</sup> “The Star Car Question,” Local Intelligence, *New Orleans Republican*, May 1, 1867.

<sup>58</sup> “The Star Car Question,” Local Intelligence, *New Orleans Republican*, May 1, 1867.

<sup>59</sup> “Local Intelligence,” *New Orleans Times*, May 1, 1867.

<sup>60</sup> “No Title,” *New Orleans Crescent*, May 2, 1867.

<sup>61</sup> Fischer, *The Segregation Struggle in Louisiana*, 33.

<sup>62</sup> “The Car Question,” Local Intelligence, *New Orleans Tribune*, May 3, 1867.

conservative newspaper, advocated that “the colored population should confine themselves to the star cars, and the whites to the cars intended especially for them.”<sup>63</sup>

This white reluctance to abolish the star car system created confusion in the regular operation of streetcars. The *New Orleans Republican* reported streetcars were desegregated. However, On May 3, it soon retracted the report.<sup>64</sup> On the same day, the *Tribune* also confirmed the *Republican*’s report: “It is very plain that the Company has not consented to admit everybody without discrimination.”<sup>65</sup> The chaos over segregation policy intensified on the next day. On May 4, the *Tribune* reported, “It is true that drivers have been instructed not to assault colored men, if found in white cars. But, at the same time, it is recommended not to start any such car in case colored persons should have entered them.”<sup>66</sup>

African American passengers gingerly navigated the precarious situation on streetcars. On May 3, a *New Orleans Republican* reporter interviewed one African American passenger asking whether their car was a star car. He responded, “Yes sir, if it was not I should not have got into it.”<sup>67</sup> His answer suggested the continuation of the star car rules. However, sometimes white and African American passengers openly defied the rule. On the next day, Dr. Newman, a school teacher, made a speech about an incident he had witnessed on his way to a school exhibition. He explained that a man of color took a non-star car. While the driver asked him to leave, several white passengers told him, “Go on, go on, we don’t care if this man is here.”<sup>68</sup> The

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<sup>63</sup> “The City Cars,” *New Orleans Crescent*, May 5, 1867.

<sup>64</sup> “No More Star Cars,” Local Intelligence, *New Orleans Republican*, May 3, 1867

<sup>65</sup> “The Car Question,” Local Intelligence, *New Orleans Tribune*, May 3, 1867.

<sup>66</sup> “The Star Cars,” *New Orleans Tribune*, May 4, 1867.

<sup>67</sup> “The Car Question—The Tables Turned,” Local Intelligence, *New Orleans Republican*, May 3, 1867.

<sup>68</sup> “A Colored School Exhibition,” Local Intelligence, *New Orleans Republican*, May 4, 1867.



driver then drove the car because his white passengers did not mind sharing the space with the man. As shown in these incidents, streetcar racial policies were contingent on drivers' and passengers' whims, and African Americans sought a more concrete policy to assure their rights and safety.

African Americans engaged in further civil disobedience after the Nichols incident. Following his lead, many entered non-star cars and refused to leave. On May 3, 1867, Philip Ducloslange, a former private of the Second Regiment of the Louisiana Native Guard, took a white car on the St. Charles and Baronne Streetcar Line, and asserted his right to use this car.<sup>69</sup> On May 4, a group of men led by Joseph Guillaume, a young Creole man of color and cigar maker, protested in the Marigny neighborhood. He rode a white car on Rampart Street in protest and even seized the car's mule to stop the car.<sup>70</sup> On May 5, 1867, a group of African American men demanded admission to white cars of the New Orleans Carrollton Railroad Company on St. Charles Avenue near Felicity Street in uptown.<sup>71</sup> On the same day, in downtown, two African American women occupied a white car at the corner of Frenchmen and St. Claude Streets. While all the white passengers left the car, the women succeeded in convincing the driver to take them to their destination. By the following afternoon the news of their success had reached the African

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<sup>69</sup> "The Star Cars," *New Orleans Tribune*, May 4, 1867; Compiled service record, Edward P. Ducloslange, Private, Co. D, 74 U.S. Col'd Inf., Civil War, RG 94, NA.

<sup>70</sup> "Excitation dans les Chars," *Chronique Locale, New Orleans Tribune*, May 5, 1867; "From the Third District Station," *Local Intelligence, New Orleans Times*, May 5, 1867. The *Times* described that Guillaume took the reins from the driver and try to drive the car. 1850 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans, p. 84, dwelling 1614, family 1825, Joseph Guillaume, digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>; 1870 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans, p. 50, dwelling 281, family 414, Joseph Guillaume, digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>.

<sup>71</sup> J. M. Reid to Edward Heath, May 5, 1867, Beauregard (Pierre G. T. and Family) Papers, Mss601, U:10, Box 1, Louisiana and Lower Mississippi Valley Collections (LLMVC), LSU Libraries, Baton Rouge, Louisiana.

American community, resulting in a mass protest on nearby Rampart Street next to Congo Square.<sup>72</sup> Despite a police report of “open riot,” most of the protests occupied several streetcars without violence.<sup>73</sup> Yet, these widespread outbreaks of direct civil obedience and the potential for responding white violence compelled Mayor Edward Heath to rush to the crowd and persuade them to disband with the promise of finding a solution.

Responding to these demonstrations, Heath and Union officers convinced the railroad authority to abolish the star cars. On May 6, Chief of Police Thomas M. Adams ordered that “no interference with negroes riding in cars of any kind. No passenger has a right to eject any other passenger, no matter what his color. If he does so, he is liable to arrest for assault, or breach of the peace.”<sup>74</sup> On May 7, the presidents of several streetcar companies gathered to discuss racial policies. Despite some hesitation, upon the advice of the Mayor and the army, the presidents of the streetcar companies ended star cars. Creoles of color took the lead in distributing information about this momentous step in the desegregation of public accommodations ahead of the official announcement from company and army officials. Pascal M. Tourné and F. Casanove directly contacted the New Orleans City Railroad Company and confirmed that it had abolished the star car system.<sup>75</sup> On May 8, the *New Orleans Tribune* officially announced that all streetcars would accept “our citizens into all the cars, without any distinction as to color.”<sup>76</sup> It declared, “This

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<sup>72</sup> “The Star Car Question,” *New Orleans Commercial Bulletin*, May 6, 1867.

<sup>73</sup> “From Treme Station,” *Local Intelligence*, *New Orleans Times*, May 5, 1867.

<sup>74</sup> “Classification of Cars,” *Local Intelligence*, *New Orleans Crescent*, May 7, 1867.

<sup>75</sup> “The Car Question,” *Daily Picayune*, May 7, 1867; “The Republican and the Cars,” *New Orleans Tribune*, May 7, 1867.

<sup>76</sup> “The Car Question,” *Local Intelligence*, *New Orleans Tribune*, May 8, 1867.

experiment well illustrate[s] the fact that absurd distinctions are not of the essence of human society.”<sup>77</sup>

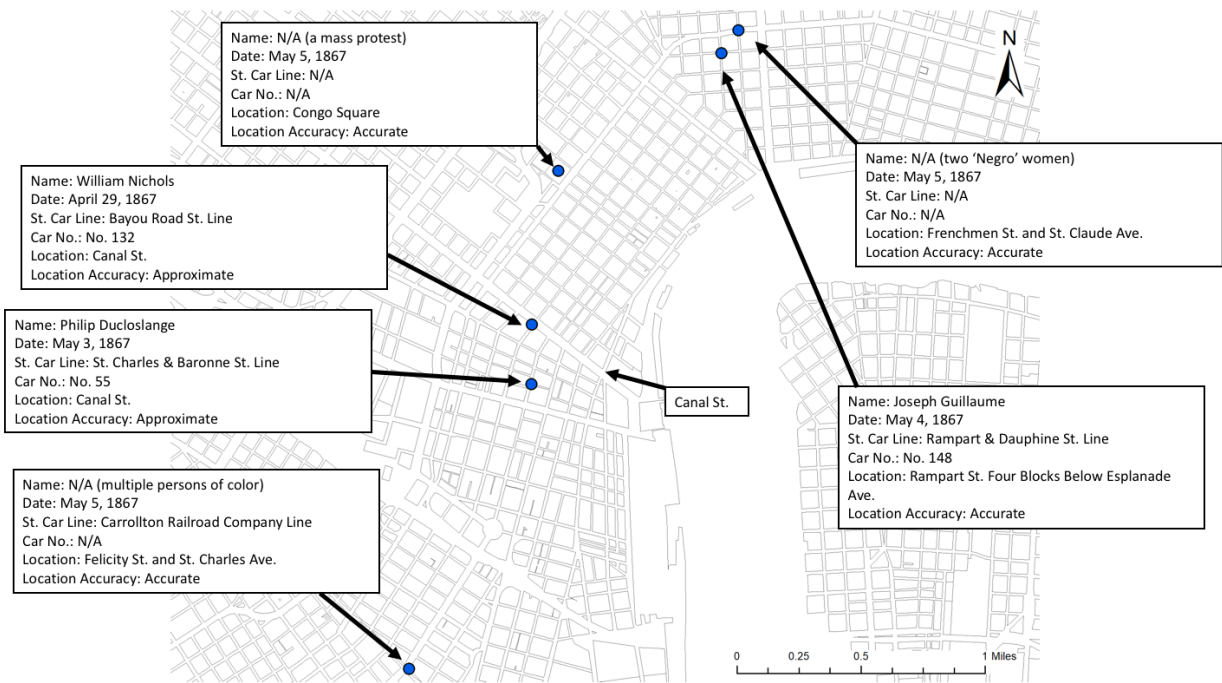
The successful anti-star car protest drew support across the boundaries of class, ethnicity, and gender within the African American population of New Orleans. Protestors came from diverse backgrounds. William Nichols was an Anglicized black man living in Tremé whose occupation changed multiple times from carriage driver to painter. Joseph Guillaume was born free and was established as a cigar maker, just as many free Creole men did in the nineteenth century. Philip Ducloslange, a veteran of the Civil War, worked as a plasterer and lived in uptown. Likewise, both men and women claimed their rights to all cars. The geography of protestors also shows the diversity and the widespread patterns of the May 1867 protest. The protest occurred both in Anglicized and francophone areas of New Orleans. This fact indicates the extensive geospatial range of dissatisfaction with the star car system.<sup>78</sup>

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<sup>77</sup> “The Public Schools,” *New Orleans Tribune*, May 9, 1867.

<sup>78</sup> In the 1868 city directory, Nichols was categorized as a carriage driver. In the 1870 census, Nichols was classified as a painter. Charles Gardner, *Gardner’s New Orleans City Directory for 1868* (New Orleans: Charles Gardner, 1868), 328; 1870 U.S. census, William Nichols; digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>. 1850 U.S. census, Joseph Guillaume, digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>; 1870 U.S. census, Joseph Guillaume, digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>. For Philip Ducloslange’s occupational and residential information, see Charles Gardner, *Gardner’s New Orleans City Directory for 1867* (New Orleans: Charles Gardner, 1867), 135; Charles Gardner, *Gardner’s New Orleans City Directory for 1870* (New Orleans: Charles Gardner, 1870), 189.

**Figure 1: 1867 Streetcar Protest Map**



The success of the streetcar protest energized African Americans in their demands for equal access to all public institutions. The *New Orleans Tribune* pointed out the insufficiency of desegregation, as steamboats and railroads remained segregated.<sup>79</sup> In particular, public schools remained the center of debate. Only two days after the abolition of the star car system, the *Tribune* conceded that the star car victory was “a minor one” compared to the issue of schooling and argued that “the time has come to consider the propriety, justice and simplicity of admitting all children into the public schools.” The newspaper further contended that “we had better begin at the root, and first of all unite the children in the public schools, than to unite at once the grown persons in the city cars.”<sup>80</sup> It advocated for unity as “the strength and power” of the United States

<sup>79</sup> “The Right to Public Conveyances,” *New Orleans Tribune*, July 16, 1867.

<sup>80</sup> “The Public Schools,” *New Orleans Tribune*, May 9, 1867.

and rebels were pushing “separate schools, separate conveyances, separate stores, separate militias, and so forth” to weaken the Union.<sup>81</sup>

The star car protest directly influenced the Louisiana Radical Republican platform in summer 1867. In Washington D.C., Congress defied Andrew Johnson, passed the Reconstruction Acts of 1867, and imposed ratification upon former Confederate states for re-entry to the Union. In New Orleans, expecting another state constitutional convention at the end of 1867, Creoles of color, Anglicized blacks, and white radical leaders in the Friends of Universal Suffrage quickly formed a radical alliance within the Republican Party. When the convention met, Creoles of color and Anglicized blacks occupied major positions within its administration. James Ingraham, a former captain of the Louisiana Native Guard, acted as a temporary chair. Many future Creole and Anglicized black delegates, such as Jules A. Massicot and P. B. S. Pinchback, served as members of special committees.<sup>82</sup>

Simultaneously, within the Republican Party, African American representatives led the debate to ensure that equal rights figured in the party platform. In order to convince the party to accept the equality platform, Creoles and Anglicized blacks explained again and again the injustices that they experienced in their daily lives. For instance, on June 12, at the Republican Party convention Robert H. Isabelle presented a resolution called for the halt of “any attempt on the part of any race or class of people to assume political control in any branch of Government to the exclusion of any other race or class.” A white representative voiced dissent, based on the

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<sup>81</sup> “The Aim of Public Schools,” *New Orleans Tribune*, September 3, 1867.

<sup>82</sup> “Convention of the Radical Republican Party. Session of June 10,” *New Orleans Tribune*, June 11, 1867.

claim that African American soldiers were treated equally with whites. Ingraham and Pinchback refuted this argument and advocated for Isabelle's clause."<sup>83</sup>

African American representatives made two distinct demands. The first was equality in politics. Not only did African American delegates pursue universal male suffrage, they intended to represent themselves. On June 13, 1867, Pinchback submitted a resolution for officers to be represented by "an equal distribution among white and colored."<sup>84</sup> Convention delegates adopted this resolution on the same day. The second principle centered on assuring all persons of color access to public schools. On June 18, the radical Republican platform declared that it would "advocate and will enforce perfect equality under the law to all men without distinction of race or color" and also "advocate and will enforce the opening of all schools...throughout the State of Louisiana, to all children."<sup>85</sup> White radicals such as Thomas W. Conway, a former chaplain and assistant commissioner of the Freedmen's Bureau, sympathized with African American delegates. Later in the *New Orleans Tribune*, Conway expressed his opinion about school racial policies, "By having schools open to all, the bitter prejudice now, and heretofore existing, must soon die away."<sup>86</sup>

In opposition to the radical Republican Party, the all-white city school board, state legislature, and city council undertook to establish a segregated public school system. The school board refused desegregation by reasoning that the white schools did not have enough room for welcoming African American students. In mid-May 1867, the Board of Aldermen decided to

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<sup>83</sup> "The Radical Republican Convention. Session of June 12," *New Orleans Tribune*, June 13, 1867.

<sup>84</sup> "The Radical Republican Convention. Session of June 13," *New Orleans Tribune*, June 14, 1867.

<sup>85</sup> "Radical Republican Convention. Reports of the Committee on Platform. Majority Report," *New Orleans Tribune*, June 18, 1867.

<sup>86</sup> Thomas W. Conway, "The School Question," *New Orleans Tribune*, December 20, 1867.

grant sixty thousand dollars to the school board for the establishment of blacks-only schools.<sup>87</sup> The *Tribune* dismissed this arrangement as “the star school measure.”<sup>88</sup> Mayor Edward Heath soon vetoed the Board of Aldermen’s appropriation plan. However, in summer 1867, the board overrode Heath’s veto to forge a segregated school system. Despite severe economic recession caused by the Civil War, the city and state were committed to segregated schools. To shut down the desegregation movement, the state legislature even offered seven hundred dollars for the Catholic Institute. In fall 1867, the city school board took over the schools managed by the Freedmen’s Bureau and opened schools for African American children.<sup>89</sup>

As the segregated public school system became reality, the *New Orleans Tribune* repeatedly denounced the injustices inherent in ‘star’ schools. First, the *Tribune* argued that there were fewer black schools than white schools and consequently “colored children would...have to go farther from their homes than white children should.”<sup>90</sup> Second, the newspaper pointed out the different taxation system based on race: “White schools have been supported by taxation upon all—the colored people paying said taxation over fifteen million dollars of property in the city of New Orleans.”<sup>91</sup> Third, the *Tribune* argued the inevitable inequality between white and black

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<sup>87</sup> “The School Board. The School Funds and Universal Education,” *Daily Picayune*, August 12, 1867; “Important Ordinance,” *The City, Daily Picayune*, May 15, 1867.

<sup>88</sup> “The Star School Question,” *New Orleans Tribune*, May 25, 1867.

<sup>89</sup> “No Star Schools,” *New Orleans Tribune*, August 2, 1867; *Journal des Séances de la Direction de l’Institution Catholique pour l’Instruction des Orphelines dans l’Indigence, 1859-1875*, September 2, 1867, 121, AANO; “Board of School Directors,” *The City, Daily Picayune*, September 17, 1867; “Notice—Office of Board of Public Schools,” *Daily Picayune*, October 20, 1867; “Sensible Advice,” *Daily Picayune*, November 1, 1867. The City Council at the time, had a handful of black members in the board of Assistant Alderman. All of them, Sidney Thézan, Oscar J. Dunn, Blanc F. Joubert, and Aristide Mary opposed the segregated school system. See “Let Us Make But One People,” *New Orleans Tribune*, October 8, 1867.

<sup>90</sup> “The Star Schools Not an Equivalent for Public Schools,” *New Orleans Tribune*, September 6, 1867.

<sup>91</sup> “The Star Schools Not an Equivalent for Public Schools,” *New Orleans Tribune*, September 6, 1867.

schools: “One class of schools will always be privileged, and receive more favors than the other. And which class will be privileged and favored?”<sup>92</sup> Fourth, the paper highlighted the psychological impact of racism over African American children and argued that “a child who sees himself repulsed from the contact of other children...can but think that he is not the equal of those privileged.”<sup>93</sup> Lastly, the *Tribune* called segregated white schools “rebel schools,” as they symbolized for African Americans the all-white antebellum educational system and the persistence of white privileges that dated back to the age of slavery.<sup>94</sup>

In response to the *Tribune*’s relentless efforts to desegregate public schools, the city school board sought to exploit the fears of teachers in black schools. Board members interviewed white and African American teachers from Baptist Methodist and freedpeople’s schools and confirmed these teachers’ apprehensions about possible racial violence. Many of these teachers harbored concerns about losing the autonomy of their schools as well. Some teachers at black schools reported that children and their parents had requested that their schools not be desegregated. African American Principal Bowie of a school held at St. Paul Methodist Church, expressed his opinion: “It is the best interest of the colored child” to attend any public schools, but “separate schools should be established for white and colored children.”<sup>95</sup> While some teachers undoubtedly shared these anxieties, foes of desegregation used these words to counterattack the radicals.

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<sup>92</sup> “Do Not Be Deceived by ‘Schools for All’,” *New Orleans Tribune*, September 15, 1867.

<sup>93</sup> “No ‘Star Schools’,” *New Orleans Tribune*, September 20, 1867.

<sup>94</sup> “Public Schools vs. Rebel Schools,” *New Orleans Tribune*, September 14, 1867.

<sup>95</sup> “Board of School Directors,” *The City, Daily Picayune*, September 17, 1867.



The *Tribune* rebutted the board's report by pointing to the voices of the considerable number of desegregation supporters who had been omitted. For instance, the *Tribune* reported that Armand Lanusse, principal of the Catholic Institute, intentionally ignored the school board's request for interview in protest of the segregated school system. Edouard Tinchant, a Creole of Haitian descent who worked at a freedpeople's school, stated that he was "strongly opposed to separate or 'Star' schools" and added, "this is the sentiment of the colored citizen of his neighborhood."<sup>96</sup>

The city's constant opposition to desegregation convinced African Americans that they would need a constitutional reform. When segregated city schools opened in late October 1867, the *New Orleans Tribune* encouraged African American citizens not to send their children to black schools and not to teach at such schools.<sup>97</sup> Yet the *Tribune* also knew a boycott would not be enough to change the school board. It urged African Americans in New Orleans to choose delegates for the upcoming constitutional convention who cared to "open the public schools to your children."<sup>98</sup> The *Tribune* aimed to guarantee access to all public schools at the convention. In October it claimed: "We have only a few months to wait. The coming Constitutional Convention will settle this matter all right."<sup>99</sup>

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<sup>96</sup> "The School Board Report," *New Orleans Tribune*, September 21, 1867.

<sup>97</sup> "Watch Around Town, 'Star Schools,'" *New Orleans Tribune*, October 13, 1867.

<sup>98</sup> "The Star Schools Not an Equivalent for Public Schools," *New Orleans Tribune*, September 6, 1867.

<sup>99</sup> "The Star Schools," *New Orleans Tribune*, October 19, 1867.

## The 1867-68 State Constitutional Convention

The 1867-68 constitutional convention presented African Americans in New Orleans with their first opportunity to directly introduce laws to guarantee access to all public institutions regardless of race. In late September 1867, General Sheridan ordered the statewide election to select delegates. For the first time, African American male voters cast ballots guaranteeing a convention radically different from those in the past. Elected delegates included fifty African Americans and forty-eight whites. Except for two members, all the delegates were Republicans. Not only did African American delegates outnumber their white counterparts, they also attended the convention more frequently than their white peers. Their attendance effectively pushed African Americans from a 51 percent voting majority to 57 percent on average.<sup>100</sup> As long as they remained united they had the numerical advantage to push through a radical agenda.

African Americans representatives included both Creoles of color and Anglicized blacks. Most had been born free or had been freed before the war and had considerable assets. African American representatives from New Orleans shared similar military and political experiences. Louisiana Native Guards, Arnold Bertonneau, Robert H. Isabelle, and P. B. S. Pinchback were elected as delegates from Orleans Parish. Some New Orleanians had moved to other parishes to win election. Caesar C. Antoine, for instance, a New Orleans native, moved to Caddo Parish to advance his political future. Many African American representatives had already established reputations as political leaders. James H. Ingraham, another Caddo Parish representative, had led the National Equal Rights League and the Convention of Colored Men of Louisiana since 1865.

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<sup>100</sup> Tunnell, *Crucible of Reconstruction*, 113.

Alongside white radicals, African American delegates exercised majority power at the convention.<sup>101</sup>

African American convention delegates, along with white radical allies, aimed at creating a two-pronged legal structure to achieve racial equality. The *New Orleans Tribune* argued that the main objective of the state constitutional convention was “the application of a single principle—the extension of equal rights and privileges to all men, irrespective of color or race.” At the same time, the paper claimed that enacting laws would be insufficient. It claimed that “the test will not be on the mere declaration of that great principle...but on the several applications of that principle to common life.”<sup>102</sup> To achieve this goal, African American delegates aimed to have the state Bill of Rights as a comprehensive principle of equality and to include articles specifically addressing access to and use of individual public institutions.

With these ambitious goals in mind, African American delegates participated in every aspect of the constitutional debate. Four Anglicized black delegates and one Creole delegate led by James H. Ingraham joined the committee on the Bill of Rights. Convention members also appointed three Creoles of color, Ovide C. Blandin, H. Bonseigneur, and Pierre George Deslonde, and two Anglicized black members to the committee on public education. Furthermore, three Anglicized blacks, including James H. Ingraham, and one Creole delegate participated in the committee on the draft of the constitution. While the African American delegates were minorities in the committee on public education and the draft of the constitution, they became the majority of the committee on the Bill of Rights.<sup>103</sup>

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<sup>101</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 48-55.

<sup>102</sup> “What is the Test?,” *New Orleans Tribune*, November 28, 1867.

<sup>103</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 58-59.

On November 30, 1867, the radical coalition led by James H. Ingraham and George Wickliffe, a white radical Republican from Clinton, began debating public education.<sup>104</sup> First, Ingraham introduced articles proposing that every parish establish at least one free public school, designating that all children “attend in the same school houses” and mandating that all parishes and cities follow the state constitution.<sup>105</sup> Next, Wickliffe proposed a set of eleven articles concerning public education. His first and second proposed articles related particularly to racial integration:

Article 1. The Legislature shall establish free public schools throughout the State, and shall provide for their support by taxation or otherwise. All children of this State between the ages of six and eighteen, shall be admitted to the public schools in common, without destination of race, color, or previous condition. There shall be no separate schools established for any race.

Article 2. No municipal corporation shall make any rules or regulations contrary to the spirit and intension of this Constitution.<sup>106</sup>

The committee on public education took up his proposal. Its reaction demonstrated that African American delegates drove Wickliffe’s proposal forward. Three Creole members, two Anglicized black members, and two white radical members formed the majority on the committee and ardently supported Wickliffe’s proposal.<sup>107</sup>

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<sup>104</sup> George M. Wickliffe was a white Republican from Clinton, Louisiana. He published an anti-abolitionist newspaper during the antebellum period, however, worked as a scalawag during Reconstruction. See John Rose Ficklen, *History of Reconstruction in Louisiana (through 1868)* (Baltimore: Johns Hopkins Press, 1910), 194.

<sup>105</sup> *Official Journal of the Proceedings of the Convention, for Framing a Constitution for the State of Louisiana, 1867-1868* (New Orleans: J. B. Roudanez & Co., Printers to the Convention, 1868), 17.

<sup>106</sup> *Official Journal of the Proceedings of the Convention*, 17.

<sup>107</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 226-27. Although A. J. Bernard and Theophile Myers were original members of the committee, they were not engaged in this discussion.

**Table 3: The Committee on Public Education**

\*white delegate

| Majority         |  | Minority                  |                                  |
|------------------|--|---------------------------|----------------------------------|
| Name             | District   | Name                      | District                         |
| Ovide C. Blandin | Orleans  | John Lynch*<br>(chairman) | Carroll/Morehouse                |
| H. Bonseigneur   | Orleans  | John L. Barrett*          | Union                            |
| Dennis Burrell   | St. John the Baptist                               | Peter Harper*             | St. Charles/St. John the Baptist |
| William Butler   | Livingston, Washington,<br>St. Helena, St. Tammany | G. Snyder*                | DeSoto/Sabine                    |
| A. J. Demarest*  | St. Mary   |                           |                                  |
| P. G. Deslonde   | Iberville  |                           |                                  |
| D. Douglass*     | Third District Orleans                             |                           |                                  |

Using Wickliffe's proposals as basis, the majority group improved upon the articles concerning education. Their submitted proposals changed wordings of Article 1 to "There shall be no separate schools established for any exclusive race by the State of Louisiana." On February 4, 1868, the majority bill won with sixty-one ayes and twelve nays.<sup>108</sup>

While African American delegates discussed public education, they shaped the Bill of Rights and developed the notion of universal equality into the concept of public rights. The idea of public rights originated in the notion of public honor and egalitarian ideals of the second French Revolution, which defined public rights as "the absence of castes which place one portion of the members of the State into orders or classes from which they cannot exit."<sup>109</sup> Historian Rebecca Scott identifies the term as "a Louisiana invention" that enabled African American delegates to push for social equality without provoking fear of interracial intimacy.<sup>110</sup>

<sup>108</sup> *Official Journal of the Proceedings of the Convention*, 200-01.

<sup>109</sup> Denis Serrigny, *Traité du Droit Public des Français Précédé D'une Introduction sur les Fondements des Sociétés Politiques* (Paris: 1846), 287-88, quoted in Scott, "Public Rights, Social Equality, and the Conceptual Roots of the Plessy Challenge," 785.

<sup>110</sup> Rebecca J. Scott and Jean M. Hébrard, *Freedom Papers: An Atlantic Odyssey in the Age of Emancipation* (Cambridge, MA: Harvard University Press, 2012), 129.

The concept of ‘public rights’ was an innovative idea in post-Civil War New Orleans, as it aimed to create a legal ground in which Creoles of color could rectify everyday experiences of racial inequality that whites took for granted. The *New Orleans Tribune* argued that the Declaration of Independence and the Civil Rights Bill of 1866 were insufficient to secure racial equality in Louisiana, because of racial prejudice.<sup>111</sup> Creoles of color considered institutions such as star cars and schools as the symbols of such white privilege and argued to use “the word ‘public,’” in order “to secure the impartial treatment of all men in places of public resort. Churches, hotels, cars, steamboats, theaters, stores, even schools are included to be embraced.”<sup>112</sup> The *Tribune* further promoted public rights as a legal concept to “gain the esteem of their fellow citizens and have them thus to acknowledge the title of the colored men.”<sup>113</sup> Creoles of color used ‘public rights’ to dissolve the customs of white privilege which permeated in New Orleans.

Creoles of color also advocated for public rights as a concept that encompassed all people of African descent. The *New Orleans Tribune* argued, “When one or a few colored men are excluded from certain public rights enjoyed by *all* white men, not the few alone but the entire colored population are wronged.”<sup>114</sup> By presenting public rights as a concept to support African Americans daily interactions with whites, Creoles of color attempted to ensure postwar freedom.

Despite its origin in France and the francophone Atlantic, radical African American delegates widely shared the idea of ‘public rights.’<sup>115</sup> When the convention began debating the

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<sup>111</sup> “Strike at the Root of Prejudice,” *New Orleans Tribune*, December 25, 1867.

<sup>112</sup> “Constitutional Convention,” *New Orleans Tribune*, December 29, 1867.

<sup>113</sup> “No Title,” *New Orleans Tribune*, March 6, 1868.

<sup>114</sup> “Not a Few But All,” *New Orleans Tribune*, February 14, 1869.

<sup>115</sup> Many scholarly works discussed the trans-Atlantic roots of public rights and black radicalism in Louisiana. However, these works shed few lights on how widely the idea was circulated among Anglicized black leaders. See Scott, “Public Rights, Social Equality, and the Conceptual Roots of the *Plessy* Challenge”; Bell, *Revolution*,

Bill of Rights, many delegates submitted a series of bills to include public rights. On December 2, 1867, Robert I. Cromwell, an Anglicized black representative, first presented this new series of clauses for the Bill of Rights. His proposed article 1 states,

We hold these truths to be self-evident that all men are created equal, endowed with certain inalienable rights, and therefore the law should afford equal protection to all in the exercise of their civil, public, political and religious rights, and insure[sic] perfect equality under the law.<sup>116</sup>

On December 3, 1867, Cromwell further articulated the intentions of African American delegates to counterattack racial injustice. Before he introduced his proposal for the Bill of Rights, he stated that African Americans “are proscribed and ostracised[sic] when entering into public places, or upon common carriers,” and therefore seek remedy “in a peaceable and legal way.” He then proposed an article, “There shall be no discrimination in the public, political, civil or religious rights or immunities among the citizens of this State on account of race or color or previous condition of involuntary servitude.”<sup>117</sup> The next day, Caesar C. Antoine, a Creole representative, offered more clauses for the Bill of Rights including one that stated,

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States, of the States in which they reside, and shall be protected in their civil and political rights and public privileges.<sup>118</sup>

Despite ethnic differences, African American delegates across the board believed that they needed public rights along with political and civil rights to secure their freedom as citizens.

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*Romanticism, and the Afro-Creole Protest Tradition in Louisiana.*

<sup>116</sup> *Official Journal of the Proceedings of the Convention*, 21.

<sup>117</sup> *Official Journal of the Proceedings of the Convention*, 26-27.

<sup>118</sup> *Official Journal of the Proceedings of the Convention*, 36.

African American delegates had to overcome many hurdles to insert public rights into the Bill of Rights. The first obstacle was the committee of the Draft of the Constitution. Even as the convention was discussing the Bill of Rights, the committee had already compiled a set of laws. The committee on the Draft of the Constitution split along the color line. On December 20, 1867, the all-white majority group proposed bills that completely eliminated public rights. Furthermore, the rest of its proposal included no mention of racial policies for schools and transportation facilities:

Majority Report Article 1: All persons, without regard to race, color or previous condition, born or naturalized in the United States, and inhabitants of this State, for one year, are citizens of this State. They shall enjoy the same civil and political rights and privileges, and be subject to the same pains and penalties.

Minority Report Article 1: All persons, without regard to race, color or previous condition born or naturalized in the United States, and inhabitants of this State, one year, are citizens of this State, and shall enjoy the same public, civil and political rights and privileges, and be subject to the same pains and penalties.<sup>119</sup>

In response to the draft, the all-African American minority group of the committee led by James H. Ingraham submitted another set of bills to insert public rights, the rights to travel, and the banning of racially separate schools.<sup>120</sup>

Some white conservative delegates adamantly rejected the term ‘public rights.’ William H. Cooley, a white representative from Pointe Coupee, did not understand the minority delegates’ definition of public space, because his idea of public space did not encompass institutions such as schools and railroads. He opposed the minority’s Bill of Rights reasoning,

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<sup>119</sup> *Official Journal of the Proceedings of the Convention*, 84, 96.

<sup>120</sup> *Official Journal of the Proceedings of the Convention*, 84-109.



“Because I never heard the term ‘public rights’ mentioned as a private one, and because I cannot understand the idea of a private individual exercising public rights.”<sup>121</sup>

In response to such opposition, African American delegates repeatedly explained that they needed public rights to protect their civic life. Robert I. Cromwell strongly advocated for “the same right as the white in traveling, in hotels, and in places of worship” and even said “those of the whites who did not approve of these privileges to the colored man could leave the country and go to Venezuela or elsewhere.” Edouard Tinchant argued that public rights would establish “the right to be treated as one of the public without distinction or color.” Ingraham also explained, “The African race did not desire any civil war or war of races; what it did desire was justice—justice in the jury box, [and] in the school-house.” These delegates advocated for a legal term to encompass all the aspects of access to the political, economic, social, and religious arenas heretofore enjoyed exclusively by whites.<sup>122</sup>

Some African American delegates were not as enthusiastic as Cromwell, Tinchant, and Ingraham. Nevertheless, these men came to accept the necessity of inserting public rights to protect African American citizens’ everyday lives. Arnold Bertonneau, for instance, initially found no reason to add public rights into the constitution. However, after experiencing white dissent, he changed his mind. Bertonneau explained that “he didn’t want to force white persons to drink with him, but simply to have the privilege of drinking in the same saloons.”<sup>123</sup> Pinchback, according to the *Daily Picayune*, claimed that “he could see no necessity for these

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<sup>121</sup> *Official Journal of the Proceedings of the Convention*, 117.

<sup>122</sup> “Louisiana. Proceedings of the State Convention—Debates on the Articles of the Proposed Constitution,” *New York Times*, January 5, 1868.

<sup>123</sup> “Louisiana Convention. Twenty-Ninth Day’s Proceedings,” *Daily Picayune*, January 3, 1868.

words[public rights].”<sup>124</sup> However, he also was sympathetic to its supporters. He brought up his experience of discrimination in Washington D.C. where his was refused service. He explained, “To do that was against the rules, and these rules were rules established by prejudice,” and so tacitly endorsed public rights.<sup>125</sup>

Some white delegates acquiesced to their fellow African American delegates’ arguments. W. Jasper Blackburn for instance, firmly believed that “the rights of the colored people—for which he was willing to shed his blood, if those rights were pursued in a loyal and legitimate way—might not be jeopardized in some such harmless manner.”<sup>126</sup>

The unity between Creoles of color, Anglicized blacks, and white radical delegates made it possible to include public rights in the Bill of Rights. On December 27, 1867, George Wickliffe suggested an article of the Bill of Rights that included public rights for all the citizens along with civil and political rights.<sup>127</sup> After some revisions and discussion made by Thomas Isabelle, a brother of Robert H. Isabelle, Wickliffe’s article was adopted as Article 2 of Title 1 of the Constitution.<sup>128</sup> Despite strong opposition, African American delegates’ assiduous efforts succeeded in making public rights part of the Bill of Rights.

The debates on public rights and the Bill of Rights expanded to include access to public transportation. As the *New Orleans Tribune* described, African American delegates aimed at “the insertion into the Constitution, at their proper place, of guaranties securing the enjoyment of all

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<sup>124</sup> “Louisiana Convention. Twenty Fifth Days Proceedings,” *Daily Picayune*, December 28, 1867.

<sup>125</sup> “Louisiana Convention. Twenty-Ninth Day’s Proceedings,” *Daily Picayune*, January 3, 1868.

<sup>126</sup> “Louisiana Convention. Twenty-Ninth Day’s Proceedings,” *Daily Picayune*, January 3, 1868.

<sup>127</sup> *Official Journal of the Proceedings of the Convention*, 116.

<sup>128</sup> *Official Journal of the Proceedings of the Convention*, 116-17.

rights and immunities to citizens who are excluded to-day by the effect of prejudices.”<sup>129</sup> On December 5, the committee of the Bill of Rights proposed a section that included “the right of all citizens to travel and be entertained shall not be infringed or in any manner whatever be abridged in this State.”<sup>130</sup> By late December, this proposal expanded to include public transportation and services. A delegate from Orleans Parish, Edouard Tinchant demanded, “the term public rights should be made to mean something, and that everywhere a white man can go or travel the colored man should go.”<sup>131</sup>

Securing access to all public conveyances brought a mixed response of whites but African American delegates ultimately won. Some white conservative delegates objected to the transportation desegregation clause as much as they had to public rights. Given the strong opposition, the conservative *New Orleans Times* reported on Pinchback’s reluctance in advancing the bill and stated “that social equality, like water, must be left to find its own level, and no legislation could affect it...he believed that any attempt to legislate for his social equality with the white man would, under present circumstances, be the death-blow of his people.”<sup>132</sup> Yet, the *Times* appeared to have distorted Pinchback’s comment or did not understand his intention to support public rights. On December 31, Pinchback presented a proposal to Article 13 of the Bill of Rights:

Article 13: The right of all persons to travel on the common carriers and be entertained at all places of a public character in this State, shall not be infringed, or in any manner abridged.<sup>133</sup>

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<sup>129</sup> “No Title,” *New Orleans Tribune*, December 27, 1867.

<sup>130</sup> *Official Journal of the Proceedings of the Convention*, 41.

<sup>131</sup> “‘This Convention.’ Twenty-Fifth Day, The Constitution a Night Mare,” *New Orleans Times*, December 28, 1867.

<sup>132</sup> “‘This Convention.’ Twenty-Fifth Day, The Constitution a Night Mare,” *New Orleans Times*, December 28, 1867.

<sup>133</sup> *Official Journal of the Proceedings of the Convention*, 121.

Over the next few days, Wickliffe and Ingraham further modified Pinchback's proposal. After several revisions, on January 3, Pinchback resubmitted the amendment again:

Article 13: All persons shall enjoy equal rights and privileges while traveling in this State, upon any conveyance of a public character, and all business places or otherwise, carried on by charter, or for which a license is required by either State, parish or municipal authority, shall be deemed places of a public character, and shall be opened to the accommodation and patronage of all persons, without distinction or discrimination on account of race or color.<sup>134</sup>

His proposal was adopted by fifty-eight to sixteen votes. This clause broadly defined public space as that of public "character," which had the potential to include any commercial facilities, from steamboats and hotels to restaurants, as facilities where public rights might be exercised. African Americans' daily struggles for streetcars and schools underwrote this strong legal foundation to ensure equal access to all public accommodations. Combined with public rights, Article 13 of the Bill of Rights, and Article 135 on public education, African American delegates and white radicals enacted the most radical Reconstruction constitution in the South.

Creoles of color and their allies viewed the constitutional convention as a success but their opponents were by no means silenced. The conservative faction, although Republican and mostly Unionist, used the term 'social equality' to agitate white fears about a new type of racial intimacy in which whites held no control over African Americans. At the signing of the constitution, five white delegates, William H. Cooley, Thomas S. Crawford, George W. Dearing, G. W. Ferguson, and Thomas P. Harrison refused to sign. In protest four other delegates, John L. Barret, Adolphe Bernard, Paulding Edwards, and John T. Ludeling did not attend. They condemned the Bill of Rights because "social equality is attempted to be enforced and the right of citizens to control their own property is attempted to be taken from them for the benefit of the colored race." They further contended that "mixed schools will not elevate the negroes, but will

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<sup>134</sup> *Official Journal of the Proceedings of the Convention*, 125.

debase the whites.” Last, the group condemned the whole constitution as a way “to establish negro supremacy in the State.”<sup>135</sup>

### **The 1868 Gubernatorial Election**

While Creoles of color and their allies succeeded in passing public rights clauses during the constitutional convention, they faced mounting white resistance. The first sign of backlash came during the voting for the new constitution. While the April 1868 statewide election ratified the constitution by 66,152 votes to 48,739, New Orleans rejected it 14,763 to 14,291. The ratification of the constitution occurred only because General Philip Sheridan, who oversaw Louisiana as the head of the fifth military district, registered 45,000 whites and 83,000 African Americans as legitimate voters.<sup>136</sup>

In addition to white conservatives’ resistance, the radical faction in the Republican group, also faced dissent from the moderate Republican faction. The feud started when they discussed public education in fall 1867. The moderates did not deny that African Americans had rights to public education. However, they believed that debating racial equality would incite too much white backlash. Increasing radical political activism had already antagonized whites, resulting in the Mechanics’ Hall Massacre a year before the convention. The maintenance of the segregated school system, therefore was the primary goal of moderate Republicans. The *New Orleans Tribune* mocked the moderates as “timid Republicans.”<sup>137</sup>

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<sup>135</sup> *Official Journal of the Proceedings of the Convention*, 290-291.

<sup>136</sup> Tunnell, *Crucible of Reconstruction*, 134-35. There is no tally between black and white votes for Orleans Parish. Donald W. Davis, “Ratification of the Constitution of 1868-Record of Votes,” *Louisiana History* 6, no. 3 (Summer 1965): 301-05.

<sup>137</sup> “The Schools,” *New Orleans Tribune*, October 24, 1867.

As Creoles of color prepared for the gubernatorial election of April 1868, they faced increasing conflict with moderate Republicans led by Henry C. Warmoth within the Central Executive Committee of the Republican Party. Radical Republicans and the *New Orleans Tribune* recognized the Central Executive Committee of the Friends of Universal Suffrage as the True Central Executive Committee and underwrote an independent office on Canal Street. Moderates kept their own Central Committee office, located at St. Charles Avenue.<sup>138</sup> These two factions internally divided the Republican Party.

In January 1868, in the middle of the constitutional convention, the Republican Party of Louisiana made a nomination to the gubernatorial election. Creoles of color initially supported Thomas J. Durant, the former leader of the Friends of Universal Suffrage, for governor.<sup>139</sup> When he declined the offer, Creoles boldly moved to nominate Francis E. Dumas, a Creole man of color and major of the Second Regiment of the Louisiana Native Guards. The idea of a person of color as governor created massive resentment within the Republican Party. In response, moderate Republicans chose Henry Warmoth as a rival candidate. Dumas lost by only two votes in the primary, and Warmoth immediately offered him the position of lieutenant governor, which Dumas rejected. Instead, Warmoth allied with Oscar J. Dunn, an Anglicized ex-slave from New Orleans.

Creoles of color did not compromise on the Warmoth-Dunn ticket. They refused to support Warmoth due to his lack of commitment to universal racial equality. The True Central Executive Committee meeting condemned Warmoth for his work as a provost judge and for denying the right to African Americans of riding with whites on desegregated streetcars. Creoles

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<sup>138</sup> "No Title," *New Orleans Tribune*, March 19, 1868.

<sup>139</sup> "No Title," *New Orleans Tribune*, December 28, 1867.

condemned Warmoth supporters as too conservative as well.<sup>140</sup> They denounced their fellow Republicans, G. W. Ferguson and George W. Dearing, for supporting Warmoth but for refusing to sign the constitution.<sup>141</sup> They labeled the moderate-led Republicans as “a set of camp-followers and plunderers” and the “class of men whom...have entered the Republican party not for its good, but for their own.”<sup>142</sup> Creoles of color blamed these moderate Republicans for corruption, and for appointing Oscar J. Dunn and Antoine Dubuclet, candidates for lieutenant governor and state treasurer, as token African American leaders. In addition, they criticized the ticket for choosing so many officials from New Orleans who might not represent the vast labor and agricultural population of rural Louisiana. The radical faction repeatedly emphasized their pursuit of universal suffrage, access to all public schools, popular elections, no disfranchisement under the Fourteenth Amendment, and promise to “secure unsold public lands in small lots to actual settlers.”<sup>143</sup>

Instead of choosing Warmoth, Creoles, led by the *New Orleans Tribune*, created the Louisiana-born radical faction. They supported James G. Taliaferro, a judge from Catahoula Parish and a constitutional delegate, for governor and Francis E. Dumas as lieutenant governor. Both were natives of Louisiana and Taliaferro had held staunch unionist views since the secession crisis. The *Tribune* advocated for them as proponents of racial unity.<sup>144</sup> Furthermore, it described Dumas as a unifier who had recruited slaves to the Louisiana Native Guards and thus

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<sup>140</sup> “The Meeting Last Evening,” *New Orleans Tribune*, April 5, 1868.

<sup>141</sup> “Warmoth, Not the Constitution,” *New Orleans Tribune*, March 11, 1868.

<sup>142</sup> “No Title,” *New Orleans Tribune*, February 23, 1868.

<sup>143</sup> “Address by the True Central Executive Committee of the Radical Republican Party to the People of Louisiana,” *New Orleans Tribune*, February 14, 1868.

<sup>144</sup> “The Issue,” *New Orleans Tribune*, April 5, 1868.

embodied the coalition of the formerly enslaved and free people of color.<sup>145</sup> This move irritated many Anglicized black Republicans, as they viewed Taliaferro as a former slave owner and white supremacist. The Warmoth-Dunn faction campaigned against the Taliaferro-Dumas ticket and isolated Creoles of color by depicting them as elitist and self-promoting. W. Jasper Blackburn, who allied with Warmoth, called Creoles “the *free negro element proper*” although some candidates on the Warmoth-Dunn ticket were also free people of color.<sup>146</sup>

The ethno-racial division sharpened as the election drew close. The *Tribune* denounced Oscar J. Dunn for allegedly criticizing the newspaper and describing Creoles as the “vain, conceited and pompous quadroon element” who only considered their benefit as free people of color.<sup>147</sup> Although Dunn denied the allegation, the Seventh Ward Republican Club, whose members consisted primarily of Creoles of color, resolved that they would not accept apologies from Dunn.<sup>148</sup> Some Creoles of color, who initially supported the Warmoth-Dunn ticket, flipped to support Taliaferro and Dumas. On March 21, 1868, Arnold Bertonneau, for instance, sent a letter to the *New Orleans Republican* charging that “Mr. Dunn[,] having disgraced himself in trying to degrade his race for the sake of position,” did not deserve election.<sup>149</sup> In the same month, Creole convention delegates Henry Bonseigneur and Gustave Dupart, and a wealthy Creole property owner, Aristide Mary, also endorsed the Taliaferro-Dumas ticket. Furthermore, a

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<sup>145</sup> “Major Dumas,” *New Orleans Tribune*, March 20, 1868.

<sup>146</sup> “W. Jasper Blackburn on the Convention,” *New Orleans Tribune*, March 20, 1868.

<sup>147</sup> “Mr. Oscar J. Dunn and the Quadroons of Louisiana,” *Opelousas Courier*, March 28, 1868. See also “The Antagonism of Caste,” *Cincinnati Daily Enquirer*, March 25, 1868; “Mr. Dunn’s Speech,” *New Orleans Tribune*, March 22, 1868;

<sup>148</sup> “Organization of the Seventh Ward Club,” *New Orleans Tribune*, March 24, 1868.

<sup>149</sup> “The Warmoth-Dunn Ticket Repudiated,” *New Orleans Tribune*, March 22, 1868.



white Creole convention delegate, C. B. H. Duplessis expressed his support for the ticket.<sup>150</sup>

During this process, the *Tribune* alienated African American politicians including many Anglicized blacks such as James H. Ingraham, P. B. S. Pinchback, and Samuel Cuney, and white radicals. In addition, they lost their own Creoles comrade, including Caesar C. Antoine, Thomas Isabelle, and Pierre George Deslonde. With Warmoth's successful campaign, Creoles of color not only lost the gubernatorial election, but also severely damaged their alliance with Anglicized blacks at least temporarily.<sup>151</sup>

The election's outcome weakened Creoles' position in the Republican Party. In March 1868, the party revoked the *New Orleans Tribune*'s status as the official organ.<sup>152</sup> Many whites, including conservatives and moderate white Republicans, interpreted the actions of Creoles of color as an unrealistic attempt to overturn white supremacy. In his autobiography, Warmoth remembered Creoles of color as a distinct radical faction as "San Domingo Negroes...who urged the Negroes of Louisiana to assert themselves and follow Hayti, San Domingo, and Liberia."<sup>153</sup> The criticism of Creoles of color came even from their radical allies. After the election, the Belgium editor Jean-Charles Houzeau quit his position at the *New Orleans Tribune*. He criticized his fellow Creoles of color for not supporting Dunn, stating that "the old aristocratic spirit of the mulatto has reawakened."<sup>154</sup> The *New Orleans Tribune* suspended operation for eight months

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<sup>150</sup> "Rectification," *New Orleans Tribune*, March 26, 1868; "Letter from Madisonville," *New Orleans Tribune*, March 26, 1868; "No Title," *New Orleans Tribune*, March 21, 1868;

<sup>151</sup> *St. Landry Progress*, April 11, 1868, quoted in Tunnell, *Crucible of Reconstruction*, 16n., 117; Logsdon and Bell, "The Americanization of Black New Orleans," 248-50.

<sup>152</sup> *Official Journal of the Constitutional Convention*, 286-89.

<sup>153</sup> Henry C. Warmoth, *War, Politics and Reconstruction: Stormy Days in Louisiana* (New York: Macmillan, 1930), 51.

<sup>154</sup> Houzeau to his parents, May 9, 1868, quoted in Thompson, *Exiles at Home*, 258.

after the gubernatorial election before It restarting circulation in late 1868, but it did not survive. Although Creoles of color succeeded in enacting radical clauses for racial equality, the controversy of the gubernatorial election of 1868 temporally paralyzed their political activism.

The alliance between Creoles of color and Anglicized blacks, however, did not permanently disappear. The 1868 state House of Representatives and Senate elections resulted in some victories for both Creoles of color and Anglicized black political leaders. In the House of Representatives, Creole representatives, Canon J. Adolphe, Felix C. Antoine, a brother of Caesar C. Antoine, former Louisiana Native Guard captain Robert H. Isabelle, and Joseph Mansion, a son of *Tribune* contributor Lucien (Lolo) Mansion, were elected. Anglicized black leaders Frank Alexander and Jerry Hall also won seat. In the Senate, former Louisiana Native Guard captain P. B. S. Pinchback and Andrew Monette represented New Orleans. These African American politicians constituted about 30 percent of the entire seats in the House of Representatives and 18 percent in the Senate.<sup>155</sup> They needed to collaborate closely in order to advocate for racial equality. Although the 1868 gubernatorial election ended in failure, Creoles of color retained some means to rebuild their radical coalition during the 1870s.

## Conclusion

After the Civil War ended, Creoles of color, along with their allies, Anglicized blacks and white Radical Republicans, pushed further to pursue equality in public institutions. Streetcars and public schools became the two particular areas of struggles. During the Civil War, Union soldiers and civilians experienced discrimination on streetcars that limited their mobility because of unequal numbers of star and non-star cars. Creoles of color and Anglicized blacks also learned

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<sup>155</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 71.

that the Union-led school for African American children created unstable educational opportunities for their children and provided a convenient shield to the racially exclusive public school system. Grassroots mobilization and civil disobedience characterized African Americans' tactics to combat racial discrimination. The success of the streetcar desegregation energized the radical pursuit at the constitutional convention held between November 1867 and March 1868.

During the constitutional convention, Creoles of color and their allies succeeded in creating laws to secure and protect their rights as citizens in the public sphere. The insertion of public rights to the state Bill of Rights prompted more specific clauses that articulated African Americans access to all public transportation and facilities of public nature and banned racially segregated schools. Despite the success of the constitutional convention, Creoles of color broke their alliance with Anglicized blacks at the gubernatorial election of 1868 due to a feud with the moderate Republican Party members. Creoles of color lost considerable power by failing to support the mainstream African American candidates.

Even after the gubernatorial election loss, Creoles of color remained ardent devotees of racial desegregation. Creoles of color, along with Anglicized black leaders, secured seats in state politics as members of the State Senate and House of Representatives. Radical whites continued to advocate on behalf of racial desegregation as well. After the constitutional convention and the gubernatorial election, Creoles of color shifted their focus from crafting a new legal system to implementing the principles of the constitution in their everyday lives.

### CHAPTER 3: “LET US BE UNITED”: STRUGGLES AFTER THE STATE CONSTITUTIONAL CONVENTION

#### Introduction

As soon as Louisiana ratified the 1868 state constitution, Creoles of color attempted to exercise their newly guaranteed rights to use public institutions. They soon encountered fierce white resistance, however. Public schools, transportation, and churches remained under the control of whites who openly defied the new constitution. In response to numerous acts of refusing African Americans access to public facilities, Creoles of color, as well as Anglicized blacks and white radical Republicans, joined forces to implement the constitution in New Orleans. Creoles of color deployed three tactics. First, as African American state legislators, they passed bills enforcing constitutional guarantees for schools and transportation. Second, they mobilized to demand entry into classrooms and onto train cars. Third, they filed lawsuits to compel the city government and business owners to obey the constitution.

To date, scholars have focused on desegregation struggles led by male leaders, both Creoles and Anglicized blacks, but these desegregation efforts involved the larger community as well.<sup>1</sup> As historian Blair L. M. Kelley acknowledged that “working-class Creoles of color were also concerned with contesting segregation,” daily struggles at schools, on conveyances and in churches ultimately brought women and children as well as men of all classes into a wide-ranging desegregation movement.<sup>2</sup>

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<sup>1</sup> See, for example, Fischer, *The Segregation Struggle in Louisiana*; Blassingame, *Black New Orleans*.

<sup>2</sup> Kelley, *Right to Ride*, 57.

Through community-wide efforts, in the early 1870s, Creoles of color and Anglicized blacks achieved a considerable degree of desegregation. About one-third of public schools across the city accepted both white and African American children. Streetcars remained integrated. Furthermore, other institutions including railroads, steamboats, and opera houses opened to them. By 1875, New Orleans experienced a degree of desegregation at a level unseen in any other American city. Yet, not all of public accommodations welcomed African Americans and ensured racial equality in New Orleans. Creoles of color and Anglicized blacks constantly struggled to erase the color line.

In this chapter, first, I argue that Creoles of color quickly repaired their damaged relationship with Anglicized blacks and white radical Republicans after the 1868 gubernatorial election and fought together at the state legislature against white resistance to school desegregation. Second, this chapter highlights why desegregated streetcars posed ongoing problems for African Americans, especially women. I also argue that Creoles of color deployed political, grassroots, and legal tactics similar to their school campaign to enforce the desegregation of railroads and steamboats. Third, I address how Creoles of color coped with racial discrimination within the Catholic Church by seeking out alternative religious services and spiritual beliefs that were consonant with their commitment to racial equality. Lastly, the chapter examines how Creoles' struggles over schools, transportation, and churches affected their access to other commercial and cultural facilities, such as theaters, opera houses, and coffee shops.

## **Public Schools**

Although the 1868 gubernatorial election worsened the relationship between Creoles of color and Anglicized blacks, they soon rejoined debate at the state legislature about how to

achieve the principles of the new constitution. In 1868, thirty-six African American politicians were elected to the state House of Representatives, including Henry Louis Rey and Robert H. Isabelle. Seven others, including Caesar C. Antoine and P. B. S. Pinchback, served as senators.<sup>3</sup> White New Orleanians, meanwhile, continued to deny the possibility of desegregation and worked to maintain racial privilege by excluding or limiting African Americans' access to public institutions. Although the ethno-racial divisions between Creoles of color and Anglicized blacks persisted, the two communities ultimately cooperated to combat racial discrimination. By late 1868, Creoles of color advocated for mending the alliance. The *New Orleans Tribune* suggested, "Let us be united. Let old differences be healed...let us feel that our interests are too closely identified and too sacred to be sacrific[ed] for mere personal or party ends."<sup>4</sup> On New Year's Day of 1869, the *Tribune* further urged African American Republican members to "put the Constitution in force...foremost of all the measures to be taken is the passage of Public Rights Bill and the bill for the admittance of all children in common into the Public Schools."<sup>5</sup>

The *New Orleans Tribune* called for unity in the face of the staunch refusal of the city school board to obey the state constitution. Shortly after the constitutional convention, in April 1868, William O. Rogers, city superintendent of public schools, received an anonymous report that the Bayou Road School, a white girls school in Tremé, had accepted students of color. On May 7, Rogers requested details of the situation from Principal S. Bigot. On May 21, she submitted a list of twenty-nine girls who were not possibly white.<sup>6</sup> In response, the city school

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<sup>3</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 71, 228-29. I included Henry Louis Rey to his survey.

<sup>4</sup> "Union," *New Orleans Tribune*, December 16, 1868.

<sup>5</sup> "The Legislature," *New Orleans Tribune*, January 1, 1869.

<sup>6</sup> William O. Rogers to S. Bigot, May 7, 1868 and S. Bigot to William O. Rogers, May 21, 1867, in *Minutes, August 29, 1865- June 2, 1869*, 322-23, Orleans Parish School Board Collection (OPSB) (MSS 147), Louisiana and Special

board ordered that “all children of color, who may be found in any of the white schools of the City, shall be immediately furnished with a written transfer to the school to which they properly belong.”<sup>7</sup> The board delivered a clear message to African Americans in New Orleans that it had no compunction in disobeying the constitution.

The Bayou Road School incident demonstrated both Creoles’ eagerness to send their children to a desegregated school and the complexity of drawing the color line in New Orleans schools. Many of the girls who enrolled in the school were daughters of Creoles of color and their physical appearance resembled that of their white classmates.<sup>8</sup> Sisters Alice and Anais Meilleur, for instance, were the daughters of Eugene G. Meilleur, a free Creole veteran who worked as a constable during Reconstruction.<sup>9</sup> Emma Gondales was a niece of Charles S. Sauvinet, a former Louisiana Native Guard officer. Principal Bigot observed that Olivia Edmunds, another girl under suspicion, had been “admitted upon a certificate of white birth.”<sup>10</sup> The *Daily Picayune* reported that among the girls, “two are said to be quite dark, while the others are of lighter complexion.”<sup>11</sup> Eventually, six children submitted proof that they were white, while six others refused to explain their racial background, and the remaining students acknowledged

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Collections (LSC), Earl K. Long Library (ELL), University of New Orleans (UNO).

<sup>7</sup> *Minutes, August 29, 1865-June 2, 1869*, May 27, 1868, 327-28, OPSB, LSC, ELL, UNO.

<sup>8</sup> “Public School Examination, Second District,” *New Orleans Republican*, June 24, 1868.

<sup>9</sup> He was also a veteran of the Civil War. 1860 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans, p. 178, dwelling 1123, family 1074, Eugene Meilleur, digital image, Ancestry.com, accessed April 5, 2018, <http://ancestry.com>; *Charles Gardner’s New Orleans Directory for 1869*, (New Orleans: Charles Gardner, 1869), 251; Rankin, “The Origin of Negro Leadership in New Orleans during Reconstruction,” 439.

<sup>10</sup> Bigot to Rogers, May 21, 1867, in *Minutes, August 29, 1865-June 2, 1869*, 323, OPSB, LSC, ELL, UNO.

<sup>11</sup> “The Board of Public School Directors—Colored Children in the White Schools,” *Daily Picayune*, May 22, 1868.

that they were not white.<sup>12</sup> The board decided to send all the children who could not prove their white racial status to the Rampart School, the neighboring school for African American girls.

With the aim of enforcing the state constitution, Creoles of color campaigned to strengthen state control over the city school system. During the 1868 state legislative session, Henry Louis Rey, a former captain of the Native Guards, became chairman of the committee on education in the House of Representatives. His major obstacle was that the city school board was under jurisdiction of the city at the time, and the city council chose the members of the board. In August, Rey made his first attempt to ensure school desegregation by proposing an additional state law. He suggested granting the governor authority to appoint ten members of the city school board with the consent of the state Senate. The act passed the House of Representatives, but the Senate impeded its passage. Two issues regarding the act divided the Senate. Democrats like A. J. Bacon opposed the bill in favor of maintaining school segregation in New Orleans. Some Republicans, including Pinchback, opposed increasing the power of the governor because they feared how moderate Republican Governor Henry C. Warmoth would exercise his authority.<sup>13</sup>

In January 1869, Henry Louis Rey presented another bill to the legislature that would abolish the city school board and give the state board of education authority over the management of a new city school board. The proposal also granted Governor Warmoth the right to appoint five board members. Since 1868, Thomas W. Conway had served as the head of the state board. If the law passed, Conway could increase his power over the city school board. While Conway was part of the Warmoth-Dunn faction, he remained a desegregationist. Some

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<sup>12</sup> "Board of School Directors," *New Orleans Republican*, May 28, 1868.

<sup>13</sup> "The City Schools in the Senate," and "The City Schools in the Legislature," *Daily Picayune*, September 22, 1868.



white legislators opposed the proposition. However, there was more concern about asserting state power over the rebellious city board. As a result, Rey's bill became Act 121, with the state legislature requiring that every school should be under the consolidated state school system.<sup>14</sup>

The differing reactions of the city school board and state superintendent Thomas W. Conway to Act 135 demonstrated that perceived racial ambiguity of Creoles of color presented a core problem. The board decided to classify every person of African descent in the city as a target of segregation and disregarded the complexities of mixed-race Creoles. On April 9, 1869, city superintendent William O. Rogers issued another order to city school principals that "whenever a reasonable doubt may be entertained by them touching the Status, in point of color, of any pupils," administrators could not admit these racially ambiguous children to the white schools.<sup>15</sup>

In contrast, Thomas W. Conway attempted to solve the question by uniting all the racial groups under the same education policy and in the same school buildings. In his newspaper, the *New Orleans Advocate and Journal of Education*, he cited Charles Sumner's speech for racially mixed schools to desegregate schools.<sup>16</sup> Conway's views on racial equality also acknowledged the considerable racial mixture of the New Orleans population and the challenge to the school authority of determining individuals' racial identity. Answering an anti-mixed school protest from a New Orleans teacher initialed 'A', Conway stated,

At least one-third of the "blacks" are already mixed, with "white" and "black" in the veins of the same individuals, so that if a "black" should be excluded from school, it would be

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<sup>14</sup> State legislators did not only concern the implementation of the state law, but also saw the city school board's independent action to maintain segregation problematic. Vincent, *Black Legislators in Louisiana during Reconstruction*, 89; "The School Bill," *New Orleans Tribune*, January 13, 1869.

<sup>15</sup> William O. Rogers to the Principals of the City Schools, April 9, 1869, *Scrapbook*, vol. II, 1868-1878, William O. Rogers Collection, LaRC, TU.

<sup>16</sup> "The Evils of Separate Schools," *New Orleans Advocate and Journal of Education*, March 30, 1870.

difficult to determine whether we were not excluding more white than black: Second, because many who are considered “black” are as white as Queen Victoria, and it would be impossible to detect any trace whatever of any other than “white blood” in them, so that it would be quite impossible to apply a rule making the distinction practicable.<sup>17</sup>

Conway recognized the significance of Creoles of color and their distinct status in New Orleans.

His solution to public education was to erase the color line between white and black.

Although some leaders hesitated, most allied with Conway.<sup>18</sup> In 1870, African American state legislators proposed to further increase the authority of the state superintendent so that Conway could directly organize the city school board and appoint members. The strongest advocate for desegregation was Robert H. Isabelle. During the 1870 session, Isabelle stressed, “I want the children of this State educated together. I want to see them play together; to be amalgamated...and when they grow up to be men they will love each other, and be ready, if any force comes against the flag of the United States, take up arms and defend it together.”<sup>19</sup> His impassioned speech appealed to the state legislature for more vigorous action to implement desegregation.

The struggle for school desegregation united Creoles and Anglicized black leaders inside and outside of New Orleans. Isabelle garnered support from Anglicized black representatives of various parishes. In the House, representatives George Washington and Denis Burrell, both representing rural parishes, endorsed Isabelle’s proposal out of fear that their parishes would not

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<sup>17</sup> “Sharp Questions on Mixed School,” *New Orleans Advocate and Journal of Education*, April 2, 1870. Also published in “Mixed Schools,” *Tri-Weekly Advocate*, May 4, 1870.

<sup>18</sup> For example, in April 1870, Louis Charles Roudanez criticized Thomas Conway because his appointments of division superintendents were all whites. Conway refuted Roudanez’s criticism arguing that he appointed these superintendents based on “character and fitness.” “Doctor Roudanez,” *New Orleans Advocate and Journal of Education*, April 13, 1870.

<sup>19</sup> *Debates of the House of Representatives of the State of Louisiana, Session of 1870* (New Orleans: Republican Office, 1870), 149.

offer public schools for African American children or even for poor whites without strong state authority. To attract the votes of white representatives, Burrell even emphasized that modifying state law would increase educational opportunities for both poor white and African American children.<sup>20</sup> With the support of Anglicized blacks, the legislature adopted Isabelle's proposition, and Conway gained the authority to organize a new school board. He established the ward school board system to replace the city school board.<sup>21</sup>

White New Orleanians vehemently opposed Isabelle's act and Conway's state board of education. Major white newspapers criticized Isabelle's bill as a measure to impose 'social equality.'<sup>22</sup> One reader of the *Daily Picayune* commented, "Your public schools are mixed, the future generations of New Orleans are lost—degraded beyond redemption."<sup>23</sup> The *Picayune* also argued that the city largely funded the schools, and so should manage its institutions.<sup>24</sup> In the second and third districts, white residents refused to acknowledge the existence of the ward board and held a mass meeting to plan their own school system guided by current city board members.<sup>25</sup> With overwhelming support from white New Orleanians, the city school board insisted on its continuing jurisdiction over New Orleans public schools even after the establishment of the ward school board.

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<sup>20</sup> *Debates of the House of Representatives of the State of Louisiana, Session of 1870*, 184.

<sup>21</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 90-92; Fischer, *The Segregation Struggle in Louisiana, 1862-1877*, 113-14; "Meeting of the State Board of Education," *Daily Picayune*, April 8, 1870.

<sup>22</sup> For example, see Pacificus, "Mixed Schools," *New Orleans Times*, February 17, 1870.

<sup>23</sup> "Will the People Submit to Mixed Schools?," *Daily Picayune*, March 27, 1870.

<sup>24</sup> "The Public Schools," *Daily Picayune*, April 27, 1870.

<sup>25</sup> "The School Question," *Daily Picayune*, May 24, 1870; "The Question of Mixed Schools," *Daily Picayune*, May 25, 1870; "The Mixed School Question," *Daily Picayune*, June 8, 1870.

In addition to political agitation, Creoles of color commenced direct negotiation with the leaders of individual white schools. In February 1868, the *New Orleans Republican* reported that one man of color attempted to send his child to the DeSoto School, a whites-only school in Tremé. This parent vouched for his free status and that he was not a “contraband” or former slave.<sup>26</sup> Similar demands for admission escalated during the spring of 1870. In late April, Louis Ferrand, a Creole man of color, brought his children to the Claiborne School. Principal Louis Soraparu refused their admission, but after a court hearing, he accepted them provisionally until the legal standing of the school board was resolved.<sup>27</sup> On May 16, 1870, Creoles of color collaborated with their radical Republican colleagues to target the all-white Fisk and Bienville Boys Schools and demanded the admission for children of color. Robert H. Isabelle took his seven-year old son, William, to the Fisk School, along with two other children and four Republican members. Located at the corner of Franklin and Perdido Streets in a predominantly English-speaking neighborhood, Fisk was the closest school to Isabelle’s residence.<sup>28</sup>

The efforts of the Radical Republican Club revealed the impact of direct admission requests on city school politics. Isabelle, along with fellow club members, met with T. W. Dyer, Fisk’s principal, to request admission of their children. Dyer, taking advantage of the dual school board systems, immediately refused their demands, claiming that he had no such authority from the city superintendent. Next, club members moved to the Bienville School, located at the corner

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<sup>26</sup> “Monthly School Board Meeting,” *New Orleans Republican*, February 6, 1868.

<sup>27</sup> “The Public Schools,” *Daily Picayune*, April 27, 1870; “Mixed School Question,” *The City*, *Daily Picayune*, May 6, 1870.

<sup>28</sup> “Attempt at Mixing the Public Schools,” *Daily Picayune*, May 17, 1870. The other members of the club were R. T. Kramer, A. H. Pemberton, Theodore Lepshut, and C. F. Ladd; *Annual Report of the State Superintendent of Public Education for the Year 1871* (New Orleans: The Republican Office, 1872), 392.

of Bienville and Robertson Streets in the Tremé neighborhood. The club discussed the issue with the school principal to no avail. Yet these direct negotiations created a panic at the schools. The *Daily Picayune* reported that many white Fisk School students “seized their books and slates and rushed out into the yard” and eventually returned home for fear of racial mixing. It also reported that “a large crowd of whites and blacks” surrounded the school building soon after negotiations started. Furthermore, it noted a rumor that “several pistols shots had been fired by the crowd” at the Bienville School, succinctly illustrating the fears that the club’s actions fostered among white New Orleanians. White segregationists knew that only the city school board, despite questionable legal status, could sustain the segregated public school system.<sup>29</sup>

Eventually, the radical coalition prevailed through legal redress. By the early 1870s, radical Republicans staffed the local judiciary and enforced the state constitution. Soon after the failed attempts with the Fisk and Bienville Schools, Robert H. Isabelle filed a lawsuit to terminate the dual school system. On June 30, 1870, the *Daily Picayune* reported that Isabelle’s petition, filed at the Eighth District Court of New Orleans, had two demands. First, he asked the court to guarantee his right to send his child to any school that his family preferred as permitted under state law. Second, Isabelle insisted on the replacement of the current school board with Conway’s ward school board system. Henry C. Dibble, a Republican judge who came to New Orleans around 1865 from Indiana, issued a writ of mandamus to the school board to implement desegregation on the basis of the state constitution.<sup>30</sup>

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<sup>29</sup> “Attempt at Mixing the Public Schools,” *Daily Picayune*, May 17, 1870.

<sup>30</sup> “Eighth District Court,” The Court, *Daily Picayune*, June 30, 1870. The Eighth District Court had an exclusive right to issue a writ of mandamus and to deal with all the proceedings regarding the right of any office over other courts in New Orleans. See “Louisiana. Eighth District Court (Orleans Parish),” *City Archives: New Orleans Public Library*, accessed March 31, 2018. <http://nutrias.org/inv/8dc.htm>. For the biography of Dibble, I refer to Charles McClain, “California Carpetbagger: The Career of Henry Dibble,” *Quinnipiac Law Review* 28, no. 4 (September 2010), 890.

Thomas W. Conway also appealed to Judge Henry C. Dibble to restrain the old city school board from running the city schools. The issue developed when the city school board asked the court to halt Conway's attempt to use state funds for the city schools without its permission. Conway in return sued the city school board to affirm his authority over New Orleans schools. In late November 1870, Dibble issued a judgment in favor of Conway and concluded that the ward school board was the official organization in charge of schools. Although the city school board petitioned for an injunction to stop the ward board takeover, Judge Dibble dismissed the request.<sup>31</sup> The decision dealt the final blow to the city school board. In response to the resistance, the ward board chose to compromise and allowed the city board control of the high schools. Yet in January 1871, the Board of Aldermen officially acknowledged that the ward board as the legitimate authority. On February 7, 1871, the city school board officially announced that the city schools would move to the jurisdiction of the ward school board.<sup>32</sup>

Conway's ward school board epitomized the unity of the radical alliance. He appointed Creoles of color, Anglicized blacks, and radical white Republicans as directors. The board divided the city into five districts and eleven smaller representative districts. Each representative district had one director and two support members. Creoles of color and Anglicized blacks jointly took jurisdiction over the French Quarter and Tremé. Among Creoles of color, Blanc F. Joubert became a director of the sixth representative ward, which covered the area from St.

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<sup>31</sup> "The Public School Matter," *Daily Picayune*, November 13, 1870; "The Courts," *Daily Picayune*, November 22, 1870; "The Public School Question," *The Courts*, *Daily Picayune*, December 20, 1870.

<sup>32</sup> "The Public School Matter—*Important Motion*," *The Courts*, *Daily Picayune*, December 9, 1870; "The Public School Question," *Daily Picayune*, December 9, 1870; Fischer, *The Segregation Struggle in Louisiana*, 113-14; "The Public School Question," *Daily Picayune*, January 27, 1870; "The Control of the Public Schools of New Orleans Put into the Hands of the Negro Directors!," *Southwestern Presbyterian*, February 9, 1871.

Philip Street to Esplanade Avenue, the northeastern part of French Quarter and Tremé. John Racquet Clay, an exchange broker, assumed directorship of the fifth representative district, the central core of the same neighborhoods. As a representative of Anglicized blacks, P. B. S. Pinchback directed the fourth representative district between Canal Street and St. Louis Street, the southwestern part of the two neighborhoods. The board also welcomed Henry C. Dibble as president and director of the second representative district.<sup>33</sup>

Soon after Conway's school board began exercising power, both Creoles of color and Anglicized blacks zealously desegregated schools. The new board, however, did not plan on desegregating every city school. Characteristic of Reconstruction school desegregation actions, African American families' requests drove the process. On January 12, 1871, the *Daily Picayune* reported that three daughters of Oscar J. Dunn had entered the Madison School located at the intersection of Palmyra and Prieur Streets. Some white schools in Creole neighborhoods were desegregated as well. The Bienville School in Tremé accepted six children, and the St. Philip School, located in between Royal and Bourbon Streets, admitted five children of African descent.<sup>34</sup>

Desegregation drew strong, if mixed, reactions from the local white population. First, it caused the massive withdrawal of white pupils from public schools. The Bienville School lost an estimated half of its white students and teachers after desegregation. About one-fourth of

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<sup>33</sup> "Meeting of the New School Board," *Daily Picayune*, March 11, 1871; "The City School Board," *Weekly Louisianian*, April 27, 1871; For district boundaries, see *Annual Report of the State Superintendent of Public Education for 1870* (New Orleans: A. L. Lee, 1871), 114-16. Joubert was born in 1816 to a French immigrant and a light-skinned woman of color. He stayed in Paris from 1859 to 1864. See *Testimony Taken by the Select Committee to Investigate the Condition of Affairs in the State of Louisiana* (Washington D.C.: GPO, 1872), 453-62; Houzeau, *My Passage at the New Orleans Tribune*, 74, fn 19. John Racquet Clay was born in New Orleans in 1829 as a free man of color. He possessed the property worth about \$10,100 in 1860. Rankin, "The Origin of Negro Leadership in New Orleans during Reconstruction," 431, fn 34; Houzeau, *My Passage at the New Orleans Tribune*, 74-75, fn 20.

<sup>34</sup> "Mixed Schools," *Daily Picayune*, January 12, 1871; "Mixed Schools," *Weekly Louisianian*, January 12, 1871.

students left the Claiborne School in Tremé as well, and a similar loss affected the Pontchartrain School, located in suburban Milneburg.<sup>35</sup> This flight of white students fed the rise of private schools.<sup>36</sup> The *Southwestern Presbyterian*, the local Presbyterian paper, claimed that “the entire loss of confidence in our Public School System—as at present administered—has led to the establishment of great numbers of Private Schools of greater or less merit, all over our city.”<sup>37</sup> Presbyterians themselves “believe[d] that the forcible mingling of races in the school-room...would no in way, be advantageous to either class,” and eventually hired William O. Rogers to establish the Sylvester Larned Institute for girls.<sup>38</sup> The *New Orleans Advocate and Journal of Education* also criticized Germans in New Orleans for declining to send their children to public schools and establishing their own school.<sup>39</sup>

Some public schools, however, admitted African American children without turbulence. The Robertson Girls School, located beside the Bienville School, reported that “the colored mixture has been forced in though not with the same ill effect as in the boys’ school next door.”<sup>40</sup> In spite of the severe initial reaction, the Bienville school gradually recovered its enrollment of white students. Principal E. Warren Smith remarked in the annual report for 1871 that “two-thirds of the pupils are white and one-third colored. It is but seldom that the usual peace and good order of the school are disturbed by any exhibitions of prejudice on account of race or

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<sup>35</sup> *Annual Report of the State Superintendent of Public Education for the Year 1871*, 374-75; “Our Public Schools,” *Daily Picayune*, June 23, 1871.

<sup>36</sup> Fischer, *The Segregation Struggle in Louisiana*, 115.

<sup>37</sup> “Presbyterian Parochial Schools,” *Southwestern Presbyterian*, August 18, 1870.

<sup>38</sup> “Public Education in New Orleans,” *Southwestern Presbyterian*, May 26, 1870; Fischer, *The Segregation Struggle in Louisiana*, 117-18.

<sup>39</sup> “The Germans on the School Question,” *New Orleans Advocate and Journal of Education*, May 25, 1870.

<sup>40</sup> “Our Public Schools,” *Daily Picayune*, June 23, 1871.



color.”<sup>41</sup> The Pontchartrain School also reported that white children were returning.<sup>42</sup> On June 2, 1871, Superintendent Conway stated, “There are some colored children in the schools attended by the whites, and it is a matter of pleasure for me to say that they are not treated with incivility or unkindness.”<sup>43</sup> He did not engage in hyperbole. In 1873, the *New Orleans Republican* concurred, “In many of our city schools the white and colored pupil may be seen together, and the harmony and good feeling prevailing is quite as great as it would be in many Northern cities.”<sup>44</sup>

School desegregation opened up new educational opportunities for both Creoles of color and Anglicized blacks. Before desegregation, there were seventy city public schools in total, of which forty-six were designated for white and twenty-four for African American children.<sup>45</sup> Surveys by scholars Louis R. Harlan and Roger A. Fischer estimated that around one-third of the public schools in existence between 1871 and 1877, were desegregated at one point. These schools were mostly formerly white schools and often categorized as Grammar A, held particular significance because they allowed qualified students to apply to high school.<sup>46</sup>

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<sup>41</sup> *Annual Report of the Superintendent of Public Education for the Year 1871*, 375.

<sup>42</sup> *Annual Report of the Superintendent of Public Education for the Year 1871*, 389.

<sup>43</sup> “Superintendent Conway’s Address,” *Weekly Louisianian*, June 11, 1871.

<sup>44</sup> “Public Education in Louisiana,” *New Orleans Republican*, September 28, 1873.

<sup>45</sup> “Institutions in New Orleans,” *The City Intelligence, New Orleans Commercial Bulletin*, January 26, 1871.

<sup>46</sup> Harlan listed Barracks, Bayou Bridge, Bayou Road, Beauregard, Bienville, Central Boys High, Claiborne, Fillmore, Fisk, Franklin, Keller, Lower Girls High, Madison, Paulding, Pontchartrain, Rampart, Robertson, St. Ann, St. Philip, Spain, and Webster Schools as desegregated schools and Cut-off Road, Dunn, Gentilly, and McDonoghville Schools as possibly desegregated ones. Fischer added that Clio, Hospital, and Jefferson Schools might have been racially integrated. Harlan, “Desegregation in New Orleans Public Schools during Reconstruction,” 666, fn 14; Fischer, *The Segregation Struggle in Louisiana*, 119-20, fn 27.

After the initial wave of school desegregation, Creoles of color and Anglicized blacks nurtured their combined political power to preserve racially mixed schools. At the end of 1870, P. B. S. Pinchback began publishing the *Weekly Louisianian*. Its editor was William G. Brown, a New Jersey-born delegate to the 1867-68 state constitutional convention. He was particularly interested in public education as the foundation of “the chief reliance of American liberty.”<sup>47</sup> He succeeded Thomas W. Conway as state superintendent of public education in December 1872 and remained a key supporter of racially mixed schools. Pinchback also strongly supported desegregation. In an interview in 1872 with the *New Orleans Times*, he remarked, “I believe in mixed schools.”<sup>48</sup> His support was valuable as he served as the governor of Louisiana during the interregnum caused by the impeachment of Governor Warmoth in 1872. Between 1871 and 1877, Creoles and Anglicized black members were always an essential part of the city school board. On average, they represented about one-fourth of the school board members.<sup>49</sup>

As Creoles of color enthusiastically took advantage of the new educational opportunities for their children, the Catholic Institute, a cornerstone of their community, diminished in size and stature. In March 1868, the Institute’s first principal, Armand Lanusse, died.<sup>50</sup> Losing the leader of the school made management unstable. Following Lanusse’s death, teacher Firmin Christophe succeeded as principal but a mere fourteen months later the Institute’s board elected poet Joanni Questy to succeed Christophe. He was soon replaced by Victor M. Dupart.<sup>51</sup> In addition to

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<sup>47</sup> “A Friendly Critic,” *Weekly Louisianian*, December 18, 1870; Peter J. Breaux, “William G. Brown and the Development of Education: A Retrospective on the Career of a State Superintendent of Public Education of African Descent in Louisiana” (PhD diss., The Florida State University, 2006), 1-3.

<sup>48</sup> “Pinchback Interviewed,” *Weekly Louisianian*, March 14, 1872.

<sup>49</sup> Devore and Logsdon, *Crescent City Schools*, 354-55.

<sup>50</sup> “Death of Armand Lanusse,” *New Orleans Tribune*, March 17, 1868.

<sup>51</sup> *Journal des Séances de la Direction de l’Institution Catholique pour l’Instruction des Orphelines dans*

uncertainty of leadership, the financial situation of the Institute continued to be a significant burden for board members. In June 1868, the board decided to close the school for three months without compensating employees in order to pay its debts. With rental income from its properties, assistance from the state legislature, and funds raised by charitable parties, they attempted to keep the school open. In spite of these efforts, by May 1869, the enrollment had decreased to 151, a significant drop from the 242 enrolled in September 1865.<sup>52</sup>

Financial and managerial struggles almost certainly exacerbated internal conflicts within the board during the 1870s. After Canon J. Adolphe became president in the early 1870s, there was discord among the board members, and as a result, longtime members, including Henry Louis Rey, refrained from attending meetings. This neglect paralyzed the school management.<sup>53</sup> Years later, Creole historian Rodolphe Lucien Desdunes recalled that there was “poor administration for several years” during Reconstruction. In addition to organizational problems, he also observed that members of the Creole community preferred sending their children to public schools. Desdunes claimed, “most of the children of color attended the public free schools along with the white children. The Couvent institute therefore became almost deserted.”<sup>54</sup> The Catholic Institute had previously been closely associated with the political activism and

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*l'Indigence, 1859-1875*, March 23, 1868, 126, and May 3, 1869, 143-45, AANO; Gardner, *Gardner's New Orleans City Directory for 1868*, 104; Desdunes, *Our People and Our History*, 25-28.

<sup>52</sup> *Journal des Séances de la Direction de l'Institution Catholique pour l'Instruction des Orphelines dans l'Indigence, 1859-1875*, June 27, 1868, 133, December 24, 1868, 135-37, May 14, 1869, 147, and September 27, 1865, 108, AANO.

<sup>53</sup> *Journal des Séances de la Direction de l'Institution Catholique pour l'Instruction des Orphelines dans l'Indigence, 1859-1875*, March 14, 1873, 205, AANO.

<sup>54</sup> Desdunes, *Our People and Our History*, 107.

community identities of Creoles of color. The success of racially mixed schools ironically weakened the core institution of the Creole community.

## **Public Transportation**

As with public schools, Creoles of color and Anglicized blacks also demanded access and equal treatment in public conveyances based on the 1868 state constitution. Although streetcars were desegregated in May 1867, white New Orleanians attempted to maintain a color line and racial hierarchy in public transportation. Segregation of public conveyances took various forms depending on the nature of the conveyances and riders' economic status. Streetcars essentially served the working class. Middle- and upper-class travelers, who could afford long trips, used trains and steamboats. These different methods of transportation created unique milieus in which African Americans in New Orleans daily negotiated for better treatment from white conductors and passengers.

While scholars have argued that there was no major white backlash to streetcar desegregation after the 1867 desegregation order, African Americans in New Orleans nevertheless needed to actively demonstrate their right to ride streetcars and be treated as equal passengers by whites.<sup>55</sup> With no partitions or designated spaces, whites continued to impose an unequal racial order. This struggle to racially order space was, as historian Michael Mizell-Nelson states, "the most participatory form of racial apartheid."<sup>56</sup> In this battle, whites targeted especially both Creoles and Anglicized black women riding streetcars as objects of demeaning scrutiny, physical threats, and violence.

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<sup>55</sup> Fischer, "A Pioneer Protest"; Kelley, *Right to Ride*.

<sup>56</sup> Michael Mizell-Nelson, "Challenging and Reinforcing White Control of Public Space: Race Relations on New Orleans Streetcars, 1861-1965" (PhD diss., Tulane University, 2001), 2.

African Americans also experienced difficulties on railroads and steamboats. For the African American upper and middle classes, in particular Creole and Anglicized office holders, racial discrimination interfered with their work and called into question their standing as respectable citizens. To combat the situation, Creoles of color and Anglicized black legislators made common cause to enforce Article 13 of the 1868 state constitution. In addition, they directly negotiated with transportation companies and filed lawsuits to exercise their rights. Although they mostly succeeded in compelling compliance with the law, struggles for equal treatment continued throughout Reconstruction.

White New Orleanians had mixed reactions to the abolition of the star car system in May 1867. Many considered it another blow in the string of defeat that extended back to the Civil War. Already on May 4, Edward Clifton Wharton, a journalist in New Orleans, sent a letter to his friend, Sophie Richardson in New York complaining that “black and white are to be thrown together in the cars.”<sup>57</sup> At the same time, this ill-feeling did not hinder whites’ use of streetcars. Immediately after the desegregation order in 1867, the *New Orleans Crescent* anticipated that the “Magazine, Prytania, St. Charles, and Baronne” Streetcar Lines would have fewer white passengers and would suffer economically. However, the paper found no difference in the average revenue after desegregation.<sup>58</sup>

This apparent white resignation to desegregation, however, did not mean that segregation immediately disappeared. In fact, African Americans in New Orleans consistently fought against whites’ attempts to continue segregation. On May 11, 1867, the *Daily Picayune* reported that, a

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<sup>57</sup> Edward Clifton Wharton to Sophie Richardson, May 4, 1867, Edward Clifton Wharton Papers, Mss1553, Box 2b, Folder 14b, LLMVC, LSU Libraries, Baton Rouge, Louisiana.

<sup>58</sup> “The Effect of the Abolition of Star Cars on Receipts,” *New Orleans Crescent*, May 24, 1867.

group of African American men waiting on Carondelet Street found a car with a star and refused to ride in protest.<sup>59</sup> African American passengers were also the targets of violence. A few days later, a group of fifteen white Union soldiers boarded a streetcar and shot an African American passenger named Robert Spradly in the thigh and hand.<sup>60</sup> While the police immediately arrested and returned the miscreants to army headquarters, this incident demonstrated that the military occupation did not yield a peaceful transition to desegregation.

Some white leaders sought to re-segregate streetcars. As early as November 1868, at the state Democratic Party convention, white representatives from Orleans Parish discussed the possibility of reviving the star car system.<sup>61</sup> White newspapers in New Orleans also attempted to undercut desegregation by claiming that African American passengers preferred using star cars. Soon after the abolition of the star cars, the *New Orleans Daily Crescent* argued, “If the stars are allowed to remain, nearly all the colored people, as a rule, will prefer the cars thus distinguished.”<sup>62</sup> Even in October 1868, more than a year after the banning of star cars, the *Daily Picayune* still called for their return by allocating an equal number of cars to white and African American passengers based on the premise that they wanted their own cars.<sup>63</sup>

This white resistance created a new mode of class-based, racialized, and gendered control of African Americans on New Orleans streetcars after May 1867. Streetcars were a place where,

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<sup>59</sup> “Concluded Not to Ride,” The City, *Daily Picayune*, May 11, 1867.

<sup>60</sup> “A Negro Shot in a Street Car,” Local Intelligence, *New Orleans Crescent*, May 21, 1867; “Shooting Affair Last Night,” The City, *Daily Picayune*, May 21, 1867; “The Negro Shooting Affair,” Local Intelligence, *New Orleans Crescent*, May 22, 1867.

<sup>61</sup> “Democratic State Convention. Second Day’s Proceedings,” *New Orleans Crescent*, November 18, 1868.

<sup>62</sup> “Travelling on the Cars,” *New Orleans Crescent*, May 10, 1867.

<sup>63</sup> “Equal Rights in the Cars,” *Daily Picayune*, October 27, 1868.

as the *New Orleans Republican* put, “Social equality is accomplished by the mingling of different nationalities, religious beliefs and colors.”<sup>64</sup> The limited room in cars increased physical proximity among passengers of various backgrounds. In this intimate space, without political voice or respect as ‘ladies,’ African American women, many were working-class, became daily targets of white physical scrutiny and harassment. Furthermore, white rejection of equality indiscriminately targeted Anglicized black and Creole women, contributing to the transformation of New Orleans’ Caribbean-like tripartite racial hierarchy into the American black-white dichotomous racial caste. Their plight demonstrated the limitations of streetcar desegregation in postbellum New Orleans.

In Reconstruction New Orleans, the increasing presence of female riders became a social problem that contested the idea of streetcars as a masculine space. Streetcars were often considered unfit for women because of the potential for physical contact, threats, and accidents due to reckless driving and crimes ranging from pickpocketing to shootings.<sup>65</sup> Even when men refrained from physical assaults on women, they did not hesitate to harass women. In the postbellum period, numerous newspaper articles warned men to behave as gentlemen and discouraged them from chewing tobacco and using profanity in front of women.<sup>66</sup> In addition, women were criticized for their wide hem dresses and even for bringing babies on board.

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<sup>64</sup> “Democratic Tolerance,” *New Orleans Republican*, December 24, 1874.

<sup>65</sup> There are numerous articles that report streetcar accidents such as run over and injuries due to unexpected stops. For example, see “Accident,” *The City, Daily Picayune*, December 16, 1868; “An Accident,” *The City, Daily Picayune*, March 26, 1868; “A Fearful Casual[i]ty,” *The City, Daily Picayune*, April 4, 1868. As for crimes, see, for example, “Attempt to Kill,” *The City, Daily Picayune*, August 28, 1868; “Pickpocket,” *The City, Daily Picayune*, May 13, 1868; “The Street Cars and Pickpockets,” *The City, Daily Picayune*, April 29, 1870; “Pickpockets,” *The City, Daily Picayune*, June 4, 1870.

<sup>66</sup> “Police Items,” *The City, Daily Picayune*, September 20, 1867, “No Title,” *New Orleans Tribune*, December 31, 1868; “Profanity in Street Cars,” *Daily Picayune*, February 14, 1868.

Because securing seats on overcrowded streetcars was especially difficult on busy lines, women encountered men who ignored conventional etiquette and refused to yield their seats to women.<sup>67</sup> The *Daily Picayune* cautioned women to stand up in a car stating, “Young ladies with bundles ought not to expect gentlemen to give them their seats, unless they are personal acquaintances,” and women were to “practice holding on to street car straps.”<sup>68</sup>

The end of star cars created the notion of white female vulnerability on streetcars. White newspapers promoted the idea that African American soldiers on streetcars threatened white women. In April 1869, the *New Orleans Crescent* reported that allegedly intoxicated African American soldiers of the Thirty-Ninth Infantry rode a car on Prytania Street and made rude comments toward passengers. Male passengers protected female ones and asked the soldiers to leave.<sup>69</sup> On another occasion, in June 1870, the *Daily Picayune* reported that African American militia members quarreled with a streetcar driver for not stopping at their destination. The *Picayune* emphasized that many passengers were women when African American soldiers “all shouted like demons,” and almost pulled their pistols.<sup>70</sup> White newspapers also routinely depicted African American civilians as drunken and rude. In July 1872, the *Daily Picayune* reported that a group of inebriated African American men shoved women and children from seats. The paper lamented that these disorderly men caused white suffering because the police had failed to make

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<sup>67</sup> “Things Generally” The City, *Daily Picayune*, May 24, 1867; “Chapter on Discourtesy,” *Daily Picayune*, February 6, 1870; “No Title,” *New Orleans Times*, December 17, 1865; “Ladies and Streetcars,” *Daily Picayune*, May 4, 1867.

<sup>68</sup> “No Title,” *Daily Picayune*, May 25, 1875; The *New Orleans Times* also published the same article. “Street Car Hints,” *New Orleans Times*, May 30, 1875.

<sup>69</sup> “City Topics,” *New Orleans Crescent*, April 2, 1869.

<sup>70</sup> “A Word in Season,” *Daily Picayune*, June 16, 1870.



an arrest.<sup>71</sup> These images of ‘unruly’ African American men fueled white resistance and racial control in streetcars.

Despite the unnerving dynamics of race and gender on streetcars, African American women took cars everywhere in New Orleans. Segregated streetcars reminded them of their antebellum subordination when they only gained admittance as nurses and maids to accompany with white families. When in 1868, the *Daily Picayune* suggested reintroducing star cars, it specifically suggested African American nurses and maids be welcomed in white cars.<sup>72</sup> Riding desegregated cars as free citizens thus symbolized freedom for African American women. For instance, many worked as domestic workers for white families, but they were able to live independently from their employers by using streetcars to commute between their homes and those in which they worked. In 1873, the *Daily Picayune* described these African American housemaids rode streetcars on their way home with baskets full of leftovers they had prepared.<sup>73</sup> Young African American women rode streetcars without male companions. While newspapers rarely mentioned the purpose of their rides, some articles described how these women dressed neatly—implying their efforts to maintain respectable social status in public.<sup>74</sup> In postbellum New Orleans, streetcars became an indispensable element of African American women’s socio-economic freedom and mobility in postbellum New Orleans.

When African American women used streetcars, whites agonized over their use and subjected them to degrading scrutiny. Whites frequently objected to the physical appearance,

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<sup>71</sup> “An Outrage by Negroes,” *The City, Daily Picayune*, July 9, 1872.

<sup>72</sup> “The Cars for Colored People,” *Daily Picayune*, October 29, 1868.

<sup>73</sup> “Those Baskets,” *Daily Picayune*, February 24, 1873.

<sup>74</sup> See, for example, “Indignant ‘GAL’,” *Daily Picayune*, January 17, 1868.

attitudes, and manners of female African American riders. On July 31, 1867, the *Daily Picayune* mocked one African American woman, “fat” and “very black,” who tried to sit between two young men. The paper described her action as a “masterly coup d’etat,” because she squeezed herself and her calico dress into the tight space.<sup>75</sup>

White passengers also verbally and physically exerted dominance over African American women. The *New Orleans Tribune* mentioned that many white women regularly rode cars with African American women despite white men’s warnings. Yet, sharing the space did not create interracial racial unity among women. The *Tribune* reported how an intoxicated white woman on the Magazine Streetcar Line inquired of a car driver “whether ‘there were any negro women there’,” implying her reluctance to ride an integrated car.<sup>76</sup> Male passengers also regularly disrespected African American women. For instance, on June 27, 1871, on a crowded Carrollton streetcar, an African American man “arose to give his seat to an aged and somewhat corpulent mulatress,” but “a rude young white man popped himself into the place, before the woman could accept the offer.”<sup>77</sup>

Responding to everyday harassment, African American women demanded equal rights. Securing a seat in a crowded streetcar signified presence as ‘a lady’ in a public space. Mixed-race women, many of whom were Creoles of color, had particular concerns about seating as streetcar discrimination represented the new black and white racial dichotomy and emphasized their fading status as gens de couleur libres. These women expressed their feelings directly. On January 17, 1868, “a quadroon girl, dressed with great neatness and taste,” rode a Magazine

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<sup>75</sup> “Car Incident—A Squeeze in,” *Daily Picayune*, July 31, 1867.

<sup>76</sup> “Talking and Acting,” *New Orleans Tribune*, October 29, 1867.

<sup>77</sup> “No Title,” *Daily Picayune*, June 28, 1871.

streetcar in which federal officers occupied seats. Lacking a seat all the way to her destination, she “said, ‘Every car is now so filled with Yankees that a Southern hairdresser can’t get a seat, and must stand up.’”<sup>78</sup> On another occasion, in February 1868, a woman “of bright yellowish color” took a car occupied in part by future Governor Henry Clay Warmoth and his staff. Unable to find a seat, she screamed, “‘Isn’t some one going to give me a seat?’” With no response from Warmoth or his fellow officers, she claimed, “‘It’s my opinion’... ‘that no gentleman would ‘low a lady to stand up in a car.’”<sup>79</sup> While local newspapers might have used these examples to celebrate southern hostility toward northerners, these anecdotes testified to mixed-race women seeking better treatment.

Despite women’s plight on streetcars, Creole and Anglicized black leaders did not actively try to improve their situation. The city’s major Reconstruction African American newspapers, the *New Orleans Tribune* and the *Weekly Louisianian*, remained almost silent about their difficulties. The discrimination endured by African American working-class women did not align with notion of the middle-class female respectability. Scholar Arthé Agnes Anthony explains that Creoles’ gender idealism during the late nineteenth century that “the utmost importance that working women stay in the home if possible...it was important that if Creole women worked ‘out’ they avoid domestic work, particularly servant work.”<sup>80</sup> Female African American passengers who violated these gender values were not likely to garner sympathy from male leaders. Most of the *Tribune*’s articles relating to female African American riders appeared before the 1867 integration order and only when women were refused rides with white

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<sup>78</sup> “Indignant ‘GAL’,” *The City, Daily Picayune*, January 17, 1868.

<sup>79</sup> “No Title,” *Daily Picayune*, February 3, 1868.

<sup>80</sup> Arthé Agnes Anthony, “The Negro Creole Community in New Orleans, 1880-1920: An Oral History” (PhD diss., University of California, Irvine, 1978), 75.

passengers.<sup>81</sup> The *Louisianian* discussed women's struggles only in relation to African American public figures. For instance, the newspaper fervently criticized the Jackson Railroad Company when it refused to allow the wife of P. B. S. Pinchback to ride in 1871. However, the *Louisianian* rarely mentioned African American women's suffering on streetcars.<sup>82</sup> This neglect forced them to stand up for themselves to the point that the *Daily Picayune* stated, "The feminine portion of the black community appear[s] to be even more jealous of their rights and privileges than the embryo politicians of the masculine persuasion."<sup>83</sup> Such struggles revealed that the ending of the star car system did not spontaneously generate equal access and treatment in public conveyances.

Similar to streetcars, railroads also represented contested space for African Americans in New Orleans. In July 1867, the *New Orleans Tribune* reported "though the city railroads have now abolished the star cars, there remain steam railroads and steamboats—on which a distinction on account of color continues to be made."<sup>84</sup> Railroads often accepted African American passengers in smoking cars, denying access to first-class seating to maintain a racially exclusive space for white passengers. African American riders who bought first-class tickets were told to move to black cars or were even forcibly relocated to a different car.<sup>85</sup> The *New Orleans Tribune* argued that restricted access to public conveyances represented "the broad stamp of inferiority."<sup>86</sup>

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<sup>81</sup> See, for example, "News of the Day," *New Orleans Tribune*, June 21, 1865; "From the North," *New Orleans Tribune*, August 11, 1865; "The Question of Descent," Local Intelligence, *New Orleans Tribune*, October 7, 1866.

<sup>82</sup> See, for example, "Civil Rights," *Weekly Louisianian*, July 30, 1871.

<sup>83</sup> "Car Incident—A Squeeze In," *Daily Picayune*, July 31, 1867.

<sup>84</sup> "The Right to Public Conveyances," *New Orleans Tribune*, July 16, 1867.

<sup>85</sup> See, for example, Colored Man, "Review of 'Enfranchisement' (For the Louisianian)," *Weekly Louisianian*, February 12, 1871; "Colored Passengers on Northern Central Railroad Trains," *Weekly Louisianian*, December 24, 1871.

<sup>86</sup> "Why We Wanted a Civil Rights Bill," *New Orleans Tribune*, February 7, 1869.

The situation did not improve after the passing of Article 13 of the state constitution. In 1871, the *Weekly Louisianian* complained that “every day we hear of some new outrage upon colored men by Southern Railroad Companies.”<sup>87</sup> In the following year, the paper noted that discriminatory seating assignments “have been, and are being daily perpetrated by our railroad companies.”<sup>88</sup>

African Americans also experienced discrimination on steamboats. Despite the ratification of the constitution, steamboat companies openly maintained racial hierarchies by providing separate facilities within boats. While travelling throughout America in 1875, Canon Peter Benoit, observed that in Louisiana his steamer had a separate saloon and guestrooms for African American passengers.<sup>89</sup> Staff often directed African Americans to deck seating or smoking rooms. In response to these practices, they demanded access to the first-class areas. As early as spring 1867, an African American woman, Lydia Wilkinson, sued the captain of steamboat *A. G. Brown* at the Recorder Gastinel’s court in New Orleans, because he refused entry to the cabin for female passengers.<sup>90</sup> In April 1868, George T. Ruby, a former teacher and a Freedmen’s Bureau agent, was on his way to Galveston, Texas on the steamboat *Morgan*. At the time, he worked for the Galveston-based radical Republican paper, the *Galveston Republican*, and was travelling with his white co-editor. Ruby filed a lawsuit against the steamboat company because the purser and the captain refused to give him a first-class ticket and ordered him to sleep on the deck.<sup>91</sup>

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<sup>87</sup> “When Shall These Outrages End?,” *Weekly Louisianian*, December 14, 1871.

<sup>88</sup> “Railroad Investigating Committee,” *Weekly Louisianian*, February 25, 1872.

<sup>89</sup> Peter Benoit, *Diary*, April 11, 1875, CB7-198, 206, Mill Hill Fathers Papers, Box 2, The Josephite Fathers Archives (JFA).

<sup>90</sup> “The United States vs. Adolph H. Steward,” *Local Intelligence*, *New Orleans Tribune*, May 1, 1867.

<sup>91</sup> “The Steamship Morgan in Court,” *The City*, *Daily Picayune*, April 30, 1868. Ruby won the case and the steamboat was fined \$2,500. “A Substantial Republican Triumph,” *New Orleans Republican*, June 15, 1873.

Middle- and upper-class African Americans suffered particular mistreatment in railroad cars and steamboats because of their economic status and mobility. They, after all, had more occasion to use such transportation and were more likely to purchase first class tickets than their working class peers. Numerous court cases filed by African Americans in New Orleans against steamboat and railroad companies in the 1870s made clear the socio-economic rank of these plaintiffs. Conditions on these public conveyances particularly irritated African American legislators as they suffered the effects of discrimination. In 1872, Victor Eugene McCarthy, a Creole member of the House of Representatives, and his wife once rode on the New Orleans, Mobile and Texas Railroads from Bay St. Louis. While they took first-class seats, the conductor forced his wife to move to a smoking car.<sup>92</sup> The New Orleans and Mobile Railroad also refused to seat legislators Felix C. Antoine, Benjamin Geddes, and William G. Johnson in the non-smoking car.<sup>93</sup> In March 1871, white passengers attacked and beat Edward Butler, a state senator from Plaquemines, because he insisted on remaining in the first-class cabin when the conductor asked him to move.<sup>94</sup> P. B. S. Pinchback summarized the sentiment of African American leaders: “Unless this matter is regulated by law, we will not only fail to have these privileges...we may look to have all of our rights one by one, or in a fell swoop taken away from us.”<sup>95</sup>

These experiences of discrimination motivated African American legislators to enforce Article 13 of the state constitution. Between 1868 and 1871, Creole and Anglicized black leaders

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<sup>92</sup> “Report of Committee on Railroads,” *Weekly Louisianian*, February 29, 1872.

<sup>93</sup> “More Indignity,” *Weekly Louisianian*, July 9, 1871; “Common Carriers,” *Weekly Louisianian*, July 13, 1871.

<sup>94</sup> “A State Senate Beaten,” *New Orleans Republican*, March 23, 1871; “Violence. Another Brutal Assault.—Senator Butler Maltreated,” *Weekly Louisianian*, March 23, 1871.

<sup>95</sup> P. B. S. Pinchback, “P. B. S. Pinchback Speech, On Thirteenth Amendment, Jan 4, 1869,” Pinckney Benton Steward Pinchback Papers, Box 1, Folder 34, Moorland-Spingarn Research Center, Howard University.

sought political solutions to enforce the article. In 1868, Robert H. Isabelle proposed a bill to impose fines or jail time for its violation.<sup>96</sup> This bill would have given African Americans in New Orleans the right to sue white passengers, companies, and business owners who discriminated. The bill passed both the House and Senate, but, Governor Henry C. Warmoth vetoed it for fear of increasing racial tension in the city. African American legislators did not abandon their goals. In January 1869, in the Senate, P. B. S. Pinchback proposed a series of laws aimed at Article 13 enforcement that included prohibiting railroad conductors, companies, and businesses from refusing admission based on color or race except when passengers refused to pay fares. In addition, the bill proposed compliance with Article 13 as a condition for the state licensing of a business. In February 1869, the Senate passed Pinchback's proposal.<sup>97</sup> In 1870, African American representatives, led by Robert H. Isabelle in the House, strengthened Pinchback's act by enabling the police to arrest violators of Article 13. In February 1871, however, Warmoth again refused to sign the bill.<sup>98</sup>

In response to Warmoth's veto, African American leaders in New Orleans took direct action to enforce railroad desegregation. On June 23, 1871, the *New Orleans Commercial Bulletin* reported that a number of African Americans attempted to purchase tickets for sleeping car compartments at the New Orleans, Jackson, and Great Northern Railroad Company, but the company refused, reasoning that these accommodations belong to "private individuals."<sup>99</sup> Then, P. B. S. Pinchback took the lead. He attempted to send his wife and children to New York by

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<sup>96</sup> Fischer, *The Segregation Struggle in Louisiana*, 64.

<sup>97</sup> "No Title," *New Orleans Tribune*, February 9, 1869.

<sup>98</sup> "Official Journal of the Proceedings of the Senate," *Weekly Louisianian*, February 5, 1871.

<sup>99</sup> "Demand of Colored People to Ride in Sleeping Cars," *New Orleans Commercial Bulletin*, June 23, 1871;

using the same company, but, his family was also denied a compartment due to their race. He immediately sued the railroad company.<sup>100</sup>

The Pinchback case demonstrated how African American leaders' political power had an impact on the railroad desegregation debate. H. S. McComb, president of the New Orleans, Jackson and Great Northern Railroad Company, claimed that he was absent at the time of the incident and acknowledged Pinchback as "a very respectable worthy man" in Louisiana politics.<sup>101</sup> Throughout July 1871, McComb discussed the matter with Governor Henry C. Warmoth in hopes that the governor would convince Pinchback to withdraw his case. But this time Warmoth avoided creating further political chaos and suggested settling the matter to evade "embarrassment and expense" for the company.<sup>102</sup>

Creole women of prominence also contributed to the enforcement of Article 13. In June 1872, Josephine Decuir sued John G. Benson, the clerk of the steamboat *Governor Allen* at the Eighth District Court of New Orleans. Decuir, a wealthy Creole woman of color, managed her plantations in Pointe Coupée Parish after her husband Antoine Decuir, Jr. died. After the war, the plantation economy significantly declined, and she sold her estate and possessions to pay her debts.<sup>103</sup> During her travels between Pointe Coupée and New Orleans to settle her finances, she boarded the steamboat *Governor Allen* and was refused occupancy of a cabin customarily

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<sup>100</sup> "Civil Rights," *Weekly Louisianian*, July 30, 1871; "The Picayune on Common Carriers," *Weekly Louisianian*, July 9, 1871.

<sup>101</sup> H. S. McComb to R. Pritchard, July 3, 1871, Henry C. Warmoth Papers, Series 3, Folder 31, Southern Historic Collection (SHC), Louis Round Wilson Special Collections Library (LRWSCL), University of North Carolina at Chapel Hill (UNCCH).

<sup>102</sup> Henry C. Warmoth to H. S. McComb, July 11, 1871, Henry C. Warmoth Papers, Series 3, Folder 31, SHC, LRWSCL, UNCCH.

<sup>103</sup> Schweninger, "Antebellum Free Persons of Color in Postbellum Louisiana," 345-46.



assigned to whites. Decuir was directed to a ‘bureau’ section, designated for all African American passengers regardless of gender. She refused, claiming the space was open to the public, and she could not “disrobe herself or be exposed to the sight of everyone.”<sup>104</sup> Instead she stayed overnight on a seat to the rear part of the steamboat. In addition to spatial segregation, she did not receive equal treatment; her meals were served at her seat, not a table, only after all the other white passengers had finished eating. Emphasizing her respectability as a wealthy and educated free woman of color, she argued the injustice giving African American nurses and maids access to these rooms but not to her.<sup>105</sup>

The Decuir case showcased how upper-class African American female respectability contributed to the desegregation of steamboats. In June 1873, the court heard the *Decuir* case. During the argument, John G. Benson, a conductor of the steamer *Govenor Allen*, admitted that he customarily separated passengers based on race.<sup>106</sup> The clerk also acknowledged that if there were both African American and white female passengers, he would escort white passengers to the cabin and African Americans to the bureau, which was an inferior space.<sup>107</sup> Josephine Decuir was acquainted with many Creole politicians because of her family and plantation. Pierre G. Deslonde, a Creole constitutional convention delegate and former member of the state House, testified about steamboats’ customary segregation and supported Decuir’s action.<sup>108</sup> Judge E. North Collum highlighted Decuir’s ancestral lineage as a free woman of color and her physical

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<sup>104</sup> “Civil Rights Suit,” *Weekly Louisianian*, August 3, 1872.

<sup>105</sup> *Mrs. Josephine Decuir v. John G. Benson*, 27 La. Ann. 1, 1-2, Supreme Court of Louisiana Collection (SCLC), LSC, ELL, UNO.

<sup>106</sup> *Decuir v. Benson*, 27 La. Ann. 1, 25-28, SCLC, LSC, ELL, UNO.

<sup>107</sup> *Decuir v. Benson*, 27 La. Ann. 1, 141-42, SCLC, LSC, ELL, UNO.

<sup>108</sup> *Decuir v. Benson*, 27 La. Ann. 1, 166-216, SCLC, LSC, ELL, UNO.

features, such as delicate complexion reflective of “the Caucasian and Indian blood,” and acknowledged her as a respectable woman.<sup>109</sup> Based on his observations, he judged that Decuir was discriminated against by virtue of her race, and steamer *Governor Allen*’s policies violated the state constitution. The *New Orleans Republican* claimed a significant victory for Article 13 of the state constitution.<sup>110</sup>

These tactics of lawsuits compelled some companies to respect Article 13 but railroad operators were in general reluctant to provide equal accommodations to African American passengers. In 1872, the railroad investigation committee of the state House of Representatives reported that the New Orleans, Jackson and Great Northern Railroad Company complied with the constitution.<sup>111</sup> However, even when companies accommodated African American passengers, they only half-heartedly respected the constitution. H. S. McComb, the president of the New Orleans, Jackson and Great Northern Railroad Company, expressed his unwillingness to abolish the color line, “rules in the South is the same, precisely, as that prevailing all over the North and West; colored men cannot get sleeping-car accommodations.”<sup>112</sup>

Steamboat lines likewise continued to discriminate when they could. In March 1875, Louis and Louisa Christophette Chevalier sued the steamer *Seminole* because its clerk refused equal service to Louisa.<sup>113</sup> African Americans in New Orleans consistently raised their voices when they were refused first-class seats, however, in January 1878, they encountered a major

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<sup>109</sup> “The Courts. Superior District Court,” *Daily Picayune*, June 15, 1873.

<sup>110</sup> “A Substantial Republican Triumph,” *New Orleans Republican*, June 15, 1873.

<sup>111</sup> “Report of Committee on Railroads,” *Weekly Louisianian*, February 29, 1872.

<sup>112</sup> Henry C. Warmoth to H. S. McComb, July 17, 1871, Henry C. Warmoth Papers, Series 3, Folder 32, SHC, LRWSCL, UNCCH.

<sup>113</sup> “Civil Rights,” *New Orleans Times*, March 21, 1875.

legal setback. The United States Supreme Court reversed the lower court's decision of Josephine Decuir's case and ruled that the steamer *Governor Allen* did not violate her civil rights. Furthermore, the justices deemed the 1868 state constitution unconstitutional because the steamer operated on interstate waterways and so annulled the Article 13 and all successive civil rights bills in Louisiana.<sup>114</sup>

### **Churches and Other Social Organizations**

From the antebellum period to Reconstruction, Creoles of color had an ambivalent relationship with the Catholic Church, because the church showed no willingness to improve the treatment of African American Catholics. In the antebellum period, the Catholic Church never implemented official segregation and many churches accepted both African American and white members based on individual decisions of priests. However, racial distinctions within individual churches were rampant. For instance, even after Creoles of color contributed to the establishment of St. Augustine Church in Tremé in 1842, the church was not free from racial tension. When Creole families purchased pews, white congregants attempted to prevent it. Eventually, free people of color secured "two pews for every white family pew."<sup>115</sup>

During the Civil War, Catholic Church leaders held overt pro-Confederacy sentiments.<sup>116</sup> Abbé Napoléon-Joseph Perché, editor of *Le Propagateur Catholique*, for instance, openly

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<sup>114</sup> *Hall v. Decuir*, 93 U.S. (1878).

<sup>115</sup> *Sesquicentennial St. Augustine Catholic Church, Wednesday, October 9-Sunday October 13*, (New Orleans?: 2002), 35, AANO.

<sup>116</sup> Kenneth J. Zanca, "'Catholics of the South': An Editorial by Abbé Napoleon Joseph Perché, Editor of *Le Propagateur Catholique*, January 26, 1861," *Louisiana History* 58, no. 4 (Fall 2017): 404-16. Many clergy served as chaplains for the Confederacy. Roger Baudier, *The Catholic Church in Louisiana* (New Orleans: A. W. Hyatt Stationery Manufacturing Company, 1939, New Orleans: Louisiana Library Association Public Library Section, 1972), 425-26. Citations refer to the 1972 edition.

supported the Confederacy in his paper. After the war, the *New Orleans Tribune* repeatedly criticized Archbishop Jean-Marie Odin for his compassionate attitudes to former Confederates and his apathy toward congressional Reconstruction.<sup>117</sup> Those Catholic priests who sympathized with freedpeople, were penalized. In 1863, Father Maistre of St. Rose of Lima Parish began registering members of the congregation in the same book regardless of race. Other priests criticized his decision as an incitement of “the Negroes against the whites.”<sup>118</sup> The Archdiocese pushed Father Maistre to resign and closed the church temporarily.

Even after the Civil War, white Catholics directly discriminated against their African American counterparts. In early December 1867, when Archbishop Odin arranged for a church procession, the police forcibly removed African American children from viewing it. In addition, white women demanded that African American women occupying pews yield their seats. The *New Orleans Tribune* criticized Archbishop Odin’s silence on this incident and claimed, “It is not our desire to find fault with the Roman Catholic religion. But we can not, without failing to our duty, allow the abuses committed by the Catholic church of New Orleans to pass unnoticed.”<sup>119</sup>

While no formal racially segregated parishes existed in the Catholic Church system during Reconstruction, some churches in New Orleans had implemented a de facto segregation system. The diary of Cardinal Herbert Vaughan of the Mill Hill Missionaries revealed various racial policies employed in New Orleans during the early 1870s, including that St. Stephen’s

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<sup>117</sup> See, for example, “Negrophilism,” *New Orleans Tribune*, March 19, 1868; “The Reception of Rev. Archbishop Odin,” *New Orleans Tribune*, December 1, 1867.

<sup>118</sup> Roger Baudier, *Centennial 1857-1957, St. Rose of Lima Parish*, 22, Unpublished manuscript, Roger Baudier Collection, AANO.

<sup>119</sup> “The Reception Given to Archbishop Odin,” *New Orleans Tribune*, December 3, 1867.

Church “set up a little chapel for colored people” and that racial distinction were drawn at special events.<sup>120</sup> He also noted that African American children were not allowed to take the first communion with whites.<sup>121</sup> Historian James Bennett surveyed various Catholic Church’s racial practices during Reconstruction and concluded that white Catholics in New Orleans had engaged in “active exclusion, even without erecting separate black parishes.”<sup>122</sup>

Creoles of color attempted to ameliorate the situation by seeking out alternative religious and social venues to fill the void of services the Catholic Church failed to provide. They collaborated with various religious organizations in pursuit of equal treatment and respect. The *New Orleans Tribune* described their tactics, “whatever church shall most fully demonstrate, in practical ways, a kindly and generous spirit towards our people, taking them by the hand as the children of one common Father, and welcoming them to an equal participation in the privileges of learning and religion, will certainly have the strongest hold upon the affections of the colored population.”<sup>123</sup> While most Creoles of color remained Catholics, this sentiment explains why and how African Americans in New Orleans readily joined forces with Protestant missionaries from the North.

During Reconstruction, Creoles of color worked closely with Congregationalists sent by the American Missionary Association. Creoles preferred Congregationalists to other religious denominations because they allowed them more autonomy in their missionary work. Congregationalists began working in New Orleans at the end of the 1860s with the primary goal

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<sup>120</sup> Herbert Vaughan, *Diary*, February 8, 1872, 16, Mill Hill Fathers Papers, JFA.

<sup>121</sup> Vaughan, *Diary*, February 8, 1872, 17, Mill Hill Fathers Papers, JFA.

<sup>122</sup> James B. Bennett, *Religion and the Rise of Jim Crow in New Orleans*, 153.

<sup>123</sup> “The Progress of Light,” *New Orleans Tribune*, December 23, 1868.

of establishing normal and higher educational institutions for African Americans.<sup>124</sup> At this time, there were no public institutions of higher education admitting African American students in Louisiana. In 1869, J. W. Healy and Seymour Straight founded Straight University at the corner of Esplanade and Roman Streets in the Seventh Ward, a francophone suburban neighborhood. The university attracted many Creoles of color as they knew Seymour Straight as their radical political ally at the 1868 state election.<sup>125</sup> In addition, the university offered people of color opportunities to participate in school management. Its inaugural board members included Aristide Mary, a renowned Creole philanthropist and real estate broker, and Anglicized black political and religious leaders Oscar J. Dunn and the Reverend John Turner. The university opened with only one African American teacher, but by 1871 had added three more African American teachers.<sup>126</sup> While established to serve African American students, the university also accepted whites. At a time when city public schools had yet to respect universal admission, Straight attracted both Creoles of color and Anglicized blacks.<sup>127</sup>

Straight University provided a new venue for Creoles of color and Anglicized blacks to forge professional, social, and political ties to foster the next generation of leadership. For instance, William B. Barrett and Robert H. Isabelle, both veterans of the Civil War, attended as law department students in the school year 1870 and 1871. In 1876, Eugène Luscry and Louis A.

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<sup>124</sup> Between 1862 to 1866, American Missionary Association in Louisiana was not successful in launching and managing schools in New Orleans due to poor leadership and collaboration with the Union Army and increasing racial tensions. See Haywood, "The American Missionary Association in Louisiana during Reconstruction," 41-76.

<sup>125</sup> See "The Record of the Hon. S. Straight," *New Orleans Tribune*, March 1, 1868; "Seymour Straight," *New Orleans Tribune*, April 1, 1868.

<sup>126</sup> Ken Chujo, "Student Paper—Straight University: The Role of a Negro College during Reconstruction," (1981), 12, American Missionary Association Archives (AMAA), Addendum, Series A, Box 102, Folder 8, ARC, TU.

<sup>127</sup> Haywood, "The American Missionary Association in Louisiana during Reconstruction," 162, 167; Blassingame, *Black New Orleans*, 125-26.

Martinet graduated from Straight. They later became members of the Citizens' Committee who attempted, along with Homer A. Plessy, to overturn the 1890 Louisiana separate car act.<sup>128</sup>

Creoles of color and Anglicized blacks maximized their use of educational opportunities offered by the missionaries. Within three years after Straight opened, enrollment reached 413. By 1874, the university consisted of theological, law, medical, collegiate, collegiate preparatory, normal intermediate, and primary departments.<sup>129</sup>

Throughout the late 1860s and early 1870s, various religious organizations founded schools for African Americans across the city. In 1869 the Methodist Episcopal Church aided the Freedmen's Bureau in creating the Union Normal School at the corner of Camp and Race Streets in the uptown section of New Orleans. Similar to Straight University, the Union Normal School also accepted all children with no regard to race or color.<sup>130</sup> The Methodist Episcopal Church established the New Orleans University. In 1870, Leland University was incorporated at the corner of Chestnut Street and St. Charles Avenue, near Carrollton with an admission policy stating that "no person is ever to be excluded from its privileges on account of RACE, COLOR, OR PREVIOUS CONDITION."<sup>131</sup> Although none of these schools matched the popularity of Straight University, they fostered expanding educational opportunities for African Americans, whether children or young adults.<sup>132</sup>

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<sup>128</sup> *Catalogue of the Straight University, 1870-71* (New Orleans: Pelican Print, 1871), 9; *Catalogue of Straight University, 1881-82* (New Orleans: L. Graham & Son, Book and Job Printers, 1882), 5.

<sup>129</sup> *Historical Data Concerning Straight College (From A.M.A. Annual Report, 24<sup>th</sup> Annual Report (1870), 7, 10, AMAA, Addendum, Series A, Box 90, Folder 1, ARC, TU.*

<sup>130</sup> "Union Normal School," *New Orleans Advocate and Journal of Education*, June 29, 1870; "Schools," *Republican Standard*, November 3, 1869.

<sup>131</sup> *Catalogue of the Officers and Students of Leland University, New Orleans, Louisiana, 1884-1885* (New York: The Judson Printing Co., 1886?), 13.

<sup>132</sup> John Blassingame argued that these universities were not popular to black New Orleanians because school administrators were all white and they mostly recruited students outside of New Orleans. See Blassingame, *Black*

Some Catholic Church members tried to improve their relationships with African American Catholics. The Church needed Creoles of color to sustain its ranks in the face of ever-increasing Protestant migration into postbellum New Orleans. Confronted with the success of Straight University and other missionary workers, at least one Catholic considered establishing a higher educational institution for African American Catholics. When Herbert Vaughan visited New Orleans in 1872, he sought help in “establishing a colored college” from Creole leaders such as Louis Charles Roudanez and L. T. Delassize and from Anglicized blacks including P. B. S. Pinchback.<sup>133</sup> Yet his plans never reached fruition, and the Catholic Church failed to fully meet the educational needs of its African American worshippers.

In addition to interacting with Protestant missionary workers, Creoles of color developed their connections with the Scottish Rite Freemasonry to sustain their community. On May 2, 1867, Eugène Chassaing established the Liberty Lodge No. 19 to include African American members and, following his lead, many prominent Creoles of color joined Scottish Rite lodges. Ardent Creole Republicans including Paul Trévigne, Henry Louis Rey and Arnold Bertonneau also created the Fraternité Lodge No. 20.<sup>134</sup> The *New Orleans Tribune* praised the Scottish Rite for being “at the head of the works of justice and philanthropy.”<sup>135</sup> This rapid growth of the francophone Free Masonry increased Creoles’ frustration with the Catholic Church. In March

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*New Orleans*, 128.

<sup>133</sup> Vaughan, *Diary*, February 8, 1872, 14, Mill Hill Fathers Papers, JFA.

<sup>134</sup> “L’Union Dans La Maconnerie,” *New Orleans Tribune*, June 23, 1867. Victor Dupart was a stepfather of Homer A. Plessy and served as president and secretary of the Catholic Institute in the 1870s. Myrtle J. Piron was a shoemaker and served as president of the Société d’Economie et d’Assistance Mutuelle. See *Journal des Séances de la Direction de l’Institution Catholique pour l’Instruction des Orphelines dans l’Indigence, 1859-1875*, AANO ; Charles Gardner, *Gardner’s New Orleans Directory for 1867* (New Orleans : Charles Gardner, 1867), 318; *Minutes*, 1, Société d’Economie et d’Assistance Mutuelle Collection (MSS 267), LSC, ELL, UNO.

<sup>135</sup> “L’Union Dans La Maconnerie,” *New Orleans Tribune*, June 23, 1867.



1868, the *Tribune* reported that the Convent of Sacred Heart refused to admit a daughter of Blanc F. Joubert, a wealthy Creole leader who served as assistant alderman. The paper compared the principles of the Scottish Rite and the Catholic Church and contended, the Church “still submit[s] to prejudices of race and color.”<sup>136</sup>

Spiritualism also offered an alternative religious practice for Creoles of color who distrusted the Catholic Church. Characterized by small group gatherings, communication with dead spirits, and ties to abolitionism, Creoles of color had considered spiritualism a more democratized religious practice than hierarchal Catholicism since the 1850s. They created their own spiritualist circles called séances and recorded their communication with spirits in registers.<sup>137</sup> Among Creoles of color, Henry Louis Rey led the spiritual movement. Rey’s interaction with spiritualism began in 1852, a few months after he saw his father’s spirit at his home. Soon, he acquired a reputations as a young talented medium among the Creole spiritualist circles. His séance was called Cercle Harmonique and particularly attracted Creole leaders, including Catholic Institute organizers such as Adolphe Duhart and Joanni Questy.<sup>138</sup>

Spiritualism nurtured ever-increasing demands for racial equality. After the war the participants of the Cercle Harmonique communicated frequently with prominent deceased political figures such as Abraham Lincoln and John Brown. The ability to communicate with spirits regardless of previous socio-political status offered a vision of equality among Creoles of

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<sup>136</sup> “La Franc-Maçonnerie et les Dames du Sacre-Coeur,” *New Orleans Tribune*, March 26, 1868.

<sup>137</sup> Spiritualism is a religious practice developed in the mid-nineteenth century, in particular in New England and Mid-West. The Spiritual circle of Creoles of color was influenced both by francophone and American spiritualism boom. Melissa Daggett, *Spiritualism in Nineteenth-Century New Orleans: The Life and Times of Henry Louis Rey* (Jackson: University Press of Mississippi, 2017), 23-38. Bell, *Revolution, Romanticism, and the Afro-Creole Protest Tradition in Louisiana*, 187-221.

<sup>138</sup> Melissa Daggett, *Spiritualism in Nineteenth-Century New Orleans*, 44-46.

color. Communication with the spirits was also a means to cope with the tragic loss of friends and family during the war. Those killed were considered martyrs, who nevertheless remained mainstays of the community in spite of death. The spirits of Louisiana Native Guard soldiers, in particular, provided guidance for the formulation of radical ideology of social equality. The spirit of André Cailloux, a captain of the First Regiment who was killed at the Battle of Port Hudson, frequently left a message for his fellow Creoles of color to continue fighting for equality: “Equality will come later it is true...it takes victims to serve as footholds to the liberty. We have been the first steps, we need others, because his temple leads that of equality.”<sup>139</sup>

After the ratification of the radical constitution, spiritualism continued providing inspiration and encouragement to Creoles of color. In June 1871, as P. B. S. Pinchback struggled to implement the principles of Article 13 with railroad companies, Henry Louis Rey communed with the spirit of John Crowder, a slain officer of the Louisiana Native Guard, who cheered Rey to “be firm and stand on a platform of Equity!”<sup>140</sup> Deceased spirits reportedly advocated for unity between Creoles of color and Anglicized blacks. In December 1871, Rey spoke of hearing the spirit of Oscar J. Dunn, who had died under mysterious circumstances a month earlier. Dunn reportedly told Rey, “Your duty is not in fighting the wrong of your opponents. You are to work in harmonizing the two elements in a solid phalanx, to be able to vanquish your real political enemies.”<sup>141</sup> This alternative religious practice offered Creoles of color a spiritual vision embracing racial equality independent of the Catholic Church.

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<sup>139</sup> Séance Register 85-30, 58-63, July 17, 1863, 156-58, René Grandjean Collection (MSS 85), LSC, ELL, UNO. See also Daggett, *Spiritualism in Nineteenth-Century New Orleans*, 63.

<sup>140</sup> Séance Register 85-57, June 2, 1871, 33 1/2, René Grandjean Collection, LSC, ELL, UNO, quoted in Daggett, *Spiritualism in Nineteenth-Century New Orleans*, 63.

<sup>141</sup> Séance Register 85-35, December 26, 1872, 198, René Grandjean Collection, LSC, ELL, UNO, quoted in Daggett, *Spiritualism in Nineteenth-Century New Orleans*, 92.

## Commercial Facilities

Creoles' demands for equal access and treatment in public space underscored that virtually every aspect of African Americans' daily lives became a stage for struggle. In addition to campaigns for public schools and transportation, Creoles of color worked with mixed success to desegregate commercial venues. Following the desegregation of streetcars in May 1867, African Americans demanded services at Max Nihoul's confectionary at the corner of Rampart and Bayou Road Streets. They protested "for six or seven consecutive weeks," but Nihoul, a former Confederate soldier, resisted admitting African Americans until the protests waned.<sup>142</sup> According to the *New Orleans Crescent*, about a hundred African American protestors gathered at his store in September 1868 again, demanded service, allegedly pulled pistols, and appeared close to breaking into the store. Likewise, on January 19, 1869, Victor Eugene McCarthy, a Creole music teacher, attended a performance with his white fellow Union veteran, Eugène Staës, and attempted to sit with him in the whites-only main section of the St. Charles Theatre, until police officers forcibly removed him.<sup>143</sup>

Not all such efforts failed however. Political, grassroots and legal campaigns to enforce the 1868 radical state constitution created some remarkable wins for Creoles of color. During the early 1870s, radical white Republicans dominated as judges of local courts. As with public schools and transportation, Creoles of color sought help from these courts to enforce desegregation. For instance, in 1871, Charles S. Sauvinet, a former officer of the Second Regiment of the Louisiana Native Guard who served as civil sheriff of Orleans Parish at the

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<sup>142</sup> "Saturday at the Fair Grounds," *New Orleans Crescent*, January 19, 1868.

<sup>143</sup> "Further of Tuesday Night," *Local Intelligence*, *New Orleans Crescent*, September 24, 1868; "Another Outrage," *New Orleans Tribune*, January 21, 1869; "Social Equality," *New Orleans Crescent*, January 20, 1869.

time, filed a lawsuit in the Eighth District Court against J. A. Walker, the Bank Coffee House owner on Royal Street in the French Quarter. Sauvinet complained that Walker refused to serve him on account of his race.<sup>144</sup> Judge Henry C. Dibble, who also had judged favorably on behalf of Robert H. Isabelle and Thomas W. Conway on school desegregation, fined Walker a thousand dollars for his violation of Article 13.<sup>145</sup>

Throughout the 1870s, Creoles of color and Anglicized blacks kept pushing against the color line. In 1874, Aristide Mary and John F. Staës sued the New Orleans Opera House in the Fourth District Court. The *Louisianian* reported these men were “Creoles of wealth and culture” and respectable members of the African American middle class.<sup>146</sup> They boycotted the Opera House until the court compelled the theater manager to seat African American customers alongside whites. In 1875, T. B. Stamps, a state senator and Aristide Dejoie, who served as a tax assessor, attempted to desegregate St. Charles Theatre following Victor Eugene McCarthy’s failure in 1869. This time the theater respected state law and they succeeded in securing seats although white patrons left their seats.<sup>147</sup> These cases demonstrated desegregation struggles permeated to all areas of then socio-economic lives of Creoles of color.

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<sup>144</sup> *C. S. Sauvinet v. Joseph A. Walker*, 27 La. Ann. 14 (1875); “No Title,” *New Orleans Republican*, January 27, 1871; “Damage Suit by the Civil Sheriff,” *Weekly Louisianian*, January 29, 1871; Fischer, *The Segregation Struggle in Louisiana*, 69-70, 111.

<sup>145</sup> “The ‘Bank’ Coffeehouse—Suit of Mr. Sauvinet—Judgment of Judge Dibble,” *New Orleans Republican*, April 28, 1871.

<sup>146</sup> “No Title,” *Weekly Louisianian*, December 5, 1874.

<sup>147</sup> “Civil Rights. Its First Practical Effect in New Orleans,” *Daily Picayune*, March 10, 1875; “Civil Rights. The Issue Made,” *New Orleans Bulletin*, March 10, 1875; “The New Issue,” *New Orleans Bulletin*, March 10, 1875.

## **Conclusion**

Following the 1867-1868 state constitutional convention and gubernatorial election, Creoles of color accelerated their demands for racial equality. However, they soon learned that the constitution did not simply ensure their access to and equal treatment in public schools and on transportation. While the streetcar system remained desegregated, the school board still refused to desegregate, and owners of railroads and steamboats openly created a racial hierarchy on their carriers. In response to this ongoing defiance, Creoles of color reformulated their political relationships with Anglicized blacks and white radical Republicans. As allies, they enacted a series of additional civil rights bills to fortify the principles of the constitution. Eschewing reliance on laws alone, Creoles of color, along with Anglicized blacks and white radicals, directly negotiated with schools, railroad companies, and steamboats companies. Men, women and children, rich and poor joined together in a community-wide desegregation campaign.

Throughout the early 1870s, Creoles of color made a considerable success of enforcing the state constitution. Following the enactment of the new constitution and a relentless three-year political, legal, and grassroots struggle, about one-third of the public schools admitted the children of African American families. Streetcars remained integrated, and many railroad and steamboat companies adhered to Article 13. Yet, the reality of desegregation brought complications. Both Creole and Anglicized black women confronted regularly hostile white passengers in streetcars and these women struggled independently due to the failures of male leadership. Railroad and steamboat companies attempted to impose segregation when they found possible. Creoles of color also fought constantly and sought legal redress against white business owners who refused to offer them services. The Catholic Church remained stubbornly

unresponsive to the interests of African American Catholics and so Creoles of color found help and solace in alternative religious and social organizations and circles. While Creoles of color and Anglicized blacks united to make New Orleans one of the most desegregated cities in the postbellum South, in reality, they had to fight every step of the way in every aspect of their daily social lives to achieve racial justice.

Toward the end of Reconstruction, Creoles of color encountered more and more white resistance to desegregation. While Creoles continued demanding access and equal treatment in public spaces, they suffered from a violent political take over by the White League and the Democratic Redeemers. Creoles of color remained loyal to their ideals of equality and forged a counter-protest in school politics. Next chapter examines white backlash and Creoles' resistance to the end of Reconstruction radical politics.

## CHAPTER 4: “THE PERPETUATION OF A GREAT WRONG UPON US”: WHITE BACKLASH AND THE END OF RECONSTRUCTION

### Introduction

During the early 1870s, Creoles of color, their Anglicized black allies, and white radicals in the Republican Party continued to press the state legislature to enforce the 1868 state constitution, which mandated equal access to public schools and accommodations for all. Although the 1868 gubernatorial election had divided Creoles of color and Anglicized blacks, Creoles’ radical coalition for the desegregation of public institutions was subsequently revived. During the 1860s, Creole leaders such as Paul Trévigne and Louis Charles Roudanez had advocated for their ideal of equity through the *New Orleans Tribune*. By the early 1870s, their political agenda was taken up by the *Weekly Louisianian*, published by P. B. S. Pinchback, an Anglicized black leader and governor of Louisiana. Beginning in 1868, thanks to a series of school reform bills, the Creoles’ coalition, which included white radical Republicans, led both the state board of education and the New Orleans school board. Creoles of color also mobilized a successful strategy to gain admission for African American children to whites-only schools. From 1871 to 1877, about one-third of the city public schools accepted both white and African American pupils.<sup>1</sup>

Both despite and because of these successes, white resistance escalated during the 1870s. On September 14, 1874, the White League, dissatisfied with the 1872 gubernatorial election,

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<sup>1</sup> Harlan, “Desegregation in New Orleans Public Schools during Reconstruction”; Fischer, *The Segregation Struggle in Louisiana*.

organized a coup d'état, took over the governor's office, and attacked the Republican Metropolitan Police in which many African American Republicans served.<sup>2</sup> The Battle of Liberty Place, as whites later called this coup, marked a turning point for race relations in New Orleans.<sup>3</sup> The White League's extralegal purge of the city's Republican officeholders enabled white New Orleanians and Democratic 'Redeemers' to counterattack the agendas for racial equality.

Racially mixed schools represented one of the most visible signs of the Republicans' radical achievement in the city. Republicans dominated school boards across the state. The *Daily Picayune* attached "public schools" as Republican "political engines throughout the state."<sup>4</sup> Public schools catalyzed the white backlash that in turn expanded to other public and commercial facilities.

Recent Reconstruction historiography has demonstrated how southern whites used violence, such as the lynching of African American leaders and attacks on political offices, as a means to regain political power.<sup>5</sup> Whites also targeted non-political actors such as school children and teacher in their multi-pronged campaign from violent raids and mass protests. This resistance to desegregation turned schools into literal battlegrounds.

The deteriorating educational environment during the mid-1870s forced Creoles of color to forge a massive resistance movement on a scale significantly larger and broader than previous

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<sup>2</sup> New Orleans was the capital of Louisiana from 1864 to 1879.

<sup>3</sup> Stuart Omer Landry, *The Battle of Liberty Place: The Overthrow of Carpet-bag Rule in New Orleans, September 14, 1874* (New Orleans: Pelican Publishing Company, 1995); James K. Hogue, *Uncivil War: Five New Orleans Street Battles and the Rise and Fall of Radical Reconstruction* (Baton Rouge: Louisiana State University Press, 2006).

<sup>4</sup> "Louisiana Public Schools as Political Agencies," *Daily Picayune*, May 25, 1875.

<sup>5</sup> Hollandsworth, *An Absolute Massacre*; George C. Rable, *But There Was No Peace: The Role of Violence in the Politics of Reconstruction* (Athens: University of Georgia Press, 2007); Carole Emberton, *Beyond Redemption: Race, Violence, and the American South after the Civil War* (Chicago: The University of Chicago Press, 2013).



scholars have recognized.<sup>6</sup> Radical Republican allies remained stalwart in their condemnation of extralegal acts against African Americans in schools and ceaselessly attempted to increase the number of mixed schools. Although the backlash discouraged white radicals especially after 1875, Creoles of color sustained the Republican-led school board until the Democratic Redeemers' successful gubernatorial campaign in 1876. Even after that political loss, Creoles of color maintained strong ties with Anglicized blacks and mobilized political, legal, and grassroots efforts to defend the desegregation of public education. The Fillmore Boys School, one of the most popular desegregated schools among Creoles of color, became a particular center of their resistance.

In spite of Creoles' efforts to maintain full access to public schools, the end of the Reconstruction school system created a foundation for a new racial regime. By 1877, the Democratic Redeemers argued for 'separate but equal' schools for white and African American children as a tactic to justify segregation. Between 1877 and 1880, the new Democratic-led school board countered African Americans' resistance by hastily establishing new educational facilities, including primary and secondary schools as well as a university. As a result, Creoles' legal attempts to halt resegregation failed. Multiple lawsuits filed by Creoles of color at the end of Reconstruction demonstrated how they struggled to delegitimize the 'separate but equal' policy in local courts two decades before their *Plessy v. Ferguson* Supreme Court Case of 1896.<sup>7</sup> These legal challenges to the school board became the foundation for their arguments against Jim Crow legislation.

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<sup>6</sup> Fischer, *The Segregation Struggle in Louisiana*, 122-32. Fisher highlighted white backlash against racially desegregated schools. However, his research did not discuss that the school board strongly resisted the backlash in 1874 and 1875.

<sup>7</sup> Charles A. Lofgren, *The Plessy Case: A Legal-Historical Interpretation* (New York: Oxford University Press, 1987).

The 1879 state constitutional convention reversed further Creole efforts for racial equality. Creoles of color not only lost state-enforced segregation clauses, but also were forced to accept the erasure of state constitution Article 135, which prohibited schools exclusive to one race, in exchange for the promise of a state-funded university for African Americans. It devastated Creole's alliance with Anglicized blacks, because P. B. S. Pinchback proposed this idea to secure higher education for their children. The establishment of what ultimately became Southern University finalized the 'separate but equal' education system in the city. At the end of Reconstruction, Creoles of color lost both the radical constitution and their coalition with Anglicized blacks.

This chapter examines how white backlash led to the establishment of the segregated school system and the ways in which Creoles of color and their allies resisted the resurgence of a white supremacist regime. First, this chapter explores white resistance through boycotts to mass protests and how whites diminished the power of the school board. Next, it discusses how Creole leaders argued for the injustice of segregation. Third, the chapter delves into the case of the Fillmore School and how Creoles of color organized a community protest. Fourth, it discusses the establishment of blacks-only higher institutions and the logic of 'separate but equal.' Last, this chapter studies the ways in which segregation limited educational opportunities for children of African descent.

### **“The War against Mixed Schools”<sup>8</sup>**

The violent backlash against school desegregation in New Orleans erupted shortly after the Battle of Liberty Place. In December 1874, in honor of Massachusetts Senator and radical

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<sup>8</sup> “Chronological. A Record of Prominent Occurrences during the Year 1874,” *New Orleans Times*, January 1, 1875.

Republican Charles Sumner, the Republicans in Congress introduced a federal civil rights bill, which included the enforcement of school desegregation causing massive white backlash across the United States.<sup>9</sup> Robust public dissent against the bill forced Congress to eliminate school desegregation from the act. However, white New Orleanians considered the federal attempt an insult to the city. In the mid-1870s, New Orleans was the only southern city that had carried out desegregation on a large scale. Radical Republicans dominated the school board, and every year the number of African American pupils and mixed schools had increased.<sup>10</sup> This civil rights bill, the last gasp of congressional radical Reconstruction policy, triggered white resistance that permanently changed race relations in New Orleans public schools.

During the backlash, white high school students became active agents in suppressing desegregation. New Orleans had three high schools at this time: Central Boys in Tremé, Lower Girls in the French Quarter, and Upper Girls in Uptown. Central Boys and Lower Girls High had enrolled African American children in the early 1870s. However, in 1870, when the ward school board became the official city school board, old white school board members still held control over high schools. High schools were therefore the last stronghold of white segregationists. On December 14, 1874, in the midst of the civil rights debate in Congress, groups of African American children visited the girls' high schools to gain admission. The *Daily Picayune* reported

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<sup>9</sup> For example, in response to the civil rights debate, the Indiana State Supreme Court ruled in schools: "equality of right do not...necessitate 'mixed schools' more than the teaching of both sexes." See "The Supreme Court of Indiana and Civil Rights," *Weekly Louisianian*, January 2, 1875.

<sup>10</sup> *Annual Report of the State Superintendent of Public Education for the Year 1874* (New Orleans: The Republican Office, 1875), 169. The enrollment of black children in 1869 numbered 2,975. Between 1870 and 1877, no record indicates the racial proportion of the students admitted to public schools. However, in 1878, 5,460 black children were enrolled in city schools. See *Annual Report of the State Superintendent of Public Education for 1869* (New Orleans: A.L. Lee, 1870), 78; *Annual Reports of the State Superintendent of Public Education for Louisiana, and of the Chief Superintendent of Public Schools of the City of New Orleans, for the year 1878* (New Orleans: The Democrat Publishing Company, 1879), 34; Harlan, "Desegregation in New Orleans Public Schools during Reconstruction"; Fischer, *The Segregation Struggle in Louisiana*.

that students from the Coliseum School, located near Carrollton, who visited the Upper Girls High School consisted of “ten gingerbread and one coal black negress.”<sup>11</sup> Principal M. E. McDonald, immediately refused to accept them. However, white students demanded a more forcible rejection of these African American applicants. Senior students quickly wrote a resolution avowing that they would refuse diplomas until they were assured that their school would remain whites-only. Along with the seniors, first and second year students also submitted statements threatening to boycott the school unless administrators guaranteed continuing segregation.<sup>12</sup> The *New Orleans Times* justified the students’ action claiming, “Sumner’s supplementary civil rights bill is one of their abominations, and they have no idea of accepting it whether it ever becomes a law or not.”<sup>13</sup>

On the same day, the Lower Girls High School experienced similar trouble. The *New Orleans Bulletin*, an ultra-conservative white newspaper, reported that a group of girls whose skins ranged from “very dark” to “a subdued coffee color” went to Lower Girls requesting admission.<sup>14</sup> Although the school was desegregated, many white students nevertheless opposed any further expansion of desegregation. The senior class adopted a similar boycott scheme to that of the Upper Girls High School students and insisted that “the colored girls of this school must leave or we must decline the honor of graduating.”<sup>15</sup>

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<sup>11</sup> “School Imbroglio,” *Daily Picayune*, December 15, 1874.

<sup>12</sup> “School Imbroglio,” *Daily Picayune*, December 15, 1874; Fischer, *The Segregation Struggle in Louisiana*, 123. Three students actually left the Upper Girls’ High School due to this incident and transferred to the Peabody High School. The Peabody funded schools were segregated. These students graduated from the high school in December 1875. See “Peabody High School,” *Daily Picayune*, December 22, 1875.

<sup>13</sup> “The Color Line in the Public Schools,” *New Orleans Times*, February 18, 1874.

<sup>14</sup> “The Race Issue in the Schools,” *New Orleans Bulletin*, December 16, 1874.

<sup>15</sup> “The Race Issue in the Schools. The Girls of the Lower High School In Line,” *New Orleans Bulletin*, December 18, 1874.

The controversy at the girls' high schools soon spread to the Central Boys High School. On December 17, several African American applicants appeared at the high school to take the entrance examination. Influenced by the White League, white high school students interfered with their test-taking. In response to the intimidation, African American students called the police for protection, but, were nevertheless forced to withdraw.<sup>16</sup> Following this incident, white male high school students marched around the city to enforce segregation and attacked desegregated elementary schools, including Webster, Jefferson, St. Philip, Fillmore, Beauregard, Franklin, and Washington.<sup>17</sup> They also visited the Lower Girls High School and forced out three African American children.<sup>18</sup> The raids continued the next day when the boys returned to the Lower Girls High to oust six additional African American students whom they had previously missed.<sup>19</sup> Even worse, the high school boys' raid at the Keller School caused a riot in the adjacent Keller Market, involving policemen and resulting in the death of one Creole man, Eugene Ducloslange, who was caught in the melee. Despite the violence, the *New Orleans Bulletin* hailed the high school students as "the high-spirited boys."<sup>20</sup>

This violence also targeted white radicals. On December 14, 1874, when Charles W. Boothby, the white city superintendent of the public schools, arrived at the Upper Girls High School to investigate the admissions ruckus, a mob of angry whites surrounded him and almost

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<sup>16</sup> "School Imbroglia. Progress of the "Mixture" Enterprise. Negroes Invade the Boys' High School and Are Ejected," *Daily Picayune*, December 18, 1874. Many black Republicans served the New Orleans Metropolitan Police at this time. It is possible to estimate that the children asked for their help to solve the problem.

<sup>17</sup> "School Difficulty," *Daily Picayune*, December 18, 1874; "On a Raid," *New Orleans Bulletin*, December 18, 1874.

<sup>18</sup> "The Educational Problem," *New Orleans Times*, December 18, 1874.

<sup>19</sup> "More Trouble Apprehended," *New Orleans Bulletin*, December 19, 1874.

<sup>20</sup> *Orleans Death Indices, 1804-1876*, vol. 62, 573; *New Orleans Bulletin*, "The Lower Girls' High School," December 18, 1874.

lynched him. The crowd forced Boothby to sign the statement that he would “prevent the occurrence of any event similar to that occurring in the Girls’ High School, Upper District, or in any school in this city, having reference to the mixture of white and colored pupils in the public schools.”<sup>21</sup> White school board members feared that they would have to shut down all the public schools due to the resistance of white New Orleanians. In addition to white students’ threats to boycott, major local newspapers repeatedly urged whites not to attend public schools. The *New Orleans Bulletin* declared that “it was far better that the schools should be temporarily broken up than that they should be continued.”<sup>22</sup>

After these incidents of intimidation and violence, white radicals softened their discourse on racial desegregation in an effort to maintain the city public school system. Faced with the opposition of white New Orleanians, Henry C. Dibble, a white school board member and formerly an ardent supporter of integration, regretted that the racial desegregation policy caused “danger to the whole public school system.”<sup>23</sup> In the end, the board closed the schools earlier than its original Christmas break schedule and decided to temporarily halt the admission of African American children to white schools.<sup>24</sup>

African Americans in New Orleans remained determined to preserve mixed schools. The *Weekly Louisianian* condemned racial classification as an absurd strategy, calling the high school student riot “the new and murderous crusade of the White League in the Quixotic task of

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<sup>21</sup> “Mrs. Wood,” *New Orleans Bulletin*, December 15, 1874; “The School Imbroglio. Continued Excitement on the Subject of Mixing the Schools,” *Daily Picayune*, December 16, 1874.

<sup>22</sup> “The Race Issue in the Schools,” *New Orleans Bulletin*, December 15, 1874.

<sup>23</sup> “Mixed Schools,” *New Orleans Times*, December 17, 1874.

<sup>24</sup> “School Board,” *Daily Picayune*, January 10, 1875.

eliminating color in a peculiarly ‘mixed’ community.”<sup>25</sup> To the paper, the student raid underscored the impossible task of drawing a color line. The *Louisianian* reported that high school students wrongfully removed a female teacher, “the near relative” of Louisiana Governor William Pitt Kellogg, at the Webster School “on account of dark complexion.”<sup>26</sup> The newspaper also chided some White League members who had “tinges of African or negro blood.”<sup>27</sup> The African American press attempted to criticize the attack by referring to New Orleans’ considerable interracial legacy developed during the colonial and antebellum periods.

With the backing of the public sentiment, African American members of the school board continued supporting desegregation. On February 3, 1875, board member James H. Ingraham proposed giving a second chance to the African American students who failed the high school entrance exam due to intimidation by white students. Creole member Henry Louis Rey supported this proposal, as he knew all too well the impact of the racial intimidation experienced by these students. He stated that his child was “near[ly] being killed” at the Fillmore School and so these examinees should “be given the privilege of another examination.”<sup>28</sup> Although no record exists of a second exam, on February 18, 1875, Central Boys High School accepted one African American student into its senior class. Most of the white senior students boycotted school on their first day of school. However, no violence was reported this time and so ended the temporary ban on school desegregation.<sup>29</sup>

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<sup>25</sup> “No Title,” *Weekly Louisianian*, December 19, 1874.

<sup>26</sup> “The Week,” *Weekly Louisianian*, December 26, 1874.

<sup>27</sup> “No Title,” *Weekly Louisianian*, December 26, 1874; *Harper’s Weekly* also reported that Central Boys High School students tried to evict a girl who is a daughter of a White Leaguer. See Eugene Lawrence, “Color in the New Orleans Schools,” *Harper’s Weekly*, February 13, 1875.

<sup>28</sup> “School Board,” *Daily Picayune*, February 4, 1875.

<sup>29</sup> “Forcing the Color Line,” *Daily Picayune*, February 19, 1875. The black student name was reported as

Although the white backlash gathered strength through the rioting, day-to-day school operations proceeded almost unchanged. The city superintendent Charles W. Boothby reported that “the percentage of absence was unusually large” between January and February 1875, and he listed the riot as one of the causes.<sup>30</sup> In fact, school attendance decreased from 16,756 in December 1874 to 13,898 in January 1875. However, enrollment steadily recovered and in April 1875, had increased to 16,822.<sup>31</sup> With this rebound, the school board managed to maintain both its power and racially mixed schools.

**Table 4: Attendance in All the Public Schools (December 1874-June 1875)**

| Month         | Number |
|---------------|--------|
| December 1874 | 16,756 |
| January 1875  | 13,898 |
| February 1875 | 15,571 |
| March 1875    | 16,400 |
| April 1875    | 16,822 |
| May 1875      | 16,415 |
| June 1875     | 15,144 |

In spite of the setback of the December 1874 riot, city school board members further expanded school desegregation by assigning African American teachers to formerly white schools. In September 1875, the *New Orleans Bulletin* reported that African American teachers were sent to grammar schools such as Fillmore, Beauregard, Bayou Road, and Orleans.<sup>32</sup> In particular, the placement of a Creole high school teacher sparked a massive white protest against the school board.

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Roxborough. See “Protesting School Boys,” *New Orleans Times*, February 19, 1875.

<sup>30</sup> *Minutes, January 9, 1875-February 7, 1877*, April 7, 1875, 17, OPSB, LSC, ELL, UNO.

<sup>31</sup> *Annual Report of the State Superintendent of Public Education for the Year 1875* (New Orleans: The Republican Office, 1876), 13-14.

<sup>32</sup> “Colored Teachers in White Schools,” *New Orleans Bulletin*, September 19, 1875.



In September 1875, the board appointed E. J. Edmunds as a math teacher at the Central Boys High School. A free man of color who had been educated at the Polytechnic Institute in Paris, Edmunds was known as a “nearly white” man, a mathematician, and the principal of the Sumner School for African American children.<sup>33</sup> The *Weekly Louisianian* praised Edmunds’ flawless career and celebrated his new position, detailing his life: “From a class of over two hundred in the Polytechnic, Scientific School in Paris, he graduated number five; assigned a lieutenancy in the French artillery service he distinguished himself there as a brave and competent officer and gentleman, and excellent mathematician.”<sup>34</sup> Yet white New Orleanians rejected his suitability based on his race. The senior class of the Central Boys High School refused to attend his lectures “because he was a colored man” and withdrew from the school.<sup>35</sup> Furthermore, this group verbally harassed Edmunds on his way home. White newspapers also expressed their dissatisfaction with Edmunds’ appointment.<sup>36</sup> On September 16, 1875, John Mathews, the white pastor of the Carondelet St. Methodist Church, observed increasing tension in school politics and wrote in his diary that there was a “considerable excitement—how it will end, no one can tell.”<sup>37</sup>

White newspapers pinpointed African American members of the school board as responsible for Edmunds’ appointment. The *Bulletin* and *Daily Picayune* targeted Victor Eugene

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<sup>33</sup> Desdunes, *Our People and Our History*, 72-73; “The City Board of School Directories,” *Weekly Louisianian*, September 18, 1875; “The School Board. Speeches by Pinchback and McCarthy,” *New Orleans Bulletin*, September 16, 1875.

<sup>34</sup> “Our Public Schools,” *Weekly Louisianian*, September 18, 1875.

<sup>35</sup> “Protesting Pupils. A Small Crusade Against the Colored Professor of Mathematics at the Central Boys’ High School,” *New Orleans Times*, September 14, 1875.

<sup>36</sup> “The School Board,” *Daily Picayune*, September 12, 1875.

<sup>37</sup> John Mathew, *Diary*, September 16, 1875, 81. John Mathew’s Journal, WRC, HNOC.

McCarthy, a former member of the Louisiana House of Representatives and a Creole member of the board, for having forced the replacement of a female teacher to accommodate Edmunds.<sup>38</sup>

Around the same time as the accusation was made, on September 15, 1875, two white brothers brutally attacked McCarthy on Royal Street in the French Quarter. He was “knocked down...kicked, punched, pulled,” and left badly injured in “a filthy gutter.”<sup>39</sup>

The white public also criticized P. B. S. Pinchback as “the arch-conspirator” of Edmunds’ appointment.<sup>40</sup> The city’s two major white newspapers, the *Daily Picayune* and the *New Orleans Times*, cited the failure of the federal 1875 Civil Rights Bill to offer equal access to schools and argued that Pinchback’s commitment to desegregation was contrary to national trends.<sup>41</sup> In his defense, Pinchback stated that the appointment of Edmunds was a decision of the entire school board, not his alone or that of other African American members.<sup>42</sup> Furthermore, he asserted, the appointment was “to test the sincerity of the Southern people in their oft-repeated assertion from the pulpit, the rostrum and through the press, that they accepted the political and civil equality of all men before the law.”<sup>43</sup> His comment infuriated white editors further. Ten days later, the *Daily Picayune* severely criticized him stating, “Mr. Pinchback...has seen fit to abuse his trust” against white New Orleanians.<sup>44</sup>

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<sup>38</sup> “No Title,” *New Orleans Bulletin*, September 16, 1875; “Board of School Directors,” *Daily Picayune*, September 16, 1875.

<sup>39</sup> *The State v. James Chalaron and Steven Chalaron*, No. 8436, New Orleans Public Library (NOPL); “V. E. McCarthy Violently Assaulted,” *New Orleans Bulletin*, September 17, 1875.

<sup>40</sup> “Public Schools,” *Daily Picayune*, September 17, 1875.

<sup>41</sup> “School Board,” *Daily Picayune*, September 17, 1875; “The School Board Question,” *Daily Picayune*, September 19, 1875; “No Title,” *New Orleans Times*, September 27, 1875.

<sup>42</sup> “City School Board. Special Meeting Yesterday,” *Daily Picayune*, September 16, 1875.

<sup>43</sup> “The School Board Question,” *Daily Picayune*, September 19, 1875.

<sup>44</sup> “The Mass Meeting,” *Daily Picayune*, September 29, 1875.

Edmunds' appointment catalyzed white dissent. On September 29, white New Orleanians organized an evening protest at Lafayette Square, across from the city hall, to oppose "the open attempt to Africanize public schools."<sup>45</sup> The protest was massive in scale. Prior to this assembly, on September 25, 1875, the *Daily Picayune* had published a list of more than six-hundred citizens and ten businesses that endorsed the protest.<sup>46</sup> On September 29, an alleged six thousand people gathered at the square to express dissatisfaction with the school board. Protestors condemned it for firing white female teachers, politicizing the board, and assigning teachers for personal gain. They referred to co-education of different races as "opposed to the principles of humanity."<sup>47</sup> Their resolution demanded the reorganization of the school board, the resignation of current board members, the abolition of the mixed school system, and the recruitment of more Democratic Party members to the board. In addition, demonstrators submitted a letter to the state board of education demanding the removal of certain board members for neglect of duty, conflation of school management and politics, illegally holding multiple offices, and illiteracy. They specifically called for fourteen members, including seven African American members, to resign.<sup>48</sup>

African Americans in New Orleans immediately counterattacked. First, African American board members dismissed the validity of the protest. Pinchback flatly denied the

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<sup>45</sup> "The Mass Meeting," *Daily Picayune*, September 29, 1875.

<sup>46</sup> "Mass Meeting," *Daily Picayune*, September 25, 1875.

<sup>47</sup> "Mass Meeting," *Daily Picayune*, September 25, 1875.

<sup>48</sup> "Demand for the Removal of the Members of the Board," *Daily Picayune*, October 13, 1875. The letter demanded the removal of James Longstreet, Henry C. Dibble, B. L. Lynch, P. B. S. Pinchback, Victor Eugene McCarty, C. F. Glaudin, J. B. Gaudet, Jules A. Massicot, A. T. Dumont, E. C. Billings, Joseph C. Hartzell, James H. Ingraham, T. B. Stamps, and Henry Louis Rey. Among them, Pinchback, McCarthy, Ingraham, Gaudet, Glaudin, Rey, and Stamps were African American members. McCarthy, Gaudet, Glaudin, and Rey were prominent Creoles of color.

accusations, claiming that the resolution made no specific charges against him.<sup>49</sup> Second, the state board of education, led by William G. Brown, also supported the city school board and dropped the charges, stating, “There was nothing before the board requiring action.”<sup>50</sup> As a result of these efforts, the school board retained Edmunds at the Central Boys High School.<sup>51</sup> Furthermore, the *Louisianian* called the protest “a plethora of pathetic appeals” and rebutted the false claim of the dismissal of white teachers and the African American domination of school politics.<sup>52</sup> Of “the total number of teachers--Four hundred and thirty-seven—more than three hundred and seventy are of the old list and only forty-eight are colored,” it emphasized, “considering the charge of Africanization made against the Board, is this not a remarkable exhibit?”<sup>53</sup>

While the African American public and school board members expressed their commitment to desegregation, the continuous attacks led to the resignation of many white board members. Immediately after the Lafayette Square protest, on October 10, 1875, Alfred Shaw resigned.<sup>54</sup> A month later, E. C. Billing also submitted a letter of resignation.<sup>55</sup> In order to fill these vacancies, the state school board sought to add conservative white public figures such as

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<sup>49</sup> “The School Board,” *Daily Picayune*, October 7, 1875.

<sup>50</sup> “Board of Education,” *Daily Picayune*, November 7, 1875.

<sup>51</sup> Edmunds worked as a math high school teacher until the end of the school year 1875-1876. “City School Board,” *Daily Picayune*, March 14, 1876; “Our Public Schools,” *New Orleans Republican*, June 24, 1876.

<sup>52</sup> “The Indignation Meeting,” *Weekly Louisianian*, September 25, 1875.

<sup>53</sup> “Discharge of Teachers,” *Weekly Louisianian*, September 25, 1875.

<sup>54</sup> “Resignation of Mr. Alfred Shaw,” *Daily Picayune*, October 10, 1875. Similar to the city school board, the state board consisted of the Republican members. William G. Brown, a superintendent of the state school board, was a New Jersey-born free man of color.

<sup>55</sup> “State Board of Education,” *Daily Picayune*, November 5, 1875.

Isaac N. Marks, a renowned businessman. While he had no party affiliation, Marks sympathized with white conservatives but refused to take office unless the board was “reorganized by the appointment of a number of conservative [white] citizens.”<sup>56</sup> The state school board compromised a second time by asking Democrat Louis A. Wiltz to serve. He also declined the offer, citing the same reasons as Marks.<sup>57</sup> In December, another white member, Thomas Carey, left his post.<sup>58</sup> By the end of 1875, the board eventually gave up welcoming conservative members and appointed longtime Republican members, including former Louisiana Governor Benjamin Flanders and former Mayor Edward Heath. This change in white membership shook the foundations of the school board.<sup>59</sup>

White New Orleanians, led by Democratic Redeemers, continued to relentlessly attack the school board. In September 1875, two white brothers faced arrest for “assault, battery and assault with the intent of murder” of Victor Eugene McCarthy, but in January 1876 they were received a short sentence of “a fine of ten cents or one minute in the parish prison.”<sup>60</sup> In February 1876, the *New Orleans Democrat*, the official organ of the Democratic Party, reported a rumor that James H. Ingraham, an Anglicized black board member, had solicited money from three female teachers.<sup>61</sup> While Ingraham initially refuted the allegation, the board’s investigating

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<sup>56</sup> “State Board of Education,” *Daily Picayune*, November 6, 1875. From 1870 to 1877, the state board retained authority to appoint city school board members. Born in South Carolina and moved to New Orleans in the antebellum period, he was the leader of the Fireman’s Charitable Association and the president of the Firemen’s Insurance Company.

<sup>57</sup> “The School Board,” *Daily Picayune*, November 9, 1875. The board eventually appointed G. L. Hall and he accepted the offer.

<sup>58</sup> “School Board,” *Daily Picayune*, December 5, 1875.

<sup>59</sup> Eventually Isaac N. Marks accepted the offer. In addition to Marks, Flanders, and Heath, L. H. Gardner, Rufus Waples became the new board members. See “School Board,” *Daily Picayune*, December 20, 1875.

<sup>60</sup> *The State v. James Chalaron and Steven Chalaron*, No. 8436, NOPL.

<sup>61</sup> “A Model School Director,” *New Orleans Democrat*, February 2, 1876.

committee found that he had in fact received financial contributions from twenty-six teachers in return for securing their jobs.<sup>62</sup> As a result, Ingraham resigned from the board. Not only were individual Republican members accused of fraud and poor management, the Democrats continued criticizing the school board as a whole for keeping incompetent teachers and poorly managing the school budget.<sup>63</sup> By the end of 1876, animosity towards the interracial Republican leadership and racial agitation crested with the white population's demand that African American children be confined to segregated schools.

Until then, despite ongoing physical threats from 1874 to 1875, African American children had continued to maintain and even increase their numbers in mixed schools. Even as late as October 1876, in spite of physical threats, two African Americans entered the Paulding School for the first time. Yet after school hours, white students attacked them "with a shower of mud, stones, and brickbats." Although an African American man who witnessed the scene rescued the children, the situation escalated as white adults joined the melee.<sup>64</sup>

### **The Resegregation of Public Schools and Protests in 1877**

The 1876 gubernatorial election resurrected the Democratic Party, which resulted in the reappointment of antebellum state school educators and former Confederate officers. In 1876, Democrat Francis T. Nicholls was elected governor and the following year appointed Robert M. Lusher as state superintendent of public education. Originally from Charleston, South Carolina,

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<sup>62</sup> "City School Board," *Daily Picayune*, March 9, 1876.

<sup>63</sup> "City School Board," *Daily Picayune*, March 14, 1876; "The Relation of the Democratic Conservative Party to the Negroes," *New Orleans Democrat*, May 14, 1876.

<sup>64</sup> "Mixed School Troubles," *Lowell Daily Citizen*, October 10, 1876; "The Paulding School Trouble," *New Orleans Times*, September 22, 1876.

Lusher had served as state superintendent of education between 1856 and 1867. As a Democrat, he reformulated the city school board to advocate for segregation. Under his direction, in April 1877, William O. Rogers was once again appointed superintendent of public schools in New Orleans. Rogers was a city superintendent of public schools until the city school became a Republican majority group in 1870. In addition, the board included many former Confederate officers including Paul Capdevielle and Archibald Mitchell. This revived antebellum and Confederate educational leadership struck the fatal blow to the public school desegregation movement.<sup>65</sup>

When the Democrats gained control of the board, the Republican-led school board resisted. Denying the validity of the new Democratic appointments, on April 4 the Republican-led board attempted to hold a meeting at city hall. In response to this action, Democratic members requested the police to block Republican members from entering the hall.<sup>66</sup> Furthermore, the new board filed a writ of injunction to nullify the Republican-led board.<sup>67</sup> By the end of April 1877, almost all Creole and Anglicized black leaders had lost power over educational policy. P. B. S. Pinchback, Paul Trévigne, and Henry Louis Rey were expelled.

To forestall the transformation of the board, Pinchback negotiated a political bargain with Governor Nicholls. In return for endorsing Nicholls, Pinchback requested the appointment of some African American board members. As a result, the new school board elected two African American Democrats and two Republicans. Joseph Craig, a Democrat, founded the Colored Conservative Club and sought to improve race relations by working within the Democratic Party.

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<sup>65</sup> "Hon. R. M. Lusher," *Daily Picayune*, December 15, 1876; "State School Board," *Daily Picayune*, April 4, 1877.

<sup>66</sup> "The Two School Boards," *Daily Picayune*, April 5, 1877.

<sup>67</sup> "School Board," *Daily Picayune*, April 6, 1877.

Louis A. Martinet, a Creole who opposed school segregation, also belonged to the Democratic Party. The remaining members, George H. Fayerweather, an Anglicized black, and Pascal M. Tourné, a Creole of color, were all known as radical Republicans. Regardless of Pinchback's efforts, Martinet, Fayerweather, and Tourné were in the absolute minority on the board over the issue of school segregation.<sup>68</sup>

During the summer of 1877, the new board prepared to mollify persistent white opposition to the mixed school system. On June 22, 1877, a special committee led by former Confederate officer and White League member Archibald Mitchell submitted a report condemning mixed schools. It claimed that desegregated schools fomented racial tensions between white and African American students, lacked educational benefit, and failed to maintain racial peace. The committee labeled these three problems as the "evils" of mixed schools. Interestingly, the committee acknowledged that violence by white students "has partially and in some case entirely excluded colored children...from all the benefits of public education." Segregation was proposed as the means to protect African American students. The resolution endorsed the principle of 'separate but equal' schooling opportunities and declared, "Your

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<sup>68</sup> Robert M. Lusher attempted to appoint Louis Charles Roudanez as a board member. However, Roudanez refused the offer due to his "devotion to the sick." See "State School Board," *Daily Picayune*, April 4, 1877. Louis A. Martinet was a young lawyer and new social leader of Creoles of color. He was born to a Belgian father and Marie Benoit, a New Orleans free woman of color, in St. Martinville, Louisiana in 1849. Martinet entered politics and served as a member of the House of Representatives from 1872-1875. "Louis A. Martinet Records," NARC, accessed April 1, 2018, <http://www.oreanscivilclerk.com/martinet.htm>; Nils R. Douglas, "Who Was Louis A. Martinet," Nils R. Douglas Papers, Box 1, Folder 3, ARC, TU. George H. Fayerweather once worked as a school director from 1870-1871. His father, George Fayerweather (1802-1869), was born to a black father and a Narragansett mother and the leader of the abolitionist movement in South Kingstown, Rhode Island. Fayerweather moved to New Orleans sometime in the 1860s. He was known to the public not only as a member of the city school board, but also as an executive committee member of Straight University. "Guide to the Fayerweather Family Papers, 1836-1962," University of Rhode Island Special Collections and Archives Unit, accessed April 1, 2018, <https://library.brown.edu/riamco/xml2pdf/files/US-RUN-msg121.pdf>; Ken Chujo, "Student Paper—Straight University-The Role of a Negro College during Reconstruction," (1981), 11, AMAA, Addendum, Series A, Box 102, Folder 8, ARC, TU. Pascal Tourné was known as his activism for suffrage during the Civil War and Reconstruction. See "The Republican and the Cars," *New Orleans Tribune*, May 7, 1867. "School Board, *Daily Picayune*, July 4, 1877; "Divided School. The School Board Has Finally Settled the Question of Color," *New Orleans Times*, September 6, 1877.



committees...unhesitatingly recommend separate schools for the two races, in which each shall receive precisely the same opportunities of obtaining an equal education.”<sup>69</sup>

A minority on the board, composed of George H. Fayerweather, Louis A. Martinet and Pascal M. Tourné, opposed the segregation proposal. Fayerweather condemned the board, warning that resegregation would “undermine public education.”<sup>70</sup> Martinet objected to “a change in the schools for the mere purpose of separation of color” and even suggested compromise so as to keep schools “as they now are.”<sup>71</sup> However, on July 3, fifteen board members supported the segregation resolution.

In spite of its promise of equal education, the board sought to undo the changes made during the Republican regime. In August, the board reclassified all city schools and transformed most of the previously desegregated schools into whites-only schools. Out of the total sixty-one public schools, thirty-three were designated as black schools. Among estimated twenty-eight schools that were desegregated between 1871 and 1877, only five became black schools and the rest were set to aside for white students. Throughout the process, the board never discussed how to offer equal opportunities to African American and white students. Many black schools were considered inferior to their white counterparts due to poor facilities, frequent teacher turnover, and lack of textbooks. In addition, no new secondary institutions were created for the use of African American children.<sup>72</sup> Subsequently, William O. Rogers contacted Straight University to

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<sup>69</sup> *Minutes, April 4, 1877-December 6, 1878*, June 22, 1877, 55-58, OPSB, LSC, ELL, UNO.

<sup>70</sup> “The Line Drawn,” *New Orleans Times*, July 4, 1877.

<sup>71</sup> “The Line Drawn,” *New Orleans Times*, July 4, 1877.

<sup>72</sup> *Minutes, April 4, 1877-December 6, 1878*, July 3, 1877 to August 1, 1877, 74-86, OPSB, LSC, ELL, UNO. Among the schools that were reported as desegregated during Reconstruction, five schools (Bayou Road, Claiborne, Rampart, Clio and Hospital) were designated as ‘colored’ schools. Note: No information was found on Spain, Cut-Off Road, Dunn, and McDonoghville Schools.

determine if it would accept and instruct black high school students, funded by the school board, in an effort to avoid enrolling African American children in city-funded high schools.<sup>73</sup> Overall, the Democratic-led board reluctantly acknowledged that African American students needed some basic educational opportunities, but its main purpose was the restoration of the segregated practices that prevailed before the Reconstruction-era innovations initiated by the coalition of Creoles, Anglicized blacks, and radical white Republicans.

Having lost influence on the school board, Creoles of color and Anglicized blacks vented their frustration by organizing a grassroots political movement. On June 26, 1877, a committee of thirty-two Creoles of color and Anglicized blacks visited Governor Francis Nicholls in Baton Rouge to ask that he countermand the city school board's decision. This committee included most of the radical Creole leadership. Aristide Mary, a renowned politician and real estate broker led the group. Along with Mary, Caesar C. Antoine, Louis A. Martinet, Henry Louis Rey, Louis Charles Roudanez, Paul Trévigne, and George T. Ruby, the only identifiable Anglicized black member, joined the meeting with the governor. These men represented the cosmopolitan nature of the African American population in New Orleans. Caesar C. Antoine, born in New Orleans in 1836, was a former state senator from Caddo Parish and lieutenant governor from 1872 to 1876. Henry Louis Rey, a former captain of the Louisiana Native Guards, served as state representative from 1868 to 1869 and as a school board member between 1873 and 1877. Louis Charles Roudanez was a physician as well as the owner of the Republican organs *L'Union* and the *New Orleans Tribune*. Paul Trévigne, a former editor of *L'Union* and the *New Orleans Tribune*, also served as a school board member from 1876 to 1877. Although not a Creole, George T. Ruby had participated in Reconstruction activism with them. He settled in New Orleans in 1864 and

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<sup>73</sup> J. A. Adams to M. E. Strieby, New Orleans, May 8, 1877, Series 1, Box 60, Item #46701-46702, AMAA, ARC, TU; Haywood, "The American Missionary Association in Louisiana during Reconstruction," 231.

worked as an African American teacher and correspondent for the *New Orleans Tribune*. He had moved to Galveston, Texas in the late 1860s, but had returned to New Orleans by the mid-1870s.<sup>74</sup>

The committee insisted upon the unconstitutionality of segregation. Mary protested that the city school board's attempt to racially separate city schools went against the rights of African Americans assured by the state constitution Article 135. Roudanez bolstered Mary's argument by observing that separation deprived African American children of educational opportunities. He criticized Governor Nicholls' opposition to their concerns stating, "Because you are of a race different to ours, and because of your position, shall your children have greater educational advantages than ours? If so, it is a gross injustice." In response, the governor justified segregation citing the 'separate but equal' rule. "Our aim," he said, "is to give equal facilities all through, both in teachers, building and books." He even encouraged the committee members to file a lawsuit if they were not satisfied with the city school board's decision.<sup>75</sup>

Committee members also stressed the arbitrariness of drawing a color line, given the complex interracial makeup of the state's population. Indeed, New Orleans' cosmopolitan and interracial population had been widely acknowledged in the United States. In February 1875, a few months after the school riot, the *Harper's Weekly* observed New Orleans public schools and claimed, "Nowhere, indeed, would it be so difficult, so invidious, to establish a government founded upon a distinction of color as in New Orleans."<sup>76</sup> The committee used the interracial

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<sup>74</sup> Merline Pitre, *Through Many Dangers, Toils, and Snares: The Black Leadership of Texas, 1868-1900* (Austin, TX: Eakin Press, 1985); Crouch, "Black Education in Civil War and Reconstruction Louisiana: George T. Ruby, the Army, and the Freedmen's Bureau."

<sup>75</sup> "Mixed Schools. A Colored Committee Wait on the Governor," *Daily Picayune*, June 27, 1877.

<sup>76</sup> Eugene Lawrence, "Color in the New Orleans Schools," *Harper's Weekly*, February 13, 1875.

history of New Orleans to oppose segregation. George T. Ruby stated, “I believe it dangerous in a community like this—of doubtful ancestry—to push this matter further.” In addition, he stated, “We have those facts in our possession which it would be unpleasant to some in high circles were we to use them, which we must do in the event of separate schools.” Ruby implied that segregation would not only hinder the progress of African Americans in New Orleans, but that it was a strategy to conceal the dubious racial purity of the white population of New Orleans. The delegates stressed that no means existed to distinguish between whites and persons of color in the Louisiana population.<sup>77</sup> Their efforts, however, did not bear fruit, as Governor Nicholls remained committed to segregation.<sup>78</sup>

Subsequently, the committee petitioned the school board. As “co-equal citizens,” members pointed out the school board’s violations of the federal and state constitution. The committee argued that board members could not enforce segregation as they had sworn to “political equality of all men and agree not to attempt to deprive any person or persons, on account of race, color or previous condition, of any political or civil right, privilege or immunity.” Of particular concern to the committee was who held authority to draw a color line. The committee questioned, “Would the board be willing to make the pains and penalties different or make a distinction in the obligations of colored citizens to the government?” Through a series of protests, Creoles of color united around the unconstitutionality of segregation and the absurdity of racial distinction. These two ideas developed into recurring arguments in their subsequent lawsuits.<sup>79</sup>

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<sup>77</sup> Lawrence, “Color in the New Orleans Schools,” *Harper’s Weekly*, February 13, 1875.

<sup>78</sup> “Mixed Schools. A Colored Committee Wait on the Governor,” *Daily Picayune*, June 27, 1877.

<sup>79</sup> “The Line Drawn,” *New Orleans Times*, July 4, 1877.

## The Fillmore School

After the failures with the governor and school board, Creoles of color and Anglicized blacks shifted their focus to individual schools. In particular, Creole parents in the Fillmore School district intensified their activism. Located only a few blocks from the Catholic Institute, at the corner of St. Claude Avenue and Bagatelle Street in New Marigny, an old francophone neighborhood, where white and persons of color lived side-by-side, the number of school age African American children eligible to attend the school was large. Richard Campanella noted that “New Orleans’ historically intermixed racial patterns began to diminish” during the postbellum period, yet the Fillmore School neighborhood still retained the antebellum racial proximity.<sup>80</sup> One of the most popular racially mixed schools, Fillmore, had been established as a whites-only boys school in the 1850s, but had been desegregated in early 1871.<sup>81</sup> Historian John Blassingame, in *Black New Orleans*, estimated that throughout the early 1870s between one-sixth to one-third of Fillmore students were of African descent.<sup>82</sup>

Many Creoles of color believed that Fillmore would ensure quality education. The school was categorized as a Grammar A and students were qualified to apply for admission to public high school. In addition, the school was known for its high standards. In 1872, for instance, the school principal demanded that each parent accompany his or her child to ensure attendance.<sup>83</sup> In 1874, the *Daily Picayune* described Fillmore as “one of the best disciplined and conducted”

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<sup>80</sup> Richard Campanella, *Geographies of New Orleans: Urban Fabrics before the Storm* (Lafayette: Center for Louisiana Studies, University of Louisiana at Lafayette, 2006), 300.

<sup>81</sup> “Our Public Schools. Close of the Session—Fourth Day,” *Daily Picayune*, June 23, 1871.

<sup>82</sup> Blassingame, *Black New Orleans, 1860-1880*, 120.

<sup>83</sup> *Annual Report of the State Superintendent of Public Education for the Year 1872* (New Orleans: The Republican Office, 1873), 238.

schools that “yearly send[s] a large number to the high school.”<sup>84</sup> Fillmore also had accepted teachers of African descent including Charles P. Guichard, the first assistant teacher, a brother of Creole House Representative Leopold Guichard, and second assistant teacher Antonia Hart.<sup>85</sup> The presence of these teachers undoubtedly enhanced the school’s reputation among Creoles of color.

Nonetheless, Creole children of color endured threats and violence again and again at Fillmore. When the white Central Boys High School students attacked desegregated schools in 1874, Fillmore was one of their targets.<sup>86</sup> In September 1875, during white Democrats’ protests against the hiring of the African American teacher, white students blocked the entry of students of color to Fillmore. In response to this attack, on September 29, parents formed a group to ensure access for their children. The police, however, deemed their plan a “raid” and suppressed it.<sup>87</sup> Even so intimidation did not immediately halt desegregation practices at Fillmore. On October 3, 1875, the *New Orleans Times* reported that up to fifty students of African descent still attended the school.<sup>88</sup>

While it is unclear how Creole students fared academically at Fillmore, some evidence suggests that they performed as well as their white counterparts. A report of school exercises in

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<sup>84</sup> “School Examinations. Third and Fifth Districts,” *Daily Picayune*, December 12, 1874.

<sup>85</sup> “Colored Teachers in White Schools,” *New Orleans Bulletin*, September 19, 1875.

<sup>86</sup> “School Difficulty,” *Daily Picayune*, December 19, 1874.

<sup>87</sup> “It Wouldn’t Work,” *New Orleans Times*, September 30, 1875. On the same day, the *Daily Picayune* and the *New Orleans Bulletin* reported that the rumor of disturbance was false. However, they both witnessed a considerable number of families withdrew students on the same day. From this fact, one can assume that parents and students experienced tension caused by the anti-Edmunds protest at the Fillmore School. See “Flying Rumors,” *Daily Picayune*, September 30, 1875; “Considerable Smoke, But Not a Coal of Fire,” *New Orleans Bulletin*, September 30, 1875.

<sup>88</sup> “Local Brevities,” *New Orleans Times*, October 3, 1875.

June 1876 singled out among the best students, Albert Rey, a son of Henry Louis Rey, who recited “Young America.” Another Creole child, Oscar Bouny read “the Little Kittens,” alongside white students who declaimed their own pieces.<sup>89</sup> Although Rey and Bouny were refused readmission in 1877, their achievements affirmed that African American children could succeed in mixed schools.

Resegregation of Fillmore as a whites-only school created major setbacks for Creole children. First, they had fewer school options. In the third school district, where Fillmore was located, only five out of sixteen schools served African Americans. The closest black schools, the church-based and much smaller Villere and LaHarpe Schools, reported multiple problems including poor facilities, the lack of qualified teachers, and insufficient school supplies including textbooks. Furthermore, neither school was categorized as Grammar A school, and thus graduates were ineligible to apply for high schools.<sup>90</sup> These shortcomings fueled Creoles’ continuing fight against segregation.

After the school board officially decided to segregate city schools, Creoles of color attempted to annul the action before the school year began in October 1877. On September 26, Paul Trévigne, a Fillmore parent, filed a lawsuit in the Sixth District Court of New Orleans against the board and asked the judge for a writ of injunction. Trévigne claimed that segregation would degrade African Americans, including himself and his son. Judge Nicholas H. Rightor of

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<sup>89</sup> “Our Public Schools,” *New Orleans Republican*, June 24, 1876.

<sup>90</sup> *Annual Report of the State Superintendent of Public Education for the Year 1872*, 240-41; *Annual Report of the State Superintendent of Public Education for the Year 1873* (New Orleans: The Republican Office, 1874), 198-99. In 1874, Fillmore admitted 890 students while four hundred were enrolled at La Harpe and one hundred at Villere. LaHarpe was categorized as Grammar B and Villere was classified as Primary A. *Annual Report of the State Superintendent of Public Education for the Year 1874, Session of 1875*, 114-15; *Annual Report of the State Superintendent of Public Education for the Year 1875*, 175-76.

the Sixth District Court issued a temporary injunction as Trévigne paid a thousand-dollar bond with the aid of wealthy and political leaders including as Aristide Mary and Blanc F. Joubert.<sup>91</sup>

Resegregation also concerned Anglicized blacks. On the evening of September 26, 1877, a number of citizens, including P. B. S. Pinchback and Henry C. C. Astwood, a Baptist pastor, gathered at the First Mission Baptist Church to raise funds to support the Trévigne case. Attendees immediately agreed to oppose the city school board and succeeded in raising about twenty-one dollars. Despite their past political differences and cultural heritages, Creoles and Anglicized blacks collaboratively opposed segregation.<sup>92</sup>

In response, white New Orleanians sought to break the alliance between Creoles of color and Anglicized black communities by manipulating sentiment about Creoles' ambiguous racial identities. The *New Orleans Times* regarded Creoles of color as "educated octoroon[s]," and noted that "usually between the pure negro and the white man there is no desire for social intercourse." It further argued, "There is greater antagonism between the educated octoroon and the pure negro than between white and black."<sup>93</sup> The *Daily Picayune* and the *New Orleans Times* attempted to further divide the two communities by emphasizing a stark ethno-racial difference between Trévigne and Pinchback, assuming that the latter no longer believed in mixed schools after the substantial criticism he had received in 1875.<sup>94</sup> In the *Louisianian*, Pinchback refused

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<sup>91</sup> "The Mixed School Question," *New Orleans Democrat*, September 27, 1877; *Paul Trévigne v. School Board and W.O. Rogers*, 31 La. Ann. 0105 (1879), SCLC, LSC, ELL, UNO.

<sup>92</sup> "A Mixed Question," *New Orleans Democrat*, September 28, 1877.

<sup>93</sup> "Shall Schools be Mixed?" *New Orleans Times*, June 28, 1877.

<sup>94</sup> "White and Colored Schools, New Orleans Times," *Daily Picayune*, October 3, 1877.



such distinctions between the communities and newspaper editors supported his collaboration with Creoles of color “to prevent the perpetration of a great wrong upon us.”<sup>95</sup>

Immediately following the September 1877 judicial injunction, Trévigne experienced a setback because school board members petitioned for its removal, claiming that school segregation did not harm Trévigne. They further argued that an injunction could not be issued for events that had already taken place.<sup>96</sup> While Trévigne waited for the final decision, schools opened on October 22, and, thanks to the injunction, Trévigne sent his son Paul to the Fillmore School. However, the next day, Judge Rightor revoked the injunction, concurring with the school board’s assertion that the injunction could not interfere with actions already taken. In addition, Rightor explained, “Trévigne declares that the board and the superintendent have established separate schools on the color line, but does not declare that his son has been denied access to the white schools.”<sup>97</sup> Because Paul Trévigne’s son entered Fillmore one day before the decision, Judge Rightor deployed some legal sophistry to claim that the child had not been denied admission to a white school and so invalidated his father’s argument concerning access. However, as Fillmore was designated a white school, the admission of Trévigne’s son was illegal, and he could not remain.

Along with Paul Trévigne, other Creoles of color resisted segregation by sending their children to Fillmore. On October 22, the first day of school, nineteen Creole families sent their children to Fillmore. The next day, additional thirteen students of color enrolled. Even after the revocation of the injunction, on October 24 and 25, two more Creole families brought their

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<sup>95</sup> “White and Colored Schools,” *Weekly Louisianian*, October 6, 1877.

<sup>96</sup> “The Trévigne Suit,” *Daily Picayune*, October 6, 1877.

<sup>97</sup> “The Mixed School Controversy,” *New Orleans Times*, October 24, 1877.

children to Fillmore. By October 25, at least thirty-four Creole students attended Fillmore.<sup>98</sup> The Fillmore School register reveals that seeking admission was a community-wide tactic adopted by Creoles of color of various political and economic backgrounds. Ovide C. Blandin, for instance, who sent his nephew Joseph to the school, served as a member of the educational committee during the 1868 state constitutional convention. Lucien Plessy, a cousin of Homer A. Plessy, later the lead plaintiff of the landmark *Plessy v. Ferguson* court case, also enrolled at Fillmore. These Creole families demonstrated their collective determination to maintain desegregated schools. Almost all of those listed as guardians of students were artisans and skilled laborers working as carpenters, cigar makers, shoemakers, and printers. Other working-class Creoles, including two parents listed as laborers, sent their children as well.<sup>99</sup>

After the court revoked Trévigne's injunction, Fillmore experienced increased racial tension. The school forced the transfer of its two teachers of color, Charles P. Guichard and Antonia Hart, who had taught at Fillmore since 1875. Guichard was appointed as first assistant at the LaHarpe School. On October 25, Hart moved to the Villere School.<sup>100</sup> On October 27, 1877,

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<sup>98</sup> *School Registers, Millard Fillmore School*, 1877, OPSB, LSC, ELL, UNO. The 1877 School register holds information for 658 individual students such as name, birthplace, age, address, admission date, guardian's name, and his/her occupation. I studied each student and his family in conjunction with reviewing the 1870 and 1880 census and digitally located the student address data by using ArcGIS and the Robinson New Orleans Atlas map of 1883. E. Robinson and R. H. Pidgeon, *The Robinson Atlas of the City of New Orleans, Louisiana*, (New York: E. Robinson, 1883), NARC, accessed November 20, 2017, <http://www.oreanscivilclerk.com/robinson/>; For the interactive map and methodology, see Mishio Yamanaka, *The Fillmore Boys School in 1877: Racial Integration, Creoles of Color and the End of Reconstruction in New Orleans*, accessed November 20, 2017, <https://fillmoreschool.web.unc.edu/>; The Fillmore School included a diverse group of students including those of French, German, Italian, Russian, and Chinese descent, and sons of Northerners who moved to New Orleans after the Civil War. Student guardians' occupations ranged from cigar maker, planter, clerk to laborer. Some notable white students included Henry Baldwin, a son of Albert Baldwin, the owner of Baldwin and Co. The family was originally from Massachusetts. Among Creole families, Bernard Marigny, a grandson of Bernard de Marigny attended the school. The Marigny neighborhood was built on the family's plantation estate in the early nineteenth century.

<sup>99</sup> *School Registers, Millard Fillmore School*, 1877, OPSB, LSC, ELL, UNO.

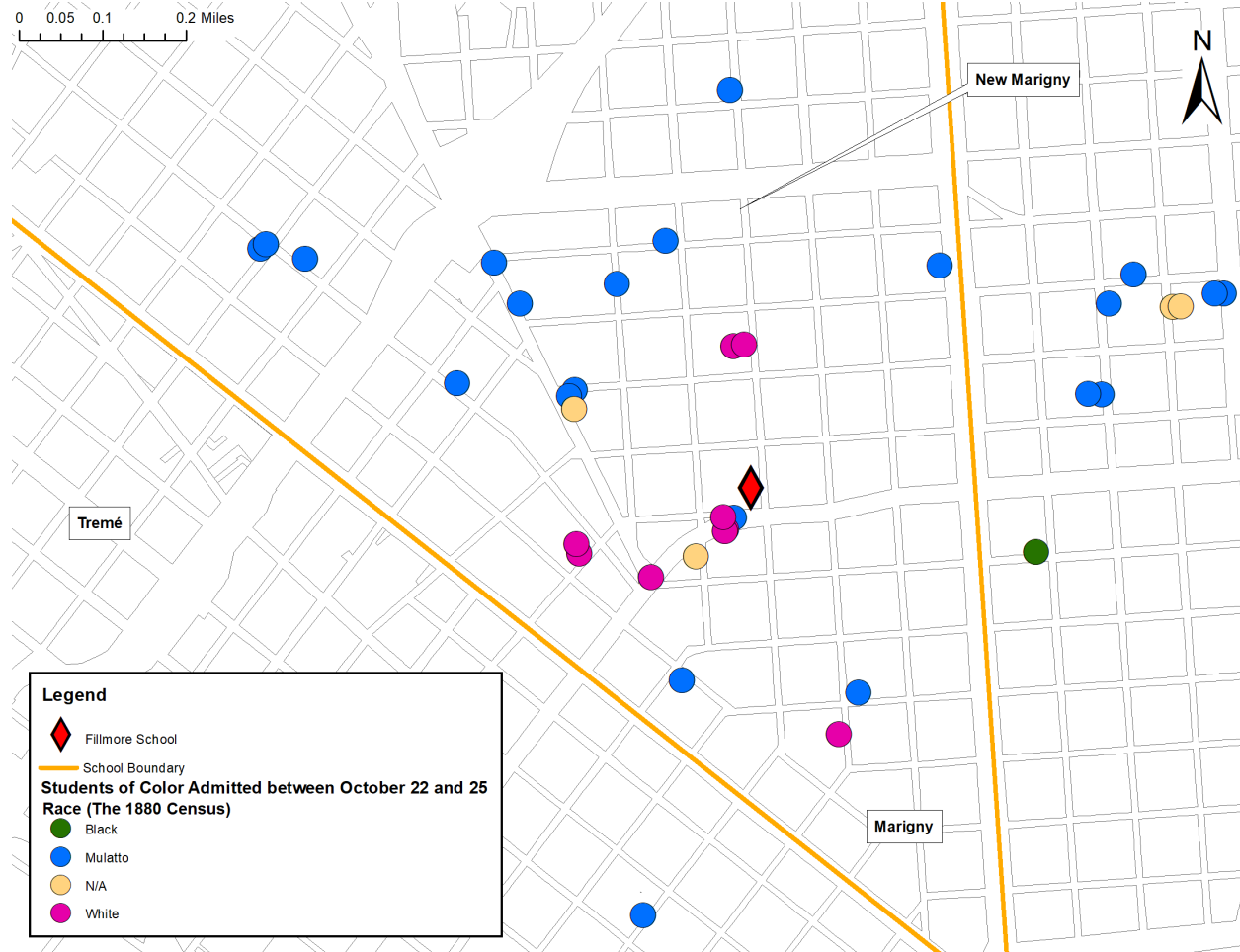
<sup>100</sup> William O. Rogers to A. Hart, October 27, 1877, *Minutes, Fourth District, Superintendent's Office, Copies of Reports, Circulars, Correspondence*, 430, OSPB, LSC, ELL, UNO.

the city superintendent of public schools, William O. Rogers wrote to Chief of Police Thomas Boylan, requesting that he send officers to patrol the school because of a “considerable manifestation of disorder.”<sup>101</sup> Although newspapers reported no incidents, it seems likely that the school experienced some extensive pressure stemming from segregation.

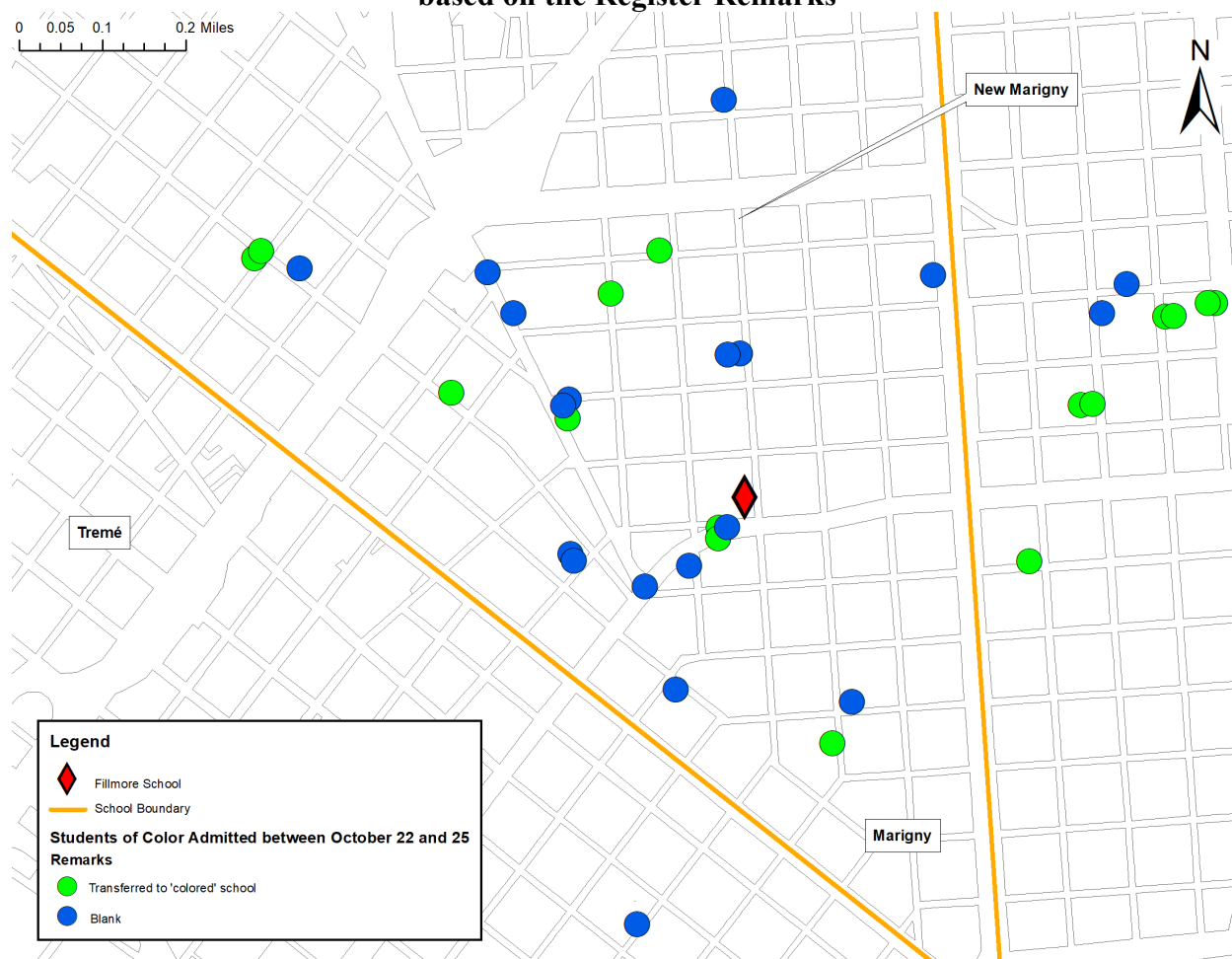
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<sup>101</sup> Rogers to Boylan, October 27, 1877, *Minutes, Fourth District, Superintendent's Office, Copies of Reports, Circulars, Correspondence*, 430, OSPB, LSC, ELL, UNO.

**Figure 2: Residence Map: Students of Color Admitted between October 22 and 25, 1877  
based on the 1880 Census Racial Classification**



**Figure 3: Residence Map: Students of Color Admitted between October 22 and 25, 1877 based on the Register Remarks**



Despite the hopes of Creole parents, on October 29, the Fillmore School's Principal George H. Gordon transferred many children of African descent to a black school. The maps of these students' residences and their 1880 census racial categorization reveals the chaos of the resegregation process. Principal Gordon failed to understand complex racial identities among Creole students. As a result, the school's decision on these students lacked coherent patterns. Among thirty four students who were admitted, the school register records sixteen students as "transferred to colored school." Of those who were transferred, nine children were classified as mulatto, one as black, and two as white in the 1880 census. The racial characteristics of the non-transferred eighteen students were similar to the transferred students. Among them, fourteen

students were categorized as mulatto, while three students were identified as white. These facts show that the school had difficulty defining students' race.<sup>102</sup>

**Table 5: The Racial Classification of the Students of Color<sup>103</sup>**

| 1880 Census     | White | Mulatto | Black | N/A | Total |
|-----------------|-------|---------|-------|-----|-------|
| Transferred     | 2     | 9       | 1     | 4   | 16    |
| Not Transferred | 3     | 14      | 0     | 1   | 18    |

While most Creole students resided within the school boundary, ten students lived outside. These students also revealed no consistent relations between race and transfer. First, none of the students was transferred based on the school boundary, but seven students were transferred to a black school. Among them four were mulatto, and one was black in the 1880 census. The other three non-transferred students were all classified as mulatto in the 1880 census. These students' cases proved that the school boundary was not the reason for transfer, but race was the prime factor that Principal Gordon apparently used to determine whether or not to expel these students. Nevertheless, he had no solid standard to determine students' racial identities.<sup>104</sup>

**Table 6: The Racial Classification of the Students Resided Outside the School Boundary**

| 1880 Census     | White | Mulatto | Black | N/A | Total |
|-----------------|-------|---------|-------|-----|-------|
| Transferred     | 0     | 4       | 1     | 2   | 7     |
| Not Transferred | 0     | 3       | 0     | 0   | 3     |

Socio-political reputations of Creole parents also do not correlate with the decision of the school. For instance, Henry Louis Rey failed to have his son stay at Fillmore. He was known as a

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<sup>102</sup> *School Registers, Millard Fillmore School, 1877, OPSB, LSC, ELL, UNO; 1880 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans.*

<sup>103</sup> I searched the 1870 U.S. census data for those who were not noted as transferred and classified as white in the 1880 census and determined that they were people of African descent. These students were all classified as mulatto in the 1870 census. *School Registers, Millard Fillmore School, 1877, OPSB, LSC, ELL, UNO; 1870 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans; 1880 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans.*

<sup>104</sup> *School Registers, Millard Fillmore School, 1877, OPSB, LSC, ELL, UNO.*

former member of the state House of Representative and a former school board member. Albert was accepted to Fillmore on October 22, but was forcefully transferred on October 29. On the other hand, Ovide C. Blandin, who was an African American delegate to the 1867-68 constitutional convention, was not affected. He was a guardian of his nephew Joseph who was admitted on October 23, but there was no record of his transfer. Rey and Blandin shared similar political experiences and social reputations, but Rey's child was purged and Blandin's nephew remained.<sup>105</sup>

This confusing situation angered many Creole families and fueled their campaigns to restore desegregated schools. On October 30, the *New Orleans Democrat* reported that approximately half a dozen African American families had filed applications to formerly desegregated schools and sent them to the city school board superintendent William O. Rogers. The newspaper did not identify these parents but it is probable that Fillmore parents submitted some of these applications. The *Democrat* further noted that some parents intended to file lawsuits challenging the resegregation of schools.<sup>106</sup>

In November 1877, Creole parents began suing the school board. On November 3, 1877, Trévigne appealed the court's decision to lift his injunction. Two other Fillmore School parents also filed lawsuits. On November 9, 1877, Ursin Dellande sued the school board in the Sixth District Court of New Orleans, explaining that his two children, Arnold Joseph and Francis Clement, had been forced out of Fillmore. Dellande sought a court order mandating that the principal accept his children. According to the city register, Dellande was a cigar manufacturer, and he and his family lived less than a block away from Fillmore. On November 29, Arnold

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<sup>105</sup> *School Registers, Millard Fillmore School, 1877, OPSB, LSC, ELL, UNO.*

<sup>106</sup> "Social Equality," *New Orleans Democrat*, October 30, 1877.

Bertonneau filed another lawsuit in the United States Circuit Court. Similar to Trévigne and Dellande, Bertonneau claimed that his son, Arnold John, was removed from Fillmore based on his racial classification. The register lists Bertonneau as a clerk whose family lived on Rampart Street, a few blocks west of the school. Most significantly, Bertonneau had been an African American state constitutional delegate and had supported the addition of Article 135 to the state constitution.<sup>107</sup>

No direct evidence proves that these lawsuits represented a concerted effort. However, all three cases pursued various tactics in different courts to appeal the injustice of segregation. First, Paul Trévigne asked for another injunction to overrule the school board. Dellande, meanwhile, argued that segregation violated both the Fourteenth Amendment of the federal constitution and state constitution Article 135. In particular he emphasized the arbitrariness of racial distinction. As many New Orleanians were of interracial heritage, color was often ambiguous. Dellande claimed that his family was “colored,” but added, “The children are so white in color as anybody.” Finally, Arnold Bertonneau directly challenged the unconstitutionality of the school board’s decision to the federal court. Like Dellande, he argued that the refusal of admission to his children contravened the principles of Article 135 and the Fourteenth Amendment.<sup>108</sup>

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<sup>107</sup> “The School Question Again,” *Daily Picayune*, November 11, 1877; *School Registers, Millard Fillmore School*, 1877, OPSB, LSC, ELL, UNO; “The Courts. United States Circuit Court,” *New Orleans Democrat*, November 29, 1877.

<sup>108</sup> *Trévigne v. School Board and W.O. Rogers*, 31 La. Ann. 0105 (1879), SCLC, LSC, ELL, UNO; *State of Louisiana ex. Rel. Ursin Dellande v. City School Board*, no. 9784 (1878), Sixth District Court, Orleans Parish, State of Louisiana, 13-14, and *State ex rel. Dellande v. New Orleans School Board*, 13 La. Ann. 1469 (1881) SCLC, LSC, UNO; *Arnold Bertonneau v. Board of Directors of City Schools, et al.*, 3 Woods, 177 (1878), Case no. 1361.



## The Establishment of the Segregated Education System

To the public, the school board emphasized the smoothness of the transition to resegregation even as in reality the process was confused. On November 2, 1877, Superintendent William O. Rogers told the *New Orleans Democrat*, “The schools were working as smoothly as he expected and that he had completed the separation of races.”<sup>109</sup> Yet, enforcing the color line in a city like New Orleans was a daunting task. On October 22, Rogers inquired of the principal of the Robertson School whether she mistakenly refused a white child’s admission. Rogers asked, “Have you not made a mistake in refusing admission to Alice Jones on the ground of color? Her brother, Mr. Jones has called upon me say there is some mistake.”<sup>110</sup> He ordered her to rescind her decision if this claim was true. Other white families were dissatisfied because their children’s schools were now all-black. These white families attempted to continue sending their children to the same schools their children had previously attended. On November 1, E. J. Edmunds, now principal of the Hospital School, designated for African Americans, reported that a number of white children had applied to his school.<sup>111</sup> Meanwhile, African American parents continued demanding admission to formerly desegregated schools. In early November, for example, P. B. S. Pinchback sent his children to the Magnolia School where they were forcibly removed.<sup>112</sup>

To quell resistance and resolve confusion, the school board hastily created new institutions of higher learning for African Americans. Earlier, in August 1877, the city board of directors renamed all three high schools as academic departments and classified them as in-

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<sup>109</sup> “The Public Schools,” *New Orleans Democrat*, November 3, 1877.

<sup>110</sup> William O. Rogers to Annie Frye, October 22, 1877, *Minutes, Fourth District, Superintendent’s Office, Copies of Reports, Circulars, Correspondence*, 421, OSPB, LSC, ELL, UNO.

<sup>111</sup> “Educational Hues,” *New Orleans Times*, November 1, 1877.

<sup>112</sup> “City Schools,” *Daily Picayune*, November 15, 1877.

between grammar and normal schools. The board saw this plan as a solution to addressing ever-increasing financial deficits.<sup>113</sup> This reorganization did not originally include a department exclusive to African American children. However, in response to Trévigne's lawsuit, in late September board member Robert H. Bartley suddenly revealed to the *New Orleans Times* that he and his fellow member, Archibald Mitchell, were planning to establish a high school for African American children.<sup>114</sup> On October 13, the *Daily Picayune* also reported that the board had created Academic Department no. 4 for African American students and argued that this arrangement would "allay whatever hostility exists to the separation of the schools."<sup>115</sup>

Academic Department No. 4 was ill-prepared in spite of the school board's claims. On November 7, the board abruptly transferred E. J. Edmunds from his recently assumed spot at the Hospital School to principal of Academic Department No. 4. In addition, the board appointed J. B. Prados, first assistant at the St. Philip School, as assistant to organize the preparatory department.<sup>116</sup> Despite the hasty development, on November 7, 1877, Archibald Mitchell, who led the committee on academic and normal schools, declared during the school board meeting, "the colored department is...well organized under the direction of the principal and his assistants."<sup>117</sup> The committee further expressed confidence that this school would "afford a

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<sup>113</sup> *Minutes, April 4, 1877-December 6, 1878*, August 1, 1877, 86, OPSB, LSC, ELL, UNO.

<sup>114</sup> "The School Question," *New Orleans Times*, September 29, 1877. The board minutes, however, has no record that any members considered an academic department for African American children.

<sup>115</sup> "Local Topics," *Daily Picayune*, October 13, 1877.

<sup>116</sup> *Minutes, April 4, 1877-December 6, 1878*, November 7, 1877, 174, OPSB, LSC, ELL, UNO.

<sup>117</sup> "The School Board," *Daily Picayune*, November 8, 1877.

guarantee to the colored population that the advanced education of their children has been amply provided for.”<sup>118</sup>

Concurrently, the school board began consideration of a normal school for African Americans. On November 3, William O. Rogers formed an executive committee consisting of three white members, J. K. Gutheim, Paul Capdevielle, and Joseph Collins, and two African American members, Louis A. Martinet and Joseph A. Craig, tasked with establishing a normal school for African American children with funding from the Peabody Foundation.<sup>119</sup> Robert Lusher, the state superintendent of public education, promptly approved the proposal. On November 15, the board of regents of the Peabody Normal School agreed to found a school in New Orleans. In late November, the school opened with twenty students of both genders.<sup>120</sup>

By the end of 1877, the city school board reported that they had completed resegregation except for the Rampart and Bayou Road Schools.<sup>121</sup> The *Daily Picayune* commented, “In view of this fact, the colored race cannot reasonably complain of any inequality in the distribution of educational advantages.”<sup>122</sup> Although the quality, funding, and resources of the new normal school and the other academic institutions clearly were not equal to those for whites, the board

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<sup>118</sup> *Minutes, April 4, 1877-December 6, 1878*, November 7, 1877, 177, OPSB, LSC, ELL, UNO.

<sup>119</sup> “Normal School for Colored Children,” *Daily Picayune*, November 4, 1877; “Capitol Gossip,” *New Orleans Democrat*, November 4, 1877. The Peabody Foundation was founded by philanthropist George Peabody in 1867 to fund the establishment of schools in the South. Throughout the 1870s, the fund was primarily used for white schools, and not racially mixed schools. “How the Peabody Fund Is Used in This State,” *New Orleans Advocate and Journal of Education*, October 26, 1870; “Peabody Education Fund,” *Daily Picayune*, October 7, 1873.

<sup>120</sup> “City Hall,” *Daily Picayune*, November 27, 1877.

<sup>121</sup> Rampart school was designated as a white school on October 22, 1877. William O. Rogers to M. V. Macarthy, October 22, 1877, *Minutes, Fourth District, Superintendent’s Office, Copies of Reports, Circulars, Correspondence*, 421, OPSB, LSC, ELL, UNO.

<sup>122</sup> “Local Collection,” *Daily Picayune*, November 15, 1877.

treated as accomplished fact that they now provided African American children access to all levels of public education, thus fulfilling the ‘separate but equal’ principle.

These new opportunities did not restrain Creoles of color from seeking justice through the law. However, subsequent court decisions only succeeded in limiting the legal rights of African Americans and legitimized city and state efforts to segregate schools. In January 1879, the Louisiana State Supreme Court denied Paul Trévigne’s request for an injunction. Judge J. Deblanc ruled that it could not sustain an injunction for a practice that had already been implemented. This case effectively eliminated future injunction requests. The decision also acknowledged the existence of segregation without ruling on its legitimacy.

The United States Circuit Court’s decision on Bertonneau’s case significantly limited the scope of Article 135 of the state constitution and the Fourteenth Amendment of the federal constitution. On February 19, 1879, Judge W. B. Woods ruled in favor of the city school board. He minimized the implication of Article 135, arguing that Bertonneau’s children were not deprived of their right to public education even if they were not allowed to enter Fillmore. The decision justified segregated schools based on a ‘separate but equal’ policy claiming, “Both races are treated precisely alike. White children and colored children are compelled to attend different schools. That is all.”<sup>123</sup> Dissatisfied with the decision, Bertonneau appealed to the United States Supreme Court. Although the Supreme Court refused deliberation, he showed his determination to maintain the principle of Article 135.

Ursin Dellande’s case dismissed the racial ambiguities of Creoles of color. On May 21, 1878, Sixth District Court Judge Rightor decided Dellande’s case, claiming that the “schools for

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<sup>123</sup> *Trévigne v. School Board*, 31 La. Ann. 0105 (1879), SCLC, LSC, ELL, UNO; “Mixed Schools,” *Daily Picayune*, May 22, 1878; *Bertonneau v. Board of Directors of City Schools*, 3 Woods, 177 (1878), Case no. 1361.

colored children are managed and supported in the same manner” as white schools and “offer precisely the same educational facilities and advantages.” He further maintained that the Dellande family was “maybe classified as a negro” based on “American traditions and the language of common parlance” and refused Dellande’s request of mandamus based on the ‘separate but equal’ policy. Dellande appealed to the State Supreme Court in 1879, but in 1881 the court upheld the school board on the grounds that his children were black and thus were appropriately assigned to a black school.<sup>124</sup> This decision denied Dellande’s tactic to use his interracial heritage to invalidate racial segregation.

Despite this series of losses, Creoles of color persisted in attacking the constitutionality of segregation. Beginning with their June 1877 protest at Governor Nicholls’ office, Creoles of color had based their anti-segregation arguments on two points. First, they argued that civil rights should guarantee access to all public facilities without reference to race or color. They invoked the state constitution and the federal constitution to bolster their claims. Second, they identified the large number of interracial people in Louisiana to question the practicability of segregation. Trévigne, Bertonneau, and Dellande advanced these arguments as legal grounds to nullify segregation. Their court cases did not address the absolute inequality between white and black schools. Perhaps because they sought to deny the judge a pretext to uphold the segregated school system by compelling more aid to black schools and thereby giving a measure of credibility to the ‘separate but equal’ policy. Their legal struggles over public schools during the late 1870s shaped the ways that they later fought segregation laws in the 1890s.

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<sup>124</sup> *State of Louisiana ex. Rel. Ursin Dellande v. City School Board*, no. 9784 (1878), Sixth District Court, Orleans Parish, State of Louisiana, 13-14, and *State ex rel. Dellande v. New Orleans School Board*, 13 La. Ann. 1469 (1881) SCLC, LSC, UNO.

Creoles of color did not only suffer defeats in the courts, but also in political sphere. In April 1879, white Democrats held a state constitutional convention to undo the radical 1868 state constitution. The constitutional convention stripped Article 13 and public rights from the state Bill of Rights. The convention also eliminated Article 135. On July 7, 1879, as delegates discussed public universities, one of the few African American delegates, P. B. S. Pinchback, suggested the establishment of a university for African American students in New Orleans, which eventually would be named Southern University. At this point no state universities in Louisiana accepted African American students. His proposal undercut Article 135, and a majority of the white Democratic convention delegates eagerly supported the bill as Article 231.<sup>125</sup>

Article 231 represented a devastating blow to Creoles' radical Republican alliance with Anglicized blacks. Pinchback saw the act as a practical measure to assure higher education for African Americans. The *Weekly Louisianian*, lamenting that integrated education for African American and white children no longer existed, acknowledged the situation "is a circumstance over which we have no control, and our children should not be the sufferers in the matter."<sup>126</sup> The establishment of the institution of higher education was the final step in creating a segregated school system in New Orleans.

Creoles of color considered Pinchback's move an indefensible betrayal. On July 25, 1879, Henry Demas, a Creole senator from St. John the Baptist Parish, submitted to convention delegates a petition from approximately 1,300 people opposing the idea of an all-black

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<sup>125</sup> *Constitution of the State of Louisiana, adopted in Convention at the City of New Orleans, July 23, 1879* (Baton Rouge: Advocate, 1898), 3-5; *Official Journal of the Proceedings of the Constitutional Convention of the State of Louisiana, Held in New Orleans, Monday April 21, 1879* (New Orleans: J. H. Cosgrove, 1879), 242-43.

<sup>126</sup> "The Southern University," *Weekly Louisianian*, June 11, 1881.

university, claiming that it prohibited African Americans from entering existing public universities. The petitioners included major Anglicized black leaders such as William G. Brown. Rodolphe Lucien Desdunes also remembered that a Creole leader Aristide Mary was “thundered with indignation” against Pinchback and condemned Article 231 as the “black mark” in the Constitution.<sup>127</sup> In response to the criticism, Pinchback defended himself and mocked the petitioners claiming, “What new and powerful means have these petitioners now on hand to successfully combat a prejudice which they could not even stagger when the Republican p[sic]arty was at the height of its greatness?”<sup>128</sup> Furthermore, Pinchback rebuked Mary, and claiming his “wealth and culture labors under the blighting effect of civil proscription should teach him to see the need of accepting the best available means extorted from the whites for the education of our people as the quickest method of attaining our complete freedom.”<sup>129</sup> By the end of the 1879 convention, Creoles of color had not only lost the radical state constitution, but also the support of Anglicized blacks in halting resegregation.

### **The Reality of Segregation**

After the 1879 constitutional convention, Creole politicians shifted gear to help make Southern University a reality. In the 1880 state legislative session, Theophile T. Allain, a Creole representative from Iberville Parish, with the help of Henry Demas in the Senate, succeeded in establishing the university with Act 87.<sup>130</sup> Yet, the meager state appropriation only paid teachers’

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<sup>127</sup> Rodolphe Lucien Desdunes, *Hommage Rendu à la Mémoire de Alexandre Aristide Mary* (New Orleans, 1893), 8, CBRP, Box 1, Folder 14, ARC, TU.

<sup>128</sup> “That Petition,” *Weekly Louisianian*, July 26, 1879.

<sup>129</sup> “Practice v. Sentiment,” *Weekly Louisianian*, July 26, 1879.

<sup>130</sup> “Well Done!,” *Weekly Louisianian*, April 10, 1880.

salaries, and the board of trustees had difficulty even finding an appropriate building.<sup>131</sup> In January 1881, the school opened on the former site of the Upper Girls High School with only two students.<sup>132</sup> By the end of the year, it had increased the enrollment to forty-three. However, between July 1881 and October 1882, the school closed due to financial troubles.<sup>133</sup> In addition, the city school board ended all the classes for African American students above the sixth grade. This crisis compelled the trustees to provide primary and preparatory education to children instead of focusing on higher education.<sup>134</sup> Creoles of color lamented the situation while continuing to voice their commitment to desegregation. In June 1882, Paul Trévigne wrote in his own newspaper, the *Louisiana Republican*, “Efforts to maintain the existence of the university will remain closed for a long time to colored children of the State. Is it not in vain for the good of all to establish that only one university for all the children, could receive, in common, the education to which each citizen is entitled, whatever the little color of the few?”<sup>135</sup>

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<sup>131</sup> The state appropriation was designated to be made between five thousand to ten thousand dollars. Ulysses Simpson Lane, “The History of Southern University, 1879-1960” (PhD diss., Utah State University, 1970), 62.

<sup>132</sup> “The School Board,” *Daily Picayune*, December 7, 1880; “The Southern University,” *Daily Picayune*, January 10, 1881.

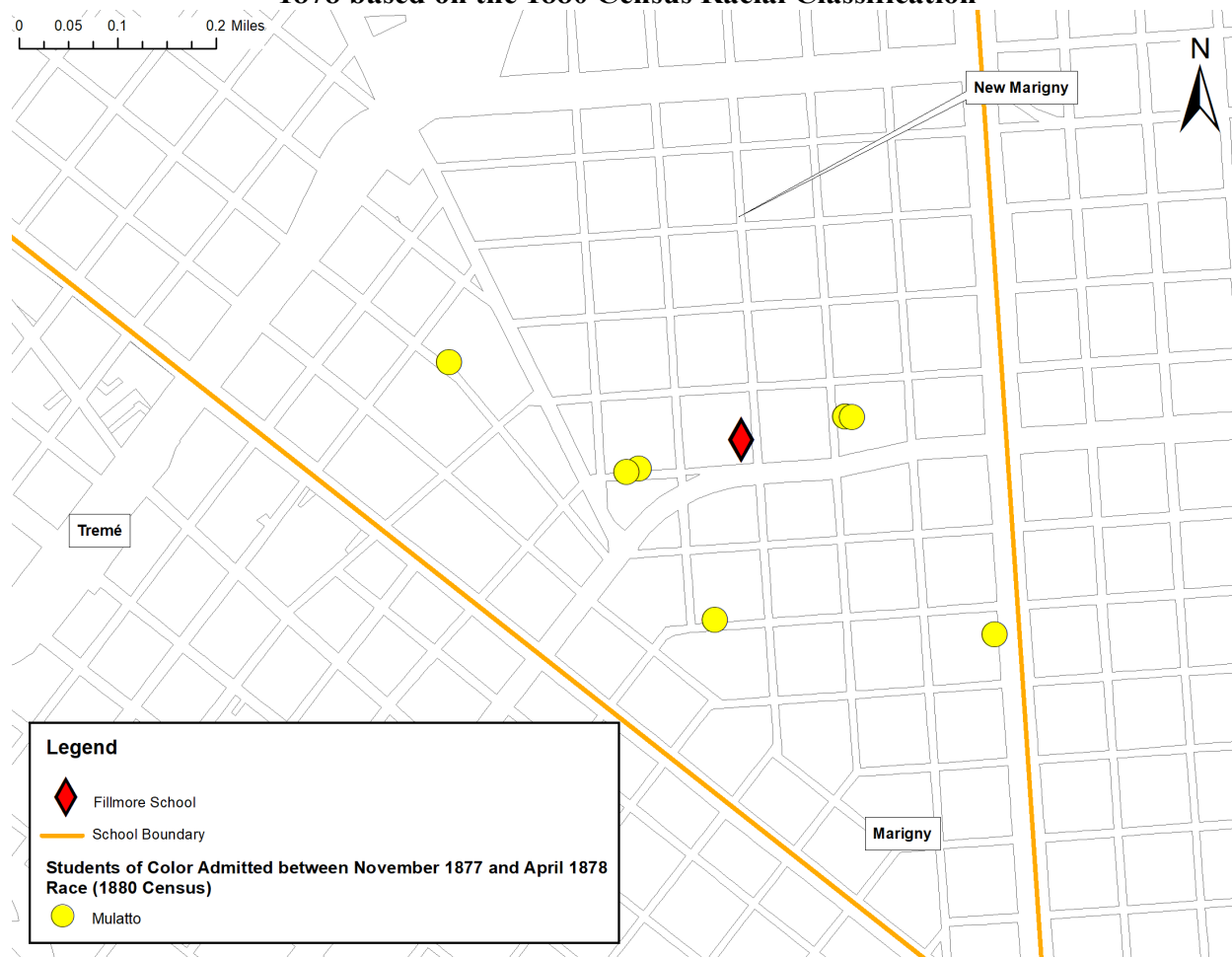
<sup>133</sup> Lane, “The History of Southern University, 1879-1960,” 67.

<sup>134</sup> In 1880, Fayerweather proposed the establishment of an elementary department, however, the board refused his proposal. See “The Colored State University,” *Daily Picayune*, October 21, 1880.

<sup>135</sup> Paul Trévigne, “No Title,” *Louisiana Republican*, June 17, 1882.



**Figure 4: Residence Map: Students of Color Admitted between November 1877 and April 1878 based on the 1880 Census Racial Classification**



The rapid decline of public education for African American children probably compelled some families to cross the color line. The Fillmore School register revealed that, from November 1877 to April 1878, at least seven additional Creole children of color gained admission.

Among sixteen students who had been noted as transferred, four returned to the school from 1878 to 1884.<sup>136</sup> In addition, of eleven students not noted as ‘transferred’ yet classified as

<sup>136</sup> *School Registers, Millard Fillmore School, 1877-1883, John McDonogh No. 16 School, 1884, OPSB, LSC, ELL, UNO.* These students are Henry Antoine (Years enrolled: 1879-80, 81-82, and 83-84), Oscar Bouny (1878-79, 79-80, and 82-83), Henry Duhart (1880-81, and 81-82), and G. Duhart (1880-81).

‘mulatto’ in the 1870 and 1880 censuses, eight attended Fillmore sometime in the years between 1878 and 1884.<sup>137</sup> Notably, among these were other children of Arnold Bertonneau and Ursin Dellande. Bertonneau’s younger children, François Henry, George, and Joseph all enrolled from 1883 to 1884. Dellande’s young daughter, Martha Dellande entered in 1879, the year Fillmore opened to both genders. Given their fathers’ lawsuits, it is difficult to assess whether these children crossed the color line or whether rules were ignored. Seemingly, the school administration remained flexible, and segregation was not total.

Throughout the 1880s, the Fillmore School struggled to maintain its legitimacy as a white school. In February 1884, the school purged three Creole children of color.<sup>138</sup> Even in 1888, the local Methodist Episcopal journal, the *Southwestern Christian Advocate* reported a Fillmore teacher’s comment on her students: “two colored children were admitted, but that they were so bright” that “she could not distinguish them.”<sup>139</sup> Struggles between school administrators and Creoles of color continued into the late 1880s.

Passing may have secured better opportunities for some Creoles of color but it also forced a psychological and physical separation from their communities and activism. While Paul Trévigne continued with his community activism until the end of the nineteenth century, both Arnold Bertonneau and Ursin Dellande did not participate in political activities initiated by Creoles of color during the 1880s and 1890s. The Dellande family stayed in the New Marigny

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<sup>137</sup> *School Registers, Millard Fillmore School, 1877-1883, John McDonogh No. 16 School, 1884, OPSB, LSC, ELL, UNO.* These students are Alphonse Cazelar (1878-79, 79-80, and 81-82), Alex Chisse [Chessé] (1878-79, 79-80, 81-82, and 83-84), Charles Desarant (1878-79 and 79-80), Paul Desarant (1878-79 and 79-80), Louis Frere (1879-80), Albert Guichard (1879-80, 80-81, and 82-83), Placide Saune (1879-80), and Henry Tibault (1879-80).

<sup>138</sup> *School Registers, Millard Fillmore School, 1877-1883, John McDonogh No. 16 School, 1884, OPSB, LSC, ELL, UNO.* Alex Chisse [Chessé], Etienne B[r]oyard, Kleber Dessarlles were all admitted on January 2, 1884 and were transferred in February.

<sup>139</sup> “No Title,” *Southwestern Christian Advocate*, May 31, 1888.

and Seventh Ward neighborhoods and continued its cigar manufacturing business, yet rarely appears in reports of social activities. Arnold Bertonneau, despite his major contributions during the Civil War and Reconstruction, became aloof from politics. In 1885, his family moved to uptown, a predominantly Anglophone area and began a tailoring business on Dryades Street. For the Bertonneaus, with deep roots in the Creole neighborhood in downriver New Orleans, moving uptown had cultural significance, as they were distancing themselves, literally and figuratively from their Creole identity. Well into the twentieth century, Creoles of color identified themselves based on their residence. Historian Arthé Agnes Anthony quotes a Creole woman, Lydia Burthé, reminiscing on early twentieth century New Orleans, “Canal Street was the dividing line. South of Canal Street, uptown, there seemed to be a different class of Negroes.”<sup>140</sup> The Bertonneau family eventually relocated to Pasadena, California in 1901 where they gained prominence as white business owners. Arnold John Bertonneau, who was expelled from Fillmore in 1877, became a member of the Rose Parade committee.<sup>141</sup>

## Conclusion

While Creoles of color and Anglicized blacks succeeded in desegregating public schools between 1871 and 1877, as Reconstruction waned, white resistance to desegregation overwhelmed their efforts. White New Orleanians deployed various tactics from mass protest to outright violence to intimidate Republican board members, African American teachers, and school children and to restore the color line. The 1876 gubernatorial election enabled the

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<sup>140</sup> Interview with Lydia Burthé, quoted in Anthony, “The Negro Creole Community in New Orleans, 1880-1920: An Oral History,” 141.

<sup>141</sup> John W. Wood, *Pasadena, California Historical and Personal: A Complete History of the Organization of the Indiana Colony* (Pasadena, CA: Printed by the author, 1917), 442.

Democratic ‘Redeemers’ to regain their power over public schools. While not intent on abolishing black public schools, whites imposed a separate and inferior African American education system.

Despite this white backlash, Creoles of color attempted to pressure desegregation. They mobilized their communal power to express their dissatisfaction with the school board. Creoles of color retained their ties with their political allies, especially Anglicized blacks for this cause. The case of the Fillmore School revealed their collective efforts for their children’s admission to a formerly desegregated school. Their resistance strategies endeavored to delegitimize what they believed to be an arbitrary and illegitimate racial divide.

When Creoles of color began seeking legal redress, they faced the emergence of the ‘separate but equal’ policy. The judges used the rule to uphold the city school board’s segregation plan in the Arnold Bertonneau’s and Ursin Dellande’s cases. In both cases, the judges argued that both races had their own schools and therefore the school board operated the system ‘equally.’ The new policy re-legitimized all-white schools that had characterized the city’s pre-war system of public education while conceding separated institutions for African Americans. Despite the promise of ‘equal’ institutions, white New Orleanians had no intention of creating or funding for African Americans.

The 1879 state constitution was devastating for Creoles’ radical agenda. It eradicated the state-mandated desegregation. The constitutional convention also broke their alliance with Anglicized blacks, in particular P. B. S. Pinchback, who asserted the futility of continuing the desegregation campaign and sought instead to improve relations with the new Democratic regime. The 1879 state constitutional convention and the establishment of Southern University created a deep divide between Creoles of color and Anglicized blacks. With the establishment of

Southern University, the city completed a separate education system for African American children. The 1879 state constitution encapsulated Louisiana's new racial policy for public education. Without the state law enforcing desegregation of public institutions, federal power now became the only possible alternative to restore desegregation for Creoles of color.

The school struggles, however, stimulated the upcoming struggles against the Jim Crow system in subsequent decades. In the midst of the *Plessy* challenge to railroad segregation, in 1892, Rodolphe Lucien Desdunes, commented on the 1877 leadership of Louis A. Martinet and others, "These men by their courage, patriotism and ability resisted the encroachments and assaults of race hatred. It was under those auspices that the measure to separate the schools went on record, but not without a manly protest presented against it."<sup>142</sup> The battles against resegregation at the end of Reconstruction served as an inspiration for their anti-Jim Crow campaigns in the 1890s.

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<sup>142</sup> R. L. Desdunes, "White Supremacy," *Crusader*, ca. Sept 1892, Desdunes Family Collection (DFC), Folder 5, Archives and Special Collections (ASC), Xavier University Library (XUL).

## CHAPTER 5: SEPARATE AND UNEQUAL: CREOLES OF COLOR AND THEIR ANTI-JIM CROW ACTIVISM

### Introduction

The retreat from Reconstruction during the late 1870s brought devastating setbacks for African Americans in New Orleans. Public schools were segregated based on the principle of ‘separate but equal.’ This policy drastically limited public education for African American children, while also threatening to establish the Jim Crow system as the new norm in all areas of life.

Although few scholars have explored Creoles’ activism during the 1880s, Creoles of color did not abandon their ideals, or withdraw from political activism. Creoles of color worked to extend their networks and resources to secure for black educational institutions. By doing so, they made an effort to restore their alliance with Anglicized blacks and nurtured a new generation of leaders who had grown up during the radical political changes of Reconstruction. In addition, Creoles of color attempted numerous times to establish a new venue to publicize their opinions to fill the void left after *L’Union* and the *New Orleans Tribune* ceased. After some trial and error, in 1889, Louis A. Martinet pulled together editors and resources to publish the *Crusader*. These educational and journalistic struggles became the foundation of their 1890s political engagement.

Well prepared by these community efforts, Creoles of color immediately responded to the 1890 Louisiana separate car act, the first state law that specifically mandated racially segregated accommodations. To defy the law, Creoles of color cooperated with the American Citizens Equal

Rights Association (ACERA) and eventually formed the Citizens' Committee. While previous scholars have pointed out that the Citizens' Committee had an almost exclusively Creole membership, I argue that Creoles of color continued searching for ways to collaborate with Anglicized blacks and white radicals.<sup>1</sup> The Committee consisted of emerging and older Creoles along with a few Anglicized black men. In addition, it collaborated with white radicals such as Albion Tourg  . The Committee employed tactics similar to those used by Creoles during Reconstruction and built an interracial alliance that drew strength from both inside and outside of Louisiana. This strategy led to Homer A. Plessy's 1896 United States Supreme Court challenge to the constitutionality of Louisiana's separate car act.

During the 1890s, as segregation rapidly expanded, Creoles' desegregation campaign turned into forceful anti-Jim Crow activism. In addition to state-enforced segregation of public spaces, Creoles of color also confronted white attempts at residential segregation and the establishment of a segregated Catholic parish. The Citizens' Committee organized mass meetings and protests, and the *Crusader* promulgated racial equality in public spaces. Creoles of color sustained their movement with support from a wide range of individuals, including women and children, and social, cultural, and religious organizations.

The *Plessy* case marked the culmination of Creoles' struggles for equal access and treatment in public spaces. Building on Keith Weldon Medley's research about the life of Homer A. Plessy and some significant members of the Citizens' Committee prior to 1890, I map the networks that the Citizens' Committee members had developed before 1890. My research on key players behind *Plessy* demonstrates that Creoles' Reconstruction activism underlaid legal

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<sup>1</sup> Kelley, *Right to Ride*; Logsdon and Bell, "The Americanization of Black New Orleans," 257-58.

strategies and tactics designed to reestablish Reconstruction ideals through federal authority during the final decade of the nineteenth century.<sup>2</sup>

Studies of *Plessy v. Ferguson* have focused largely on the judicial understanding of civil rights and have not delved into the historical implications of Plessy's arguments.<sup>3</sup> Mark Elliott recently argued that Albion Tourg  e led the *Plessy* case by pushing his belief in color-blind citizenship, but the case also reflected Creoles' firm opposition to racial classification developed since Reconstruction. In particular, the *Plessy* side stressed the impossibility of determining the color line due to the considerable mixture of the Louisiana population, and how, consequently, segregation could not guarantee racial equality.<sup>4</sup> Creoles of color had pushed these principles throughout their school segregation struggles.

The aftermath of the *Plessy* case significantly destabilized the Creole community. The loss terminated the *Crusader* and the Citizens' Committee. After *Plessy*, city schools remained segregated; they began worshipping at the blacks-only parish, and the state and city proposed segregate streetcars. Creole leaders began expressing their frustrations by solidifying their identity as 'Latin negroes' who were distinct from 'Anglo-Saxons.' Nonetheless they also remained true to the cause of freedom and sought a way to continue pursuing their ideals through the Republican Party.

This chapter first examines how Creoles of color restructured their educational and journalistic activism during the 1880s leading to the publication of the *Crusader*. Second, it explores their response to the 1890 separate car act through ACERA and the Citizens'

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<sup>2</sup> Keith Weldon Medley, *We as Freeman: Plessy v. Ferguson* (Gretna, LA: Pelican Publishing Company, 2003).

<sup>3</sup> Lofgren, *The Plessy Case*; Rebecca J. Scott, "The Atlantic World and the Road to 'Plessy v. Ferguson'," *Journal of American History* 94, no. 3 (December 2007): 726-33.

<sup>4</sup> Mark Elliott, *Color-Blind Justice: Albion Tourg  e and the Quest for Racial Equality from the Civil War to Plessy v. Ferguson* (New York: Oxford University Press, 2006), 280-89.



Committee and how they developed their legal strategies to end legal segregation. Third, the chapter delves into the spread of the Jim Crow segregation system in New Orleans during the 1890s, with attention to the first African American Catholic parish that culminated in the establishment of St. Katharine's Church. Last, the chapter discusses how Creoles of color reacted to segregation following the loss of the *Plessy* case.

### **The Rise of the New Movement**

After 1880, African Americans in New Orleans faced severe limits to public educational opportunities. By 1881, African Americans no longer served on the city and state school boards, prompting the *Weekly Louisianian* to lament, "Our representation in the Educational Department has been entirely destroyed."<sup>5</sup> In 1883, a massive city and state funding cut shut down the entire school system for most of the first semester.<sup>6</sup> In response to this crisis, the board decided to tap the John McDonogh Fund, an endowment derived from the bequest of an antebellum slaveholder. The board spent the money mostly on white schools, further widening educational inequality between white and African American children.<sup>7</sup> In addition, because white teachers had preference in hiring, African Americans had difficulty securing work even at black schools. By 1887, of the ten black schools in New Orleans, only three had African American teachers. Five years later, five out of twelve schools retained staffs of all African American teachers.<sup>8</sup>

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<sup>5</sup> "We Protest," *Weekly Louisianian*, May 14, 1881.

<sup>6</sup> DeVore and Logsdon, *Crescent City Schools*, 96.

<sup>7</sup> "Money Spent to Educate Negroes," *Daily Picayune*, August 18, 1900. Although African Americans in New Orleans retained McDonogh No. 5 and No. 6 Schools that were established during Reconstruction, McDonogh Schools established between 1877 and 1889 were all white schools. See DeVore and Logsdon, *Crescent City Schools*, 116.

<sup>8</sup> "The So-Called Colored Schools," *Weekly Louisianian*, May 14, 1881; "Colored Schools," *Weekly Louisianian*, February 5, 1887; "Colored Statistics," *Daily Picayune*, September 29, 1892.

Although the end of Reconstruction hampered Creoles of color's radical political campaign, during the 1880s, they still sought ways to minimize the damage and reformulated their activism. In this process, education played an important role in nurturing young Creole leaders who not only attempted to improve public schooling, but also engaged with community educational organizations. Toward the end of the 1880s, these activities led to new journalistic efforts to advocate for racial equality in New Orleans and the nation.

While the 1879 constitutional convention had divided Creoles of color and Anglicized blacks, many nevertheless maintained their ties through Southern University. African Americans' limited educational access increased the school's importance, and Creoles of color, to ensure its progress, poured their resources into it. This new reality made possible for Creoles of color a renewed bond with Anglicized blacks. In 1881, when the university was chartered, Creoles of color such as Theophile T. Allain and Anglicized black members including George H. Fayerweather joined the board of trustees.<sup>9</sup> In the following year, the board welcomed more Creole and Anglicized black members, notably Henry Demas and P. B. S. Pinchback.<sup>10</sup> In addition, Louis A. Martinet, one of the new generation of Creole leaders, became closely involved with the university, serving as a board member and forging close relationships with fellow Anglicized black members of the university community. In fall 1882, he married an English teacher at Southern, Leonora V. Miller. Pinchback and four other Creole and Anglicized black socio-political leaders acted as witnesses of record.<sup>11</sup> Both Creoles of color and Anglicized

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<sup>9</sup> "Charter of the Board of Trustees of Southern University, March 3, 1881," in Charles Vincent, *A Centennial History of Southern University and A&M College, 1880-1980* (Baton Rouge: printed by the author, 1981), 277.

<sup>10</sup> *Prospectus of the Southern University* (New Orleans, 1882).

<sup>11</sup> Leonola V. Miller was a graduate of the Peabody Normal School. See "No Title," *Weekly Louisianian*, March 26, 1881; *Orleans Parish Marriage Indices*, vol. 9, 530.

blacks taught at Southern, including E. J. Edmonds, the target of the 1875 white protest, and George H. Fayerweather.<sup>12</sup> Whereas Creoles of color had viewed Southern University as an obstacle to their ideals in 1879, by the 1880s, they embraced it and reconciled with those Anglicized blacks who had championed the university's founding.

Straight University continued to offer schooling to Creole children and to support leaders after Reconstruction. The university offered higher education to Creole children deprived of ready access to public schooling. For instance, in 1883, John Arnold Bertonneau, a son of Arnold Bertonneau refused admittance to Fillmore in 1877, enrolled as a freshman classics student. Likewise, Ulysse DuBois, who had also attempted to enroll in Fillmore in 1877, attended a grammar course.<sup>13</sup> Straight also provided a venue where veteran and future Creole leaders learned together. For example, in the early 1880s, Rodolphe Lucien Desdunes, an emerging voice in the community, and veteran politicians including Caesar C. Antoine and Aristide Dejoie studied law together.<sup>14</sup>

Straight University also helped cultivate a sense of comraderie between Creoles of color and Anglicized blacks as their children learned together. In 1883, Mary Antoine, daughter of Felix C. Antoine, a delegate to the 1867-68 state constitutional convention, entered the normal department along with Clara Isabelle and Eliza Geddes.<sup>15</sup> Clara's father, James Isabelle and her uncle, Robert H. Isabelle had served as state constitutional convention delegates as well. Eliza Geddes' father George D. Geddes was a prominent Anglicized black undertaker in New Orleans.

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<sup>12</sup> "The Southern University," *Daily Picayune*, January 15, 1881; Vincent, *A Centennial History of Southern University and A&M College*, 15.

<sup>13</sup> *Catalogue of Straight University, 1883-84* (New Orleans: F. F. Hansell, Stationer and Printer, 1884), 10-11.

<sup>14</sup> *Catalogue of Straight University, 1881-1882*, 6.

<sup>15</sup> *Catalogue of Straight University, 1883-84*, 10.

Straight and Southern universities collaborated in extracurricular activities including an 1887 baseball game.<sup>16</sup> This kind of interchange helped Creoles of color enlarge and strengthen their social contacts with Anglicized blacks.

Because Straight was a Congregational institution, some Creoles of color gained familiarity with cultural and religious practices outside their francophone Catholic tradition. In 1881, A. E. P. Albert graduated from the theology department. Born to a French father and an enslaved mother, he had grown up as a francophone Catholic. Yet, following his education at Straight he became an assistant editor of the Methodist Episcopal's *Southwestern Christian Advocate*.<sup>17</sup>

Creoles of color also revitalized the Catholic Institute in order to cope with the disaster of public education. Rodolphe Lucien Desdunes later explained that refashioning the Catholic Institute did not signify that Creoles of color had abandoned their ideal of racially mixed schools. Instead, they faced an urgent need to educate their children and so temporarily prioritized the Catholic Institute over activism. Desdunes stated, "We have no intention of preaching the exclusion or sanctioning the ungodly work of 1877...but not being able to remedy the defeats of the state dominated by the force and injustice, there would be no advantage to barking at the moon only to certify our helplessness."<sup>18</sup>

Since the late 1870s, Creoles of color experienced a difficult time maintaining the Catholic Institute. The Battle of Liberty Place in 1874 had impacted the Institute because Creoles of color feared a White League's attack on the school. Since then, the Institute's enrollment had

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<sup>16</sup> "Southern vs. Straight," *Weekly Pelican*, April 30, 1887.

<sup>17</sup> Irvine Garland Penn, *The Afro-American Press and its Editors* (Springfield, MA: Wiley, 1891), 223-24.

<sup>18</sup> R. L. Desdunes, "De La Question D'Education," January 26, 1895, DFC, Folder 21, ASC, XUL.

significantly declined, and it often lacked funds for supplies and building repairs. This situation prompted the Archdiocese to propose its takeover.<sup>19</sup>

Reinvigorating the Institute required a fight with the Archdiocese. In June 1882, nine Creoles of color wrote a new charter for the Catholic Institute that met with rejection from the Archdiocese.<sup>20</sup> Archbishop Napoléon-Joseph Perché and his successor Francis Xavier Leray both attempted to abolish the school and convert it into a convent.<sup>21</sup> Creoles of color overcame the opposition of the Archdiocese in 1884, formed a new board of directors, and gained permission to maintain the Catholic Institute independent of diaconal direction.

The school board testified to both Creoles' adherence to Reconstruction radicalism and their new networks. Twelve men, both veteran and new Creole leaders, served. Antebellum Catholic Institute supporters and former directors such as Nelson Fouché, Armand Duhart, and Noel Bacchus joined the new board. However, most of the other members had been born in the 1840s and rose to prominence during and after the Civil War. Eugène Luscý and Pierre Aristide Desdunes, both born in the mid-1840s, had served in the Union army. Rodolphe Lucien Desdunes, born in 1849, had attended the Catholic Institute in his childhood and became known as a Republican member during the 1870s. Like their older colleagues, these emerging board members espoused the creed of racial equality and freedom of access to all public institutions.

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<sup>19</sup> Archbishop Leray's petition claimed the Institute "has failed since the month of September 1874," quoted in Mary Niall Mitchell, *Raising Freedom's Child: Black Children and Visions of the Future after Slavery* (New York: New York University Press, 2008), 229, fn 183.

<sup>20</sup> "Reorganization of the Catholic Institute for the Instruction of Indigent Children," June 14, 1882, Octave de Armas, vol. 103, Act 48. NARC. These board members are: Auguste Cheveau (President), Ludger Boquille (Vice President), Xavier Boissière(?) (Secretary), Benjamin Conyers (Under Secretary), Auguste G. Authemant (Treasurer), Hypolite St. Louis (Under Treasurer), Georges François (Ordinary Director), Aristide Desdunes (Ordinary Director), and Elisée Silvetre (Ordinary Director).

<sup>21</sup> Rodolphe Lucien Desdunes, *Our History and Our History*, 108; G. Raymond, "Note," July 20, 1882, in "Reorganization of the Catholic Association for the Instruction of Indigent Children," June 14, 1882, Octave de Armas, Volume 103, Act 48, NARC.

Luscy and Desdunes later joined the Citizens' Committee, which organized the *Plessy v. Ferguson* court case in the 1890s. Thus, the Catholic Institute once again rocked the cradle of Creole radicalism.<sup>22</sup>

These efforts for education culminated in a new political organization. On September 25, 1886, Creoles of color established the Justice, Protective, Social, and Educational Club to advocate for the protection of its community against injustice, and to promote education, social circles, mass organizing, and the rights of labor.<sup>23</sup> Public education was front and center as the club called for more schools in spite of "all the limiting means in our power."<sup>24</sup> Although members acknowledged the decline of their communal influence over Louisiana politics, they remained committed to defending the interest of their community. The organization rallied new radicals, including Lucien Plessy, one of the Creole children who had attempted to attend the Fillmore School in 1877, and his cousin, Homer A. Plessy, who served as vice-president. Louis J. Joubert and Haitian-born sailmaker Arthur Estèves, both engaged in the Catholic Institute, became president and treasurer, respectively. Joubert and Estèves played key roles in the Citizens' Committee's fashioning of Homer A. Plessy's fight against the 1890 Louisiana separate car act. The *Weekly Pelican*, an Anglicized black newspaper in New Orleans, called the club members "the best elements of the population" in Creole neighborhoods.<sup>25</sup>

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<sup>22</sup> Desdunes mentioned that these board members are: Arthur Estèves (b. 1843), Eugène Luscy (b. 1844), Noël Bacchus (b. ca. 1820), Nelson Fouché (1824), Armand Duhart (b. cr. 1810), J. S. Gautier (b. unknown), P. A. Desdunes (b. cr. 1846), Donatien Déruisé (b. 1841), Charles Charbonnet (b. 1850), Philip Michel (b. 1847), Clovis Gallaud (b. cr. 1850), and Rodolphe Lucien Desdunes (b. 1849), Desdunes, *Our People and Our History*, 107.

<sup>23</sup> "The Colored Creoles Organize to Secure Better Schools," *Weekly Pelican*, January 8, 1887; "An Appeal! To All Whom it May Concern," *Scrapbook*, vol. III, 1884-1889, William O. Rogers Collection, LaRC, TU.

<sup>24</sup> "An Appeal! To All Whom it May Concern," *Scrapbook*, vol. III, 1884-1889, William O. Rogers Collection, LaRC, TU.

<sup>25</sup> Board of Directors, *History of the Catholic Indigent Orphan Institute*, CBRP, Box 1, Folder 20, ARC, TU; "No Title," *Weekly Pelican*, January 22, 1887.

The Justice, Protective, Social, and Educational Club organized various events to galvanize community support. In May 1887, the organization invited Southern University students to perform for charity. Among others, Bismark R. Pinchback, son of P. B. S. and Agnes Desdunes, daughter of Rodolphe, sang at the event. The orchestra consisted of young Creoles including George Bacchus, whose Civil War veteran father, Noel Bacchus served on the Catholic Institute board. Estella and Louise, members of the prominent Perrault family, set the tables. The event raised \$95.75 for the Club.<sup>26</sup>

The Justice, Protective, Social, and Educational Club worked with various organizations and educators irrespective of their ethnic identities. First, it closely collaborated with the Catholic Institute. In September 1889, these two organizations had a joint meeting at the Catholic Institute. The meeting attracted new and old social leaders of Creoles of color. Louis J. Joubert, Arthur Estèves, Louis A. Martinet, and François Boisdoré spoke. While Joubert, Estèves, and Martinet were emerging leaders, Boisdoré was a veteran Reconstruction activist and teacher at the Catholic Institute. The Club's main purpose was to expand educational opportunities in majority Creole neighborhoods, but it also liaised with the Anglicized black community and invited speakers such as Alabama-born Reverend Byron Gunner. Anglicized leaders such as John L. Minor, proprietor of the *Weekly Pelican*, and printer Charles B. Wilson also attended the event along with Creole leaders including Paul Trévigne.<sup>27</sup>

In order to attract white support, the Justice, Protective, Social, and Educational Club avoided publicly calling for racially mixed schools. As a result, many white educators such as

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<sup>26</sup> "Justice, Protective, Educational Association," and "Rakings," *Weekly Pelican*, May 28, 1887.

<sup>27</sup> "Colored School Movements," *Daily Picayune*, September 6, 1889; "Notes about Town," *Weekly Pelican*, August 31, 1889.

George W. Bothwell, president of Southern University, and Colonel Louis Bush, president of Thibodaux College, rallied for the Club.<sup>28</sup> It even gained attention from conservative newspapers such as the *New Orleans Times Democrat* and recognition from the Louisiana Educational Society for its work on behalf of African American children. In 1887, the Club collaborated with George W. Bothwell to open an additional black higher educational institution named Columbia University, established to serve African American children in the city's downriver areas where many Creoles of color resided.<sup>29</sup>

Creoles of color, along with the Anglicized blacks, did not completely abandon their hopes for desegregation. When Congress considered the Blair Bill in the late 1880s to fund public education, the *Weekly Pelican* argued that "money appropriated by Congress for school purposes should be given to mixed schools only—schools wherein the children of both races and all classes are taught in common."<sup>30</sup> Although the Blair Bill failed to pass Congress, African Americans hoped and continued to grasp any opportunity to advance their aspirations for integrated education.

Creoles of color also maintained radicalism through their trans-Atlantic connections. As a Creole of Haitian descent, Rodolphe Lucien Desdunes had learned of Haitian thinker Anténor Firmin's work, *De L'Egalité des Races Humaines*, published in 1885 as a response to Count Arthur de Gobineau's *Essai sur L'inégalité des Races Humaines*, which promulgated white supremacy. Born and educated in Haiti, Firmin, a Paris-based diplomat, based his book on his

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<sup>28</sup> "Justice, Protective, Educational Association," *Weekly Pelican*, May 28, 1887; "The Educational Society," *Weekly Pelican*, June 4, 1887.

<sup>29</sup> Bothwell resigned the post as president of Southern University to open Columbia University. "Mass Meeting," *Weekly Pelican*, October 22, 1887; "Columbia University," *Daily Picayune*, October 20, 1887; "Columbia University," *Weekly Pelican*, October 22, 1887.

<sup>30</sup> "National Aid to Education," *Weekly Pelican*, December 4, 1886.



experience of racism and pioneered the Pan-African Movement.<sup>31</sup> Firmin dismissed the idea of black racial inferiority, contending that “all the races are naturally equal.”<sup>32</sup> He argued that the development of civilizations were influenced greatly by environments, not biological traits, and questioned de Gobineau, “Who can say, then, that one ethnic group is superior to another when we know how long it has taken the most civilized races to attain their current advanced stage and what serendipitous combination of environmental and historical factors has contributed to their development.”<sup>33</sup> His philosophy resonated with Creoles’ struggles for racial equality against slavery and white privilege. In 1887, Desdunes introduced Firmin’s work and his biographical information to the *Weekly Pelican*.<sup>34</sup> Circulating trans-Atlantic intellectual thought still functioned as a backbone of Creoles’ radicalism.

Desdunes continually sought to pursue equality in public spaces. In late 1878, Desdunes joined the Young Men’s Progressive Association to work on the protection of African American political and civil rights after the Hayes-Tilden compromise.<sup>35</sup> After this attempt, in the summer of 1881, he also suggested organizing “an Equal Rights Association” to defend African American civil rights and to force public accommodations such as hotels and bars to serve all customers. He argued that this campaign should not be confined to the matter of “respectability,” but must serve all people of color regardless of class or skin color. He claimed that “the law

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<sup>31</sup> Carolyn Fluehr-Lobban, “Introduction,” in Anténor Firmin, *The Equality of the Human Races (Positivist Anthropology)*, trans. Asselin Charles, intro. Carolyn Fluehr-Lobban (New York: Garland, 2000), xii-xiv, xi-xlii.

<sup>32</sup> Firmin, *The Equality of the Human Races*, 443-44.

<sup>33</sup> Firmin, *The Equality of the Human Races*, 444.

<sup>34</sup> “Personal Mention,” *Weekly Pelican*, July 9, 1887.

<sup>35</sup> H. C. C. Astwood et al., “An Address of the Young Men’s Progressive Association to the People of the United States,” *Weekly Louisianian*, December 28, 1878.

presumes every man to be respectable” and advocated, “We...must assume that the whole public is of the same degree of respectability. Our purpose is to defend public rights, and not to draw the fine shades of social distinctions.” Even though the 1879 state constitutional convention eliminated ‘public rights,’ Desdunes still adhered to the concept as a right that encompassed all people of African descent. He further pointed out that “certain colored men enjoy certain exceptional considerations, by reason of special favors bestowed” and criticized that “personal consideration of no kind can be admitted to solve the problem of public rights.” In essence, Desdunes attempted to create an organization dedicated to the universal application of Reconstruction ideals and forge a unified movement of people of African descent.<sup>36</sup>

Throughout the 1880s, Creoles of color sought a platform from which they could advocate for equal access and treatment in public space. Since the demise of the *New Orleans Tribune*, they had not had their own publication. In 1881, under the leadership of Henry C. C. Astwood, the *Weekly Louisianian* added a French page to appeal to the Creole population.<sup>37</sup> Rodolphe Lucien Desdunes became a regular contributor to the *Louisianian*. However, in 1882 it stopped publication. In 1887, John L. Minor began publishing the *Weekly Pelican* as a Republican journal for African Americans in New Orleans. However, Creoles of color pursued their own organ to publicize their endeavors.

Creoles of color attempted several times to publish a paper directed to their community. In 1882, Paul Trévigne, a former editor for *L'Union* and the *New Orleans Tribune*, published the *Louisiana Republican*, whose contributors included Rodolphe Lucien Desdunes.<sup>38</sup> The

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<sup>36</sup> R. L. Desdunes, “Crowd Them to the Wall,” *Weekly Louisianian*, July 2, 1881.

<sup>37</sup> H. C. C. Astwood, “Prospectus,” *Weekly Louisianian*, August 6, 1881.

<sup>38</sup> RLD, “Une Injustice,” *Louisiana Republican*, June 17, 1882.

newspaper, however, was short-lived. Trévigne tried again with the *Protectionist*, but this paper also failed to thrive.<sup>39</sup> On September 15, 1887, Creole leaders including Pierre Chevalier, Eugène Luscy, and Rodolphe Lucien Desdunes founded the organization named L'Union Louisianaise to publish a newspaper. In its prospectus, L'Union touched on the significance of Madame Couvent's will and the recent revitalization of the Catholic Institute and claimed that "it is under these auspices that a newspaper in French will soon be published." The newspaper would work to "assure the fullness of civil and political rights."<sup>40</sup> Supporters included L. N. Deguercy, Paul Trévigne, Alcée Labat, T. Galleaud, Pierre Aristide Desdunes. Among them, Trévigne and Labat became contributors to the Citizens' Committee. While L'Union Louisianaise never launched a newspaper, these efforts ultimately led to the establishment of the *Crusader*.

In 1889, rising leaders within the Creole community began publishing the *Crusader*.<sup>41</sup> The principal publisher was Louis A. Martinet, who had engaged in various social matters in New Orleans as an educator since the late 1870s. A graduate of the medical and law departments of Straight University, by the 1880s he was known as "a physician, notary and a member of the faculty of Southern University."<sup>42</sup> He briefly belonged to the Democratic Party at the end of Reconstruction, but soon switched sides.<sup>43</sup> Immersed in the social and political circles of Creoles

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<sup>39</sup> "A Nos Lecteurs," *Louisiana Republican*, June 17, 1882.

<sup>40</sup> L'Union Louisianaise, "Prospectus," September 15, 1887," A. P. Tureaud Papers, Box 77, Folder 21, ARC, TU.

<sup>41</sup> In a letter to Albion Tourgée, Martinet claimed that he began publishing the *Crusader* after George Washington Cable asked him to write about African American situations in the South and this plan never came true. See Louis A. Martinet to Albion Tourgée, October 5, 1891, no. 5760, 24, Albion Tourgée Papers, Chautauqua County Historical Society, (CCHS), New York (NY).

<sup>42</sup> Charles B. Roussève, *The Negro in Louisiana: Aspects of His History and His Literature* (New Orleans: Xavier University Press, 1937), 157.

<sup>43</sup> Louis A. Martinet to Albion Tourgée, October 5, 1891, no. 5760, 24, Albion Tourgée Papers, CCHS, NY.

of color, Martinet represented the new generation that had developed careers in the midst of the progressive change of Reconstruction.

Many other emerging leaders supported Martinet. The *Crusader's* president, Eugène Luscay, and secretary Louis J. Joubert both had worked for the Catholic Institute and the Justice, Protective, Social, and Educational Club. Martinet and Rodolphe Lucien Desdunes wrote for the *Crusader*, with Desdunes concentrating on in-depth articles and editorials. The newspaper became daily in 1894 with Martinet as managing editor and treasurer and Desdunes as editor in chief, Arthur Estèves as president and A. E. P. Albert as vice-president. Estèves was a board member of the Catholic Institute and also belonged to the Club. Albert, a Methodist Episcopal minister, had been fired from the *Southwestern Christian Advocate* due to his support of anti-segregation activism.<sup>44</sup>

The *Crusader* proved a worthy successor to the *New Orleans Tribune*. In 1890, the newspaper company was located at 117 Exchange Alley in the French Quarter, just a few blocks away from the former headquarters of the *Tribune*. In 1892, the *Crusader's* office moved to the building where the *Tribune* had published at 122 and 124 Exchange Alley. In addition to its location, the *Crusader* followed the style of the *Tribune* by issuing articles both in French and English.<sup>45</sup>

As had the *New Orleans Tribune*, Creoles of color cooperated with Anglicized black leaders and white supporters. In 1890, Richard David Wilde, an Anglicized black photographer,

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<sup>44</sup> Board of Directors, *History of the Catholic Indigent Orphan Institute*, CBRP, Box 1, Folder 20, ARC, TU; "No Title," *Crusader*, ca. 1894, DFC, Folder, 15, ASC, XUL; *Daily Crusader*, May 26, 1894, CBRP, Box 1, Folder 10, ARC, TU; Medley, *We as Freeman*, 186.

<sup>45</sup> *Crusader*, May 10, 1890; L. Soards & Co., *Soard's New Orleans City Directory for 1893* (New Orleans: L. Soards, 1893), 1006. The original *Tribune* office was located on 21 Conti Street (now 527 Conti Street). The office moved to Exchange Alley in 1866. See Roudané, *The New Orleans Tribune*, 1, 7.

became vice president of the *Crusader*. The *Crusader* maintained ties with whites through their Francophone cultural connections. Léona Queyrouze Barel, a well-known female white Creole poet, contributed to the newspaper under the pseudonyms Salamandra, Constant Beauvais, and Adamas.<sup>46</sup> While her patronizing views on African Americans drew criticism, Queyrouze supported the *Crusader*'s ideals of equal rights and suffrage.<sup>47</sup>

The *Crusader* opposed every segregation measure and sentiment and believed that the presence of the mixed-race population would ultimately invalidate segregation. The paper considered "the separation of races" as "a step backward on the road of progress."<sup>48</sup> With the enactment of the railroad segregation act in 1890, Paul Trévigne wrote that "class legislation... will prove abortive in the near future, by its impracticability, especially in Louisiana, with its cosmopolitan population, and where it is so difficult, sometimes, to tell who is who or which is which."<sup>49</sup> Whenever white newspapers expounded upon the fundamental division between the whites and African Americans, the *Crusader* always reminded them of "the existence of the mixed population of New Orleans."<sup>50</sup> This use of mixed blood as a counterargument against the color line had characterized Creoles' activism since the Civil War.

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<sup>46</sup> Louis A. Martinet to Léona Queyrouze Barel, May 19, 1894; Léona Queyrouze Barel Papers, Box 3, Folder 20, LLMVC, LSU Libraries, Baton Rouge, Louisiana; Adamas, "Solidarité Parmi les Opprimés," *Daily Crusader*, May 19, 1894, CBRP, Box 1, Folder 9, ARC, TU; "Necrologie," *Crusader*, October 17, 1894, DFN, Folder 17, ASC, XUL; Donna M. Meletio, "Leona Queyrouze (1861-1938): Louisiana French Creole Poet, Essayist, and Composer" (PhD diss., Louisiana State University and Agricultural and Mechanical College, 2005).

<sup>47</sup> Meletio, "Leona Queyrouze (1861-1938)," 159-72.

<sup>48</sup> "The Argument of Facts," *Crusader*, August 8, 1891, DFC, Folder, 1, ASC, XUL.

<sup>49</sup> Paul Trévigne, "The World Will Move," *Crusader*, July 19, 1890.

<sup>50</sup> "Archbishop Ireland's Views on the 'Race Question'," *Crusader*, May 10, 1890, CBRP, Box 2, Folder 1, ARC, TU.

The *Crusader* also relied heavily on radical Reconstruction visions of racial equality. Desdunes, in particular, respected radical Republicans and trans-Atlantic freedom thinkers. He admired John Brown for their convictions regarding the equality of African Americans and Alphonse de Lamartine for his revolutionary thinking.<sup>51</sup> The 1848 emancipation of slaves in French dominions affected him deeply because “equality and representation became the concomitants of freedom” there.<sup>52</sup> Desdunes often referred to patriotic acts in history by heroes like Patrick Henry, John Adams and Toussaint L’Ouverture. He claimed that their actions began as “a forlorn hope” but ultimately succeeded and avowed that his community’s efforts for racial equality would follow suit, thus combining American and French political traditions, to remove the blight of Jim Crow laws.<sup>53</sup>

### **The Jim Crow System in the 1880s and the 1890 Louisiana Separate Car Act**

In the late 1880s and early 1890s, Creoles of color struggled to maintain their Reconstruction accomplishments. Historian Dale Somers argued, in the post-Reconstruction period, New Orleanians, regardless of race, “formulated personal codes of racial conduct...on day-to-day needs and demands.”<sup>54</sup> At the same time, African Americans openly criticized all segregation practices in New Orleans. In 1881, the *Weekly Louisianian* accused theaters of reviving segregated seating and avowed that “the color line in theatres here is an outrage on

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<sup>51</sup> R. L. Desdunes, “Sentiment in Politics,” *Daily Crusader*, May 14, 1895, DFC, Folder, 28, ASC, XUL.

<sup>52</sup> R. L. Desdunes, “White Supremacy,” *Crusader*, ca. September, 1892, DFN, Folder, 5, ASC, XUL.

<sup>53</sup> R. L. Desdunes, “Forlorn Hope and Noble Despair,” *Crusader*, August 15, 1891, CBRP, Box 2, Folder 6, ARC, TU.

<sup>54</sup> Dale Somers, “Black and White in New Orleans: A Study in Urban Race Relations, 1865-1900,” *Journal of Southern History* 40, no. 1 (February 1974): 30.

civilization.”<sup>55</sup> In the 1880s, railroad companies, albeit reluctantly, continued offering equal access to all cars. However, in 1882, the Louisville and Nashville Railroad company established a new depot on Canal Street with a separate waiting room for African American passengers. The *Louisianian* denounced this action and protested to railroad’s president to remove the sign.<sup>56</sup>

African American newspapers also continued to excoriate racially discriminatory treatment. In May 1887, the *Weekly Pelican* reported that a brakeman on the Mississippi Valley Railroad had insulted the wife of Senator Henry Demas of St. John the Baptist Parish.<sup>57</sup> In 1891, a subscriber reported in a letter to the *Crusader* that children of African descent faced discrimination at their first communion.<sup>58</sup> The editor, Louis A. Martinet, responded that he had quit attending the Catholic Church and his daughter would never take first communion if she had to experience racial humiliation to do so. He advised readers to follow suit if dissatisfied with the Catholic Church.<sup>59</sup> These continuing criticisms demonstrated African Americans’ steadfast determination against segregation in New Orleans after Reconstruction.

In 1890, the Louisiana state legislature passed the separate car act mandating that railroad companies provide separate accommodations for African American and white passengers. This political maneuver by the majority-holding Democrats underscored the powerlessness of African American politicians in the state legislature. On May 14, 1890, Democrat Joseph St. Amant from

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<sup>55</sup> “No Title,” *Weekly Louisianian*, January 15, 1881.

<sup>56</sup> “The Louisville and Nashville Depot,” *Weekly Louisianian*, February 25, 1882; “Set Right,” *Weekly Louisianian*, March 25, 1882.

<sup>57</sup> “No Title,” *Weekly Pelican*, May 7, 1887.

<sup>58</sup> Y. Y. Y., “Prejudice in the Catholic Churches,” *Crusader*, June 2, 1891, CBRP, Box 2, Folder 4, ARC, TU.

<sup>59</sup> “What we Meant to Say,” *Crusader*, ca. 1891, CBRP, Box 2, Folder 3, ARC, TU.

Ascension Parish introduced the separate car bill as House Bill 42.<sup>60</sup> In June, the bill passed the House of Representatives, but initially failed in the Senate because concurrently a lottery bill had split Democrats into pro- and anti-lottery factions. Pro-lottery Democratic senators voted down the separate car bill in order to garner lottery votes from the Republican side, all of whom were of African descent, leaving it for future reconsideration.<sup>61</sup> As soon as the House and Senate secured the new lottery bill, the Senate betrayed African American senators by reopening and passed Bill 42. July 10, the final day of the legislature, saw enactment of state Act 111, also known as the separate car act.<sup>62</sup>

The separate car bill shocked African American communities. In the *Crusader*, Rodolphe Lucien Desdunes condemned the law as “a slap in the face of every member of the black race, whether he has the full measure or only one-eighth of that blood.”<sup>63</sup> Creoles’ concerns were multifold. First, Desdunes argued that the separate car law regressed to “the system of star cars” when all African Americans faced limited access to New Orleans streetcars.<sup>64</sup> The *Crusader* also cautioned that African American passengers might experience physical danger. Although the law failed to specify who held the authority to separate passengers based on race, in practice white

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<sup>60</sup> Medley, *We as Freeman*, 95; David R. Poynter Legislative Research Library, *Membership in the Louisiana House of Representatives, 1812-2020* (Baton Rouge: David R. Poynter Legislative Research Library, Louisiana House of Representatives, 2017), accessed April 3, 2018, [http://house.louisiana.gov/H\\_PDFdocs/HouseMembership\\_History\\_CURRENT.pdf](http://house.louisiana.gov/H_PDFdocs/HouseMembership_History_CURRENT.pdf).

<sup>61</sup> Arthur E. McEnany, ed., *Membership in the Louisiana Senate, 1880-Present* (Baton Rouge: Louisiana State Senate, 2004), accessed April 3, 2018, <https://www.legis.la.gov/legisdocs/members/s1880-2012.pdf>; Richard Simms, Henry Demas, Thomas A. Cage, and Robert F. Guichard are listed as Republican senators from 1888 to 1892. They are all black senators. A. E. Perkins, “Some Negro Officers and Legislators in Louisiana” *Journal of Negro History* 14, no. 4 (October 1929): 523-525.

<sup>62</sup> Medley, *We as Freeman*, 101-02.

<sup>63</sup> R. L. Desdunes, “To Be or Not to Be,” *Crusader*, July 4, 1891, CBRP, Box 1, Folder 8, ARC, TU.

<sup>64</sup> R. L. Desdunes, “To Be or Not to Be,” *Crusader*, July 4, 1891, CBRP, Box 1, Folder 8, ARC, TU.



railroad conductors assigned seats. The newspaper further argued that this arrangement would put “the most innocent and the most defenseless...at the mercy of the most brutal.”<sup>65</sup> Later Desdunes summarized that the separate car act “was the result of a policy begun in 1877.”<sup>66</sup>

African Americans in New Orleans had not waited idly for the state legislature to pass the bill. At the beginning of the response to the anti-separate car act, the American Citizens’ Equal Rights Association (ACERA) achieved prominence.<sup>67</sup> ACERA was an organization established by P. B. S. Pinchback and other prominent African American leaders in Washington D.C., on February 5, 1890. Pinchback, who was elected chairman of the national executive committee, called for the participation of both women and men, particularly the young, to establish a branch in New Orleans.<sup>68</sup> In late March, 1890, the ACERA Louisiana chapter formed with Reverend A. E. P. Albert as president and John L. Minor as secretary. Leading Creoles of color promptly joined.<sup>69</sup>

When it became clear that the state legislature was considering the separate car bill, ACERA immediately fought against its passage. In May 1890, Pinchback, James Lewis, Laurent Auguste, Louis A. Martinet, Paul Trévigne, and Rodolphe Lucien Desdunes all went to Baton Rouge to lobby the state legislature.<sup>70</sup> In June 1890, A. E. P. Albert also made a plea at the state

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<sup>65</sup> “The Arguments of Facts,” *Crusader*, August 8, 1891, DFC, Folder 1, ASC, XUL.

<sup>66</sup> Desdunes, *Our People and Our History*, 143.

<sup>67</sup> “The Separate Car Bill,” *Crusader*, July 19, 1890. Rodolphe Lucien Desdunes also encouraged people to boycott railroads. See R. L. Desdunes, “Was it a Measure of Revenge?,” *Crusader*, July 19, 1890.

<sup>68</sup> P. B. S. Pinchback, “To the members of the National Executive Committee of the American Citizens’ Equal Rights Association,” February 12, 1890, Pinckney Benton Steward Pinchback Papers, Box 1, Folder 34, Moorland-Spingarn Research Center, Howard University.

<sup>69</sup> “Constitution of the American Citizens’ Equal Rights Association,” “American Citizens’ Equal Rights Association of Louisiana,” and “Notice,” *Crusader*, March 22, 1890, CBRP, Box 1, Folder 7, ARC, TU; Rodolphe Lucien Desdunes and Octave Rey hosted a meeting to found the ACERA group in the Fifth Ward of New Orleans.

<sup>70</sup> Medley, *We as Freeman*, 96.

legislature against the separate car bill. Albert carefully avoided inciting white fears of racial intimacy. He asserted that the opposition to the separate car bill was not to impose “social equality and Negro supremacy” and attempted to convince white legislators by invoking Confederate General P. G. T. Beauregard, as one who was “in favor of peace and harmony among all classes of our citizens.”<sup>71</sup> Albert intended to stop the bill by emphasizing racial reconciliation. However, ACERA’s approach appeared too moderate and ineffective to Creoles. ACERA continued seeking ways to oppose, but, its eventual failure to halt the separate car act weakened the standing of its leadership and direction of the organization. By summer 1891, Rodolphe Lucien Desdunes and Louis A. Martinet expressed their dissatisfaction with ACERA for lacking substantive strategies against the separate car act.<sup>72</sup>

This frustration prompted Creoles of color to create the Citizens’ Committee. In 1891, Louis A. Martinet, Laurent Auguste, and Rodolphe Lucien Desdunes began contemplating forming their own entity to promote “equal society,” and on September 1, 1891, Aristide Mary called for leaders of Creoles of color to meet at the *Crusader*’s office.<sup>73</sup> Desdunes later recalled that they established the Citizens’ Committee because the “return to exaggerated fanaticism about caste or segregation once again alarmed the black people.”<sup>74</sup> On September 5, the Committee published a statement laying out its plan to challenge the constitutionality of the

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<sup>71</sup> “Pleas against Class Legislation, by Rev. A. E. P. Albert, D.D.,” *Southwestern Christian Advocate*, June 19, 1890.

<sup>72</sup> Kelley, *Right to Ride*, 70; R. L. Desdunes, “To Be or Not to Be,” *Crusader*, July 4, 1891, CBRP, Box 1, Folder 8, ARC, TU; R. L. Desdunes, “Forlorn Hope and Noble Despair,” *Crusader*, August 15, 1891, CBRP, Box 2, Folder 6, Box 2, ARC, TU; Louis A. Martinet to Albion Tourgée, October 5, 1891, no. 5760, Albion Tourgée Papers, CCHS, NY.

<sup>73</sup> Desdunes, *Hommage Rendu à la Mémoire de Alexandre Aristide Mary*, 11, CBRP, Box 1, Folder 14, ARC, TU.

<sup>74</sup> Desdunes, *Our People and Our History*, 141.

separate car act, believing that “unless promptly checked by the strong power of the courts, the effects of that unconstitutional and malicious measure will be to encourage open persecution, and increase, to a frightful degree, opportunities for crimes and other hardships.”<sup>75</sup>

The members of the Citizens’ Committee included Reconstruction-era leaders and the rising generation of Creole men. The Committee consisted of Arthur Estèves as president, Caesar C. Antoine as vice-president, Firmin Christophe as secretary, and George G. Johnson as assistant secretary (later succeeded by Eugène Luscly), and Paul Bonseigneur filled the seat of treasurer. Among the eighteen other members in the Committee were Louis A. Martinet and Rodolphe Lucien Desdunes.<sup>76</sup> Also in its ranks was Caesar C. Antoine who had served in the 1868 state legislature and had pushed the enactment of its radical constitution. Arthur Estèves, Eugène Luscly and Rodolphe Desdunes had been fundamental in revitalizing the Catholic Institute in the 1880s. Louis J. Joubert also taught at the Catholic Institute and led the Justice, Protective, Social, and Educational Club.<sup>77</sup>

Not all Citizens’ Committee members were Creoles. Alexander B. Kennedy lived in Tremé but was born to Kentucky-born parents. George G. Johnson lived in a predominantly English neighborhood in the upriver section of the city and worked as custom house clerk where he most likely associated with Creole leaders who also worked there.<sup>78</sup> Despite the failures of ACERA, Creoles of color still had relationships with Anglicized blacks.

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<sup>75</sup> The Citizens’ Committee, “An Appeal,” in *Report of Proceedings for the Annulment of Act III of 1890* (New Orleans), 3, CBRP, Box 1, Folder 13, ARC, TU.

<sup>76</sup> The Citizens’ Committee, “An Appeal,” and “Statement of the Citizens’ Committee,” in *Report of Proceedings for the Annulment of Act III of 1890*, 3, 9, CBRP, Box 1, Folder 13, ARC, TU. The Committee added four other members later.

<sup>77</sup> Vincent, *Black Legislators in Louisiana during Reconstruction*, 49-50.

<sup>78</sup> George G. Johnson lived on 384 Gravier street in 1891, L. Soards & Co., *Soard’s City Directory for 1891* (New Orleans: L. Soards, Publisher, 1891), 469. Rodolphe Lucien Desdunes worked as a clerk at the Custom’s House

Diverse Creole organizations' financial contribution to the Citizens' Committee illustrate how its anti-Jim Crow activism was a community-wide mission. Men's organizations such as the Justice, Protective, Social, and Educational Club offered ten dollars. Older organizations such as La Société des Artisans also contributed. Women's organizations were particularly active funders; Les Dames Inseparables and La Société des Demoiselles Unies each donated fifty dollars. Female members of La Société des Francs Amis and Ida Club held concerts and events to raise a total of \$140.40. Children's organizations such as the Enfants du Sacré Coeur de Marie also made donations. Straight University's Sumner Literary Debating Club supported the Committee as well.<sup>79</sup> Throughout its active period, the Committee collected nearly three thousand dollars in donations.<sup>80</sup>

While the Citizens' Committee consisted mostly of Creoles from New Orleans, their work attracted non-Creole supporters inside and outside of New Orleans. At the 1892 annual conference of the Methodist Episcopal Church held in New Orleans, the Lay Conference donated \$31.05.<sup>81</sup> Donations came from other parishes and cities of Louisiana including Plaquemines, St. Joseph, St. Martinsville, Hermitage, Opelousas, and Shreveport. Outside funding came from Mississippi, San Antonio, Chicago, San Francisco, and Washington D.C.<sup>82</sup> The Committee

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between 1879 and 1885. Lester Sullivan, "The Unknown Rodolphe Desdunes: Writings in the New Orleans *Crusader*," *Xavier Review* 10, nos. 1-2 (Spring 1990), 2.

<sup>79</sup> The Citizens' Committee, "Statement of the Citizens' Committee," in *Report of Proceedings for the Annulment of Act III of 1890*, 9-11. CBRP, Box 1, Folder 13, ARC, TU.

<sup>80</sup> The Citizens' Committee, "Statement of the Citizens' Committee," in *Report of Proceedings for the Annulment of Act III of 1890*, 8, CBRP, Box 1, Folder 13, ARC, TU.

<sup>81</sup> *Journal of the Louisiana Annual Conference, Methodist Episcopal Church. Twenty-Fourth Session Held at New Orleans, Louisiana, January 12-19, 1892, Also Proceedings of the Lay Electoral Conference* (Cincinnati: Western Methodist Book Concern Press, 1892), 249.

<sup>82</sup> The Citizens' Committee, "Statement of the Citizens' Committee," in *Report of Proceedings for the Annulment of Act III of 1890*, 9-11, CBRP, Box 1, Folder 13, ARC, TU.

regarded donations “as a proof” that it represented “public sentiment and determination.”<sup>83</sup> The Committee’s wide networks economically financed its pursuit for justice.

As soon as Creoles of color formed the Citizens’ Committee, they began planning court cases to overturn the 1890 separate car act. To create a team, the Committee used their interracial radical Reconstruction networks. The first task was to find lawyers. Louis A. Martinet contacted Reconstruction radical, Albion W. Tourgée of Mayville, New York. A veteran Republican judge active in Reconstruction North Carolina, he continued his work as a writer and journalist and was a keen supporter of ACERA. During the 1890s, Tourgée established the National Citizens’ Rights Association in Chicago.<sup>84</sup> Tourgée readily agreed to work with the Citizens Committee.

As Tourgée was physically distant from New Orleans, the Committee also sought a local lawyer. By December 1891, the Citizens’ Committee had contracted with James C. Walker, a white criminal law specialist native to New Orleans. Walker had once worked as a professor of civil and criminal law at Straight University, and Louis A. Martinet and Eugène Luscry had studied law when Walker had taught there.<sup>85</sup> The Citizens’ Committee also selected Walker because of his career as a radical Republican during Reconstruction.<sup>86</sup> Martinet, Tourgée, and Walker worked together to plan a legal strategy aimed at annulling the separate car law.

The three lawyers planned two cases, one to argue the constitutionality of the separate car act at the interstate level, and the other to challenge the constitutionality of segregation within the

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<sup>83</sup> The Citizens’ Committee, “Statement of the Citizens’ Committee,” in *Report of Proceedings for the Annulment of Act III of 1890*, 7, CBRP, Box 1, Folder 13, ARC, TU.

<sup>84</sup> R. L. Desdunes, “To Be or Not to Be,” *Crusader*, July 4, 1891, CBRP, Box 1, Folder 8, ARC, TU.

<sup>85</sup> *Historical Data Concerning Straight College (From A.M.A. Annual Report, 24<sup>th</sup> Annual Report (1870))*, 12, 16, 18, AMAA, Addendum, Series A, Box 90, Folder 1, ARC, TU.

<sup>86</sup> Louis A. Martinet to Albion W. Tourgée, December 7, 1891, no. 5837, Albion Tourgée Papers, CCHS, NY.

state.<sup>87</sup> Controversially, they sought light-skinned litigants to launch their legal challenge. They did so because they wanted to make sure that clients would succeed in purchasing first-class tickets to gain a seat designated for whites without other passengers or people in the station knowing their race. The legal team also sought to affirm that the practical challenges of determining race made the state constitution unconstitutional. In a letter to Tourgée, Martinet expressed his own ambivalence about representing light-skinned clients, fearing that the New Orleans African American community would criticize that “the people who support our movement were nearly white, or wanted to pass for white.”<sup>88</sup> Yet Martinet finally agreed to this arrangement and chose volunteers from young community members: Daniel F. Desdunes and Homer A. Plessy.

Daniel F. Desdunes, son of Rodolphe Lucien Desdunes, was aged twenty-one in 1892 and known around town as a music teacher and a band leader. He had attended a New Orleans public school through the turbulent end of Reconstruction and then attended Straight University. His family included his activist father and his uncle, Pierre Aristide Desdunes. He belonged to the Marechal Neil Literary Circle, which had contributed to the Citizens’ Committee, and the Metropolitan Club. His task was to file a lawsuit arguing against the constitutionality of the state separate car act for interstate travel.<sup>89</sup>

The Citizens’ Committee recruited Homer A. Plessy for the intrastate travel case. Born on March 17, 1863, to Adolphe Plessy and Rosa Debergue, his parents were free people of color of

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<sup>87</sup> Louis A. Martinet to Albion Tourgée, January 1891, no. 6302, Albion Tourgée Papers, CCHS, NY.

<sup>88</sup> Martinet to Tourgée, December 7, 1891, no. 5837, Albion Tourgée Papers, CCHS, NY.

<sup>89</sup> *Catalogue of Straight University, 1881-82*, 12; Dan Vernhettes and Peter Hanley, “The Desdunes Family,” *The Jazz Archivist* 27 (2014): 27; “Marechal Neil Literary Circle,” *Weekly Pelican*, March 30, 1889; The Citizens’ Committee, “Statement of the Citizens’ Committee,” in *Report of Proceedings for the Annulment of Act III of 1890*, 10, CBRP, Box 1, Folder 13, ARC, TU; “The Metropolitan Club,” *Daily Picayune*, October 3, 1892.

Haitian origin. Plessy's paternal grandfather was a French immigrant, and the entire other family was of interracial descent. The *Crusader* described him "as white as the average white Southerner."<sup>90</sup> In 1868, Plessy's father died, and his mother had soon married to Victor M. Dupart whose family had been major contributors to the Catholic Institute since its inception. Similar to Desdunes, Plessy grew up surrounded by community leaders.

Through the latter half of the 1880s, Plessy became involved with various social organizations while establishing himself as a shoemaker. He played a leadership role in a baseball club, a gymnastic club, and the Young Friends of Charity B. M. A. A.<sup>91</sup> Education and literary circles gave him access to important social networks. Plessy connected with Pierre Chevalier, Rodolphe Lucien Desdunes, and Eugène Luscly through L'Union Louisianais.<sup>92</sup> In addition, he served as vice president of the Justice, Protective, Social, and Educational Club and worked with Arthur Estèves and Louis J. Joubert. These affiliations suggest he was likely both well-educated and established among his community. Neither Desdunes nor Plessy officially belonged to the Citizens' Committee. Furthermore, no existing records establish why the Citizens' Committee chose them to carry out their plans. However, their close connections with Committee members imply that these young men shared the egalitarian ideals of the Creole activists and had standing within the Creole community.

To finalize their plans, the Citizens' Committee negotiated with railroad companies. Sometime in late December 1891, Louis A. Martinet contacted lawyers for the Louisville and Nashville Railroad to garner cooperation. Railroad companies, concerned by the additional

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<sup>90</sup> "No Title," *Crusader*, ca. June-July, 1892, DFC, Folder, 12, ASC, XUL.

<sup>91</sup>; "Pickwick Baseball Club," *Weekly Pelican*, March 5, 1887; "Notes about Town," *Weekly Pelican*, August 31, 1889; "Rakings," *Weekly Pelican*, September 10, 1887

<sup>92</sup> "No Title," *Weekly Pelican*, September 3, 1887.

economic burden of providing separate cars for African American passengers, also had faced opposition to the separate car act. The Louisville and Nashville Railroad company agreed to seat Desdunes in the first-class car; however, it demanded that the Committee to have a white person, unrelated to the company, report his presence and arrange his arrest.<sup>93</sup> The Citizens' Committee likely made the same arrangement with the East Louisiana Railroad Company for Plessy.

The Citizens' Committee's first case began on February 24, 1892. Holding a first-class ticket, Daniel F. Desdunes deliberately sat in a seat designated for whites on a train heading to Mobile, Alabama. As soon as the train left the station on Canal Street, a train conductor asked Desdunes to move to a car for African American riders. When he refused, the train stopped at the corner of Elysian Fields and Claiborne Streets, and two detectives as well as a city secret service agent arrested Desdunes and took him to the Second Recorder Court for the violation of the separate car act. Paul Bonseigneur, treasurer of the Citizens' Committee, paid the bond of five hundred dollars. His case was sent to the Criminal District Court, Section A for the Parish of Orleans to argue for the constitutionality of the Separate Car Act in light of interstate travels.<sup>94</sup>

Desdunes won his case without a trial. Judge John H. Ferguson of the Criminal District Court cited the state supreme court case of *Abbott v. Hicks* which had just been decided on May 25, 1892. In this case, a Texas and Pacific Railway conductor faced prosecution for wrongfully assigning an interstate African American passenger to a white car. The Supreme Court ruled that the separate car act did not apply to interstate travel. Desdunes won with the same interpretation. The *Crusader* celebrated Desdunes' victory describing "Jim Crow is Dead as a door nail."<sup>95</sup>

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<sup>93</sup> Louis A. Martinet to Albion W. Tourgée, December 28, 1891, no. 5877, Albion Tourgée Papers, CCHS, NY.

<sup>94</sup> The Citizens' Committee, "An Appeal," in *Report of the Proceedings for the Annulment of Act III of 1890*, 4, CBRP, Box 1, Folder 13, ARC, TU.

<sup>95</sup> *Abbott v. Hicks*, 44 La. Ann. 770 (1892); "Jim Crow Is Dead," *Crusader*, May 28, 1892, DFC, Folder, 9, ASC, XUL.



However, Louis A. Martinet, concerned about the course of the intrastate case, expressed personally to Albion W. Tourgée that “I do not entertain the same favorable result as hopefully as in the *Desdunes*.”<sup>96</sup>

Homer A. Plessy began his court case in a railroad car on intrastate trip that ultimately led to the U.S. Supreme Court. On June 7, 1892, Plessy was arrested in an East Louisiana Railroad coach on his way to Covington, Louisiana, a town across Lake Pontchartrain from New Orleans. A private detective, Christopher C. Cain secretly appointed by the Committee, arrested Plessy, soon after departure. Following Plessy’s arrest, the Committee initiated the lawsuit. As he had for *Desdunes*, Paul Bonseigneur, treasurer of the Committee, paid Plessy’s five-hundred-dollar bond. The *Crusader* stated that “the Citizens’ Committee “will seek to establish the right of the citizen to travel interstate and intrastate unmolested and without danger of LEGAL affront or indignity.”<sup>97</sup> Although the *Crusader* described this incident as if it had occurred spontaneously, it was a part of their carefully crafted plan.

The *Plessy* case initially questioned the constitutionality of the separate car act for intrastate travel. Representing Plessy, James C. Walker made a broader argument that the separate car law was against the principles of the Thirteenth and the Fourteenth Amendments of the United States Constitution. He asserted that the legislature could not give train operators the right to separate passengers according to race. In addition, he argued that racial distinction “stamps the colored man with the badge of servitude,” which the Thirteenth Amendment banned, and “the Fourteenth Amendment was and is to prevent class or race legislation.” On behalf of the

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<sup>96</sup> Louis A. Martinet to Albion W. Tourgée, July 4, 1892, no. 6377, Albion Tourgée Papers, CCHS, NY.

<sup>97</sup> “No Title,” *Crusader*, ca. June-July, 1892. DFC, Folder, 12, ASC, XUL.

Committee, Walker claimed that the purpose of the separate car act was “to legalize a discrimination between classes of citizens based on race and color.”<sup>98</sup>

The intrastate case met with initial defeat. On November 17, 1892, Judge John H. Ferguson at the Criminal Court of New Orleans found Plessy guilty based on the 1890 *Louisville, New Orleans and Texas Railway Company v. Mississippi* U.S. Supreme Court case, which declared Mississippi’s separate act constitutional within the state. In light of this federal Supreme Court decision, the judge declared the separate car act of Louisiana constitutional as well. Additionally, Ferguson ruled that the Louisiana separate car act required companies to provide both races equal accommodation, and because whites were separated from African Americans just as they were segregated from whites, the act did not violate the U.S. Constitution.<sup>99</sup>

After the loss in the local court, the Citizens’ Committee immediately chose to appeal. The *Crusader* commented: “This decision will not put a quietus to our efforts, because it is only the beginning of the end.”<sup>100</sup> True to the Committee’s word, James C. Walker shortly sent the case to the Louisiana State Supreme Court. However, in December 1892 Justice Charles E. Fenner upheld the state’s railroad segregation. In early January 1893 the court rejected Walker’s plea for a rehearing. Finally, the only remaining path for the *Plessy* case to appeal to the U.S. Supreme Court. In October 1895, Tourgée filed the Supreme Court briefs, and the Citizens’ Committee added attorneys Samuel F. Phillips and F. D. McKenny, both Reconstruction radicals based in Washington D.C., to proceed with a hearing set for April 14, 1896.<sup>101</sup>

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<sup>98</sup> “The Jim Crow Cars,” *Daily Picayune*, October 29, 1892; “The Jim Crow Car Law,” *Daily Picayune*, November 19, 1892.

<sup>99</sup> “The Separate Car Law,” *Daily Picayune*, November 20, 1892; *Louisville, New Orleans and Texas Railway Company v. Mississippi*, 133 U.S. 587 (1890).

<sup>100</sup> “No Title,” *Daily Crusader*, ca. 1894, DFC, Folder, 15, ASC, XUL.

<sup>101</sup> The Citizens’ Committee, “An Appeal,” in *Report of Proceedings for the Annulment of Act 111 of 1890*, 6, CBRP,

## The Rapid Expansion of the Jim Crow System in the 1890s

While Creoles of color poured their efforts to the *Plessy* case, the Jim Crow system rapidly became a norm in Louisiana during the 1890s. The Citizens' Committee and the *Crusader* worked tirelessly against any attempt to separate citizens into the white or black racial categories. In addition to the separate car act, Creoles of color fought the state's measure to exclude African Americans serving on juries, establish segregated railroad waiting rooms as well as convict-lease system and limited suffrage.<sup>102</sup> Rodolphe Lucien Desdunes characterized these policies as the symbols of "caste-government," which aimed to cement black-and-white racial distinctions into a racial hierarchy.<sup>103</sup> The overwhelming speed of political transformation compelled Numa E. Mansion, a member of the Citizens' Committee to comment in 1895, "it must be recorded with sadness that a great change has taken place since some years."<sup>104</sup> The new social reality undid much of the Creoles' radical accomplishments during Reconstruction.

Among the racial measures of the 1890s, the anti-miscegenation bill angered Creoles of color the most. Beginning in 1892, the Louisiana legislature attempted to pass a bill to ban interracial marriage which had been legal since Reconstruction. Creoles of color angrily opposed the anti-miscegenation bill because it could annul the marital status of interracial couples and denied Creoles' core identity as people of mixed heritage. The Citizens' Committee also believed

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Box 1, Folder 13, ARC, TU.

<sup>102</sup> See "Citizens' Committee," *Daily Crusader*, February 14, 1895, CBRP, Box 2, Folder 14, ARC, TU; R. L. Desdunes, "Come Forward," *Daily Crusader*, March 13, 1895, DFC, Folder 25, ASC, XUL; R. L. Desdunes, "Preludes," *Crusader*, undated, 1891, CBRP, Box 2, Folder 7, ARC, TU; R. L. Desdunes, "Caste Rule," *Crusader*, ca. Spring 1892, DFC, Folder 10, ASC, XUL; "Cage Committee Meet," *Daily Crusader*, December 20, 1895, DFC, Folder 49, ASC, XUL. There are numerous articles related to suffrage in the Desdunes Family Collection. In particular, in 1895, R. L. Desdunes published twenty-two articles titled, "Sentiment in Politics," focusing on suffrage. These articles are filed in Folders 28 to 35, DFC, ASC, XUL.

<sup>103</sup> R. L. Desdunes, "Sentiment in Politics, No. 22," *Daily Crusader*, DFC, Folder 35, ASC, XUL.

<sup>104</sup> N. E. Mansion, "Not Too Soon," *Daily Crusader*, June 1, 1895, CBRP, Box 1, Folder 11, ARC, TU.

that the bill would not erase the fact of interracial sexual intercourse and condemned the state legislature for “favor[ing] concubinage and promoting immorality.”<sup>105</sup> Furthermore, Rodolphe Lucien Desdunes insightfully argued, “the law to prohibit intermarriage between the races is primarily intended of course to fortify the separate coach law.”<sup>106</sup> This bill would cement Jim Crow laws by forcefully classifying people based on race. The *Crusader* mocked the *New Orleans Times Democrat*, which was an energetic supporter of the bill, claiming, “the editor of THE CRUSADER is as white as the editor of the Times-Democrat.”<sup>107</sup> By emphasizing their mixed heritage, Creoles of color avowed yet again that Louisiana could not achieve a color line by banning interracial marriages.

Creoles of color also confronted white Louisianians’ extralegal attempts to draw a color line. In May 1893, Paul Bonseigneur, treasurer of the Citizens’ Committee, bought a house in Mandeville, a town and health resort across Lake Pontchartrain from New Orleans. A prominent member of the Creole community, Bonseigneur’s father had emigrated from Haiti and fought at the Battle of New Orleans in 1815. The family was one of the wealthiest among Creoles of color. Bonseigneur had spent several summers in Mandeville prior to 1893 and decided to purchase a property to take care of his sick wife. His family’s economic and historical prominence, however, did not protect him from harassment. When Bonseigneur and his wife moved into his new house, white neighbors threatened them, claiming that his family’s “presence will be highly

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<sup>105</sup> L. A. Martinet, ed., *The Violation of a Constitutional Right* (New Orleans: The Crusader Print, 1893), 2, CBRP, Box 1, Folder 12, ARC, TU.

<sup>106</sup> R. L. Desdunes, “Legislation and Legislators,” *Crusader*, June 11, 1892, DFC, Folder 11, ASC, XUL.

<sup>107</sup> “No Title,” *Crusader*, July 16, 1892, Folder 7, DFC, ASC, XUL.

disagreeable.”<sup>108</sup> Concerned about his wife’s physical condition, Bonseigneur left his house in Mandeville and returned to New Orleans.

Through the Citizens’ Committee, many Creoles of color expressed outrage regarding the Mandeville incident. Soon after Bonseigneur’s return, on July 16, 1893, Creole men, including François Boisdoré and Manuel Camps who had been Catholic Institute organizers and Reconstruction activists, and Jean Bouny, who had sent his child Oscar to Fillmore in 1877, petitioned the Committee to organize a protest meeting. On July 22, the Committee called for a rally. Its public statement asserted the strong community bonds among Creoles: “The attack on Mr. Bonseigneur is an attack on each and all of us.”<sup>109</sup> On July 24, the protest was held in the Friends of Hope Hall. It attracted citizens of various ages and occupations, some of whom stood outside the overcrowded meeting hall to listen to speakers.<sup>110</sup>

The rally for Bonseigneur also demonstrated that Creoles still held their Reconstruction ideals and retained broad interracial networks. At the meeting, various Reconstruction-era and younger leaders spoke and demanded the protection of equal rights. François Boisdoré argued that “equal rights was[sic] the only platform to stand on,” not the color of the skin. James Madison Vance, a contributor to the *Crusader*, followed Boisdoré and asserted that Bonseigneur’s case should be considered an insult to American citizenship, not merely an assault on a particular racial group. The rally even welcomed a former Confederate, H. Dudley Coleman. Although he was a Confederate supporter during the War, he argued that the Bonseigneur incident was inexcusable and claimed that not all white southerners sympathized

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<sup>108</sup> Martinet, ed., *The Violation of a Constitutional Right*, 6, CBRP, Box 1, Folder 12, ARC, TU.

<sup>109</sup> Martinet, ed., *The Violation of a Constitutional Right*, 10, CBRP, Box 1, Folder 12, ARC, TU.

<sup>110</sup> Martinet, ed., *The Violation of a Constitutional Right*, 9, 12, CBRP, Box 1, Folder 12, ARC, TU.

with white residents of Mandeville. The meeting also attracted an interracial labor union organizer, Ramon V. Pages, originally from Spain.<sup>111</sup>

During the 1890s the city school board attempted to tighten the color line. Although the school system had officially segregated in 1877, racial passing occurred occasionally at white schools well into the 1890s. In March 1892, a white Creole board member Frank D. Chrétien issued a resolution to make the superintendent “address a letter to the principals of all white schools...that all children of colored extraction withdraw from said white schools.”<sup>112</sup> His resolution revealed that the board repeatedly tried to achieve a black and white racial binary.

What shocked Creoles of color the most was that the man who released the resolution was a white Creole. Rodolphe Lucien Desdunes strongly criticized Chrétien, “since Mr. Marign’ys[sic] time, it has always been a matter of the greatest difficulty to find out exactly who is white and who is colored in New Orleans...It is quite strange that, lately, men who bear French names should be the ones to champion prejudice in its most fantastic forms.”<sup>113</sup> To Desdunes, the color line did not reflect the reality of the New Orleans population, and he refused to accept white Creoles adopting a dichotomous race ideology.

Furthermore, Desdunes argued against school segregation as a significant obstacle for black education. In 1895, Rodolphe Lucien Desdunes articulated the extreme hardship of African American students. He pointed out that only one state university, Southern University, served children of color making the admission selection process extremely difficult. He also highlighted

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<sup>111</sup> Martinet, ed., *The Violation of a Constitutional Right*, 12-16, CBRP, Box 1, Folder 12, ARC, TU.

<sup>112</sup> *Minutes, January 9, 1891-December 10, 1897*, March 12, 1892, 151-52, OPSB, LSC, ELL, UNO.

<sup>113</sup> R. L. Desdunes, “White Supremacy,” *Crusader*, March 19, 1892, DFC, Folder 8, ASC, XUL. Marigny would be Bernard Marigny, (1785-1868), the founder of the Faubourg Marigny and a well-known white Creole politician in antebellum New Orleans.

how the failure of public schools to offer education above the sixth grade to African American children, forced them to navigate gap years before they were eligible to apply to a university.<sup>114</sup> In the 1890s, city public schools continued to create the educational gaps between white and African American children.

For Creoles of color, the establishment of blacks-only St. Katharine's Church in 1895 was perhaps a shock equal to the separate car act. While Creoles of color had suffered discrimination within the Catholic Church, they did not seek a racially-exclusive church for themselves and had expressed their opposition to a segregated parish. In 1890, the *Crusader* stated, "Whenever Catholics gave way and yielded to these prejudices they contradicted the teachings of their hearts as given by God as to equality and fraternity."<sup>115</sup> In 1891, the *Crusader* repeated its opposition and threatened that if the archdiocese established a blacks-only parish, Creoles of color would leave the Catholic Church.<sup>116</sup>

Many Creoles of color originally hoped Archbishop Francis Janssens would prevent the Church from establishing racially separate parishes. Since his arrival in New Orleans in 1888, Creole leaders had generally considered Janssens a qualified and open-minded religious leader. In July 1892, Louis A. Martinet told Albion Tourgée that "the Catholic Church is more of a safeguard to us in matters affecting the equality of men than any other church."<sup>117</sup> In the same year, the *Crusader* also lauded Janssens when he publicly opposed the anti-miscegenation bill.<sup>118</sup>

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<sup>114</sup> R. L. Desdunes, "De La Question D'Education," *Daily Crusader*, January 26, 1895, DFC, Folder 21, ASC, XUL.

<sup>115</sup> "Archbishop Ireland Points Out the Way to the True and Only Solution of the Race Problem," *Crusader*, May 10, 1890, CBRP, Box 2, Folder 1, ARC, TU.

<sup>116</sup> "A Separate Church," *Crusader*, ca. 1891, CBRP, Box 1, Folder 5, ARC, TU.

<sup>117</sup> Louis A. Martinet to Albion Tourgée, July 4, 1891, Albion Tourgée Papers, no. 6377, CCHS, NY.

<sup>118</sup> "No Title," *Crusader*, July 16, 1892, DFC, Folder 7, ASC, XUL.

This optimism about Janssens delayed Creole leaders' response when he actually undertook the creation of a blacks-only church.

Although Archbishop Janssens expressed deep sympathy with the plight of African American Catholics, he proposed separating African American and white worshippers to ameliorate racial antagonism. Shortly after his arrival to New Orleans, in 1889, he reported that he was aware that "the good colored Creoles are opposed to separate churches;" however, he also believed "the present methods and the current notions have proved very fatal to the faith of thousands."<sup>119</sup> Janssens acknowledged that African American Catholics in New Orleans were withdrawing from the church due to racial discriminatory practices. At the same time, he sensed that the racial prejudices of white Catholics was too entrenched to overcome. His observations did not change during his tenure. In his 1893 annual report, he wrote, "It would be desirable to have no discrimination in our churches, so that any one might occupy any pew at any seat anywhere in the church, but the feeling between the two races make such an intermixture impossible."<sup>120</sup> Concerned that white Catholics would leave the church if the diocese actively listened to and enhanced African American demands for equality, his solution for racial peace was to create a separate space for African American Catholics.

Given the anticipated criticism, Archbishop Janssens made a concession in the process of making a blacks-only parish. On August 16, 1893, he articulated his policy that African American Creoles could continue to attend their current churches and that he would not force

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<sup>119</sup> Francis Janssens, "Series of Questions to be Answered by Applicants for Aid from the Commission for the Catholic Missions among the Colored People and the Indians," (1889) in *Reports to Commission for the Catholic Missions among the Colored People and the Indians*, 161-DY-1D, JFA.

<sup>120</sup> Francis Janssens, "Series of Questions to be Answered by Applicants for Aid from the Commission for the Catholic Missions among the Colored People and the Indians," (1894) in *Reports to Commission for the Catholic Missions among the Colored People and the Indians*, 161-DY-6E, JFA.



attendance at the blacks-only parish. Second, priests in the black parish could perform ceremonies such as baptisms, marriages, and funerals for African American worshippers from the city and surrounding areas. Yet, Janssens prohibited priests of the black parish from administering the sacraments to white Catholics.<sup>121</sup> To carry out his plan, he solicited funding from Mother Katharine Drexel of the Sisters of the Blessed Sacrament in Philadelphia.<sup>122</sup> Supported by Assumptionist and Vincentian priests, the archdiocese selected St. Joseph's Church, to be converted into the first blacks-only Catholic Church in the city, renaming it St. Katharine's in honor of its benefactor.<sup>123</sup>

Once Archbishop Janssens revealed his plan, Creole women immediately mobilized to thwart it. Throughout the nineteenth century, Catholic Churches had been predominantly women's sphere. Archbishop Janssens, acknowledged this reality, noting, "The young men here from 18 until they marry are nowhere seen at Church in the City, few even of the married ones come to the sacraments."<sup>124</sup> In fact, women responded to this new segregation faster than men. In 1891, a teenager identified as Mary B. Williams sent a letter of protest about the rumored separate black parish to the *Crusader* and demanded that the paper work to stop it.<sup>125</sup> The *Crusader* promised to act on it if the story was true, but when Williams raised her voice, its

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<sup>121</sup> Francis Janssens to Mother Katharine Drexel, August 16, 1893, H10B30, Folder 15, Sisters of the Blessed Sacrament Archives (SBSA), the Catholic Historical Research Center of the Archdiocese of Philadelphia (CHRCAP).

<sup>122</sup> Francis Janssens to Mother Katharine Drexel, January 9, 1894, H10B30, Folder 16, SBSA, CHRCAP.

<sup>123</sup> Douglas Slawson, C. M., "Segregated Catholicism: The Origins of Saint Katharine's Parish, New Orleans," *Vincentian Heritage Journal* 17, no. 3 (Fall 1996): 154-63.

<sup>124</sup> Janssens, "Series of Questions to be Answered by Applicants for Aid from the Commission for the Catholic Missions among the Colored People and the Indians," (1889) in *Reports to Commission for the Catholic Missions among the Colored People and the Indians*, 161-DY-1C, JFA.

<sup>125</sup> "A Separate Church," *Crusader*, ca. 1891, CBRP, Box 2, Folder 5, ARC, TU.

editors appeared unaware of the initiative. In January 1894, Creoles of color submitted a petition with 134 signatures to the archdiocese. Among fifty names of identifiable gender, half were of women, including a prominent female teacher, Sylvanie F. Williams.<sup>126</sup>

Following the women, the *Crusader* and the Citizens' Committee soon joined their protest. In February 1895, the Citizens' Committee held a meeting and published a statement against the conversion of St. Joseph's Church.<sup>127</sup> In addition, Arthur Estèves, Pierre Chevalier, Eugène Luscy, and Louis A. Martinet created a Citizens' Committee subcommittee to meet with Archbishop Janssens in an effort to persuade him to abandon his plan.<sup>128</sup> In the *Crusader*, Rodolphe Lucien Desdunes compared the circumstances faced by African American Catholics to the Old Testament story of Joseph and lamented that their fellow Catholics abused them. He also directly criticized Janssens in French saying, "There is in fact a disadvantage and disgrace in a separate institution in New Orleans," and "the church is the object [which] make[s] the fact even worse."<sup>129</sup>

Creoles of color criticized Mother Katharine Drexel who was well known for her charity and devotion to educating African American and Native American communities. While Desdunes acknowledged her significant contributions, he criticized her for ultimately aiding racial segregation by establishing institutions exclusive to persons of color.<sup>130</sup> Desdunes queried

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<sup>126</sup> C. Richards, et al., to Francis Janssens, January 3, 1894, Negro Church, Protest against Building, 1888-1894, Colored Missions File, ORG:2-37, 96-001, AANO.

<sup>127</sup> "Citizens' Committee," *Daily Crusader*, February 14, 1895, CBRP, Box 2, Folder 14, ARC, TU.

<sup>128</sup> "Jim Crow Catholic Church," *Crusader*, ca. 1894, Negro Church, Protest against Building, 1888-1894, Colored Missions File, ORG:2:37, 96-001, AANO.

<sup>129</sup> R. L. Desdunes, "La Figure de Joseph," *Daily Crusader*, February 23, 1895, DFC, Folder, 23, ASC, XUL.

<sup>130</sup> R. L. Desdunes, "Mother Katherine Drexel," *Daily Crusader*, March 5, 1895, DFC, Folder, 24, ASC, XUL.

Mother Drexel in the *Crusader*: “If men are divided by, or in, the Church, where can they be united in the bonds of faith and love of truth and justice?”<sup>131</sup>

Catholic priests understood full well Creoles of color’s aversion towards St. Katharine’s Church. In 1894, Vincentian Father Francis V. Nugent, while leading the transformation of St. Joseph’s into St. Katharine’s, confessed to Mother Katharine “an impossibility” of the project, “owing to the opposition of the colored people themselves.”<sup>132</sup> He also described to his fellow priest Thomas J. Smith that the protest was “organized and bitter.”<sup>133</sup> Yet, Archbishop Janssens remained optimistic, believing the opposition was limited to a handful of leaders and that “the regular negroes are in favor.”<sup>134</sup> Creoles of color were not able to deter his determination to establish St. Katharine’s Church.

Having failed in its opposition, the African American Catholic community responded ambivalently to the opening of St. Katharine’s in May 1895. The *Daily Picayune* reported that large numbers of predominantly African American congregants, accompanied by some whites, attended services. African American altar boys assisted the first mass along with a African American choir and several religious societies.<sup>135</sup> Yet, many African American Catholics boycotted the opening. Adele Wakefield wrote to the *Crusader* that she opposed church segregation and pointed out the existence of “the young ladies who declined to add humiliation and shame to the burden their people already carry in refusing to join the Jim Crow choir or take

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<sup>131</sup> R. L. Desdunes, “Mother Katherine Drexel and the Color Line,” *Daily Crusader*, Feb 28, 1895, DFC, Folder, 24, ASC, XUL.

<sup>132</sup> Francis V. Nugent to Mother Katharine Drexel, July 12, 1894, H10B40, Folder 17, SBSA, CHRCAP.

<sup>133</sup> Francis V. Nugent to Thomas J. Smith, July 8, 1894, H10B51, Folder 19, SBSA, CHRCAP.

<sup>134</sup> Francis Janssens to Mother Katharine Drexel, April 29, 1894, H10B30, Folder 16, SBSA, CHRCAP.

<sup>135</sup> “A Church Devoted to Colored Catholics,” *Daily Picayune*, May 20, 1895.

part in this masquerade of the Fatherhood of God and brother hood of man.”<sup>136</sup> In February 1896, Archbishop Janssens acknowledged that the Catholic Church continued to lose African American worshippers despite his effort to build St. Katharine. He reported that African American Catholics tended to convert to Methodism or Baptism, and those remaining Catholics persisted in attending churches with whites even though they “do not attain to that degree of equality with the whites.”<sup>137</sup> In 1895, the number of the St. Katharine’s Church communion members remained only 140.<sup>138</sup> The first black church initially failed because Creoles of color refused to participate in expanding of Jim Crow segregation into the church.

Despite their persistent opposition to the rapid development of the Jim Crow system, Creoles of color did not succeed in striking back as effectively as they hoped. From the early to mid-1890s, Creoles witnessed the deaths of many of their Reconstruction-era champions. In March 1890, Louis Charles Roudanez, the central figure of *L’Union* and the *New Orleans Tribune*, died. The suicide of Aristide Mary on May 14, 1893, the founder of the Citizens’ Committee and an outstanding Reconstructions era leader, was a significant tragedy to the community. In the same year, a Citizens’ Committee member Myrtle J. Piron and in 1894, Henry Louis Rey, a Louisiana Native Guard veteran instrumental in school desegregation, also died. This series of losses in the community destabilized the foundations of Creole activism.<sup>139</sup>

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<sup>136</sup> Adele Wakefield, “A Baleful Tendency,” *Daily Crusader*, June 1, 1895, CBRP, Box 1, Folder 11, ARC, TU.

<sup>137</sup> Francis Janssens to Edward Dyer, February 12, 1896, 52-DY-30C, JFA.

<sup>138</sup> *Archdiocese of New Orleans Annual Report, 1895* (1896), St. Katherine’s Church File, 13:28, AANO.

<sup>139</sup> “Nécrologie,” *Crusader*, March, 1890, CBRP, Box 2, Folder 4, ARC, TU; “Eugene Chesse,” *Crusader*, November 15, 1892, DFC, Folder 14, ASC, XUL; “Necrology,” *Daily Crusader*, September 12, 1895, DFC, Folder 41, ASC, XUL; Desdunes, *Hommage Rendu à la Mémoire de Alexandre Aristide Mary*, CBRP, Box 1, Folder 14, ARC, TU. Edward Larocque Tinker argued, on his way to Paris from New York to escape from Jim Crow, Mary had a panic and became obsessed with the idea that people want to take his mistress out of his way, and that obsession made him kill himself. Edward Larocque Tinker, *Les Écrits de Langue Française en Louisiane Au XIXe Siècle : Essais Biographiques et Bibliographiques* (Paris: H. Champion, 1933, Nendeln: Kraus Print, 1970), 299. Citations refer to the 1970 edition.

In addition to the loss of veteran leaders, toward the mid-1890s, Creoles of color reopened gaps with other African American leaders, as their tenacious fight against Jim Crow created friction with those who sought alternative ways to improve race relations. African American political thinkers had recognized that Reconstruction radicalism had vanished from mainstream politics and sought new strategies to survive within the Jim Crow system. The *Crusader* was not able to tolerate these accommodative attitudes of veteran leaders. It openly criticized Frederick Douglass for not supporting Homer A. Plessy and complained about South Carolina's African American politician William James Whipper for his tacit endorsement of limited suffrage. It also condemned Booker T. Washington as the emerging 'moderate' leader and vehemently opposed his 1895 Atlanta Cotton States' Exposition speech of "cast down with your bucket where you are," which focused more on economic independence of African Americans than political and social equality. The *Crusader* deemed his philosophy is "on a par with the plaintive wail about sparing the Negro because he was a bread-winner of a faithful slave on the old plantations." These criticisms reflected Creoles of color's adherence to their radical Reconstruction ideals, but also isolated them from nationally renowned African American leaders and communities outside New Orleans.<sup>140</sup>

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<sup>140</sup> Booker T. Washington, "The Story of My Life and Work," in *The Booker T. Washington Papers*, vol. 1, *The Autobiographical Writings*, ed. Louis R. Harlan (Urbana: University of Illinois Press, 1972), 73; "A Typical Negro 'Leader'," *Daily Crusader*, November 6, 1895, DFC, Folder 45, ASC, XUL. "A Typical Negro Leader," mentioned Booker T. Washington's philosophy as "The doctrine of Montgomery" however, the well-known doctrine which he spoke is that made at the Atlanta Exposition in 1895. The *Crusader* possibly made a mistake here. Otherwise, "the doctrine of Montgomery" could likely be Washington's address on the Emancipation Day of January 1 in 1895 in Montgomery, Alabama. At the speech, he also used "Cast your bucket where you are" analogy as he cited again in The Cotton State's Exposition in Atlanta, September 17, 1895. See Booker T. Washington, "A Newspaper Report of an Emancipation Day Address," in *The Booker T. Washington Papers*, vol. 3, ed. Louis R. Harlan (Urbana: University of Illinois Press, 1974), 486.

The transformation of the *Crusader* into a daily newspaper in 1894 realized a long-held but economically unsustainable ideal that forced a crisis in 1895. According to Medley, to achieve daily publication, “the printers and laborers agreed to work for half pay,” and the editors “worked for free and rotated editorial duties” to cover the increasing financial burden.<sup>141</sup> In 1895, the *Crusader* succeeded in raising additional funds from subscribers around southern Louisiana including Ascension Parish and Donaldsonville. Desdunes also put his private fortunes into the *Crusader*. La Circle de la Concorde, a social club, also held a meeting to raise funds.<sup>142</sup> Yet these efforts proved insufficient to continue publication. In March 1896, Louis A. Martinet told Albion W. Tourgée that the newspaper “may close any week or any day.”<sup>143</sup> In this situation, the Citizens’ Committee went to the Supreme Court.

### **The *Plessy* Case**

At the Supreme Court, Albion Tourgée developed two major arguments that reflected Creole legal strategies since Reconstruction. First, he emphasized the arbitrariness of racial classification based on the lack of a legal definition of race in the separate car act. Second, he argued that segregation violated the constitution because racial distinction would inevitably produce racial hierarchy. He further contended that the Thirteenth and Fourteenth Amendments prohibited such acts.<sup>144</sup> While Tourgée led the argument, his points intersected closely with the

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<sup>141</sup> Medley, *We as Freeman*, 186.

<sup>142</sup> “The Stocking,” *Daily Crusader*, ca. June-July 1895, DFC, Folder 37, “Young Lady’s Noble Work for the Stocking,” *Daily Crusader*, July 12, 1895, DFC, Folder 38; “Cercle La Concorde,” *Daily Crusader*, July 2, 1896, DFC, Folder 37, ASC, XUL.

<sup>143</sup> Louis A. Martinet to Albion W. Tourgée, March 4, 1896, no. 9014, 2, Albion Tourgée Papers, CCHS, NY.

<sup>144</sup> Albion W. Tourgée, “Brief of Plaintiff in Error,” *Plessy v. Ferguson*, October Term, 1895, no. 210, in *Record Case No. 15248: The Supreme Court of the United States*, 6-7.

earlier reasoning Creoles of color deployed prior in their civil rights lawsuits: questioning the color line and insisting that separation would yield inequality.

Throughout the court proceedings, Tourgée questioned the legality of racial classification. He argued that the white and African American racial classification did not reflect the reality of the diverse populace, functioned as “a new ethnology but prejudice based on the lessons of slavery,” and thus violated the Thirteenth Amendment.<sup>145</sup> To make his case, he asked how railroad officials could separate passengers into white or black cars based on their judgement. He pointed out the impracticability of such action stating, “Race is a scientific and legal question of great difficulty” and that “the State has no power to authorize any person to determine the same without testimony or to make the rights or privileges of any citizens of the United States dependent on the fact of race or its determination.”<sup>146</sup> To prove this point, Tourgée, just as Ursin Dellande had argued during his case in 1878, emphasized the significant interracial mixing of Louisiana. He stressed the proportion of white blood Plessy had in his veins and how he had shown that he could pass as white, despite being a person of color.

Next, Tourgée argued that racial distinction could never assure racial equality and rights. He claimed that the separate car act “is for the common advantage of both races or was so intended and accepted, farcical” and pointed out that white passengers never occupied ‘colored’ seats.<sup>147</sup> He further stated, “When the law distinguishes...two classes, it always is and always must be, to detriment of the weaker class or race.”<sup>148</sup> Creoles of color had pushed this point

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<sup>145</sup> Albion W. Tourgée, “Plessy v. Ferguson, Argument of A.W. Tourgee,” no. 6472, 3, Albion Tourgée Papers, CCHS, NY.

<sup>146</sup> James C. Walker, “Defendant’s Plea,” *State of Louisiana v. Homer Adolph Plessy*, October Term, 1893, no. 880, in *Record Case No.15248: The Supreme Court of the United States*, 9.

<sup>147</sup> Tourgée, “Plessy v. Ferguson, Argument of A.W. Tourgee,” no. 6472, 12, Albion Tourgée Papers, CCHS, NY.

<sup>148</sup> Tourgée, “Brief of Plaintiff in Error,” in *Plessy v. Ferguson*, October Term, 1895, No.210, in *Record Case No.*

repeatedly during their Reconstruction school struggle. He concluded his argument by insisting that “the Law, ought at least to be color-blind,” and therefore, the separate car act, which divided passengers by race, was unconstitutional in light of the Thirteenth and the Fourteenth Amendments.<sup>149</sup>

Destroying the hopes of Creoles of color, the Supreme Court upheld the separate car act by a vote of seven to one. Writing for the majority, Justice Henry Billings Brown asserted that the separate car act did not violate the Thirteenth Amendment, because railroad segregation did not require “slavery” or “a badge of servitude.” In terms of the Fourteenth Amendment, he cited the opinion of Justice Bradley, a member of the Supreme Court from 1870 to 1892, who held that the Fourteenth Amendment “does not invest Congress with power to legislate upon subjects that are within the domain of state legislation.” This reasoning concluded that civil rights jurisdiction belonged to each state. Hence, the Supreme Court decided segregation on intrastate railroads did not violate the Constitution.<sup>150</sup>

Furthermore, the Supreme Court’s decision thwarted Creoles of color because the justices refused to acknowledge a broad definition of equality and civil rights. The court judged that the separate car law maintained “symmetrical equality” between African Americans and whites. On the Thirteenth Amendment, Justice Brown commented that a legal distinction between “the white and colored races has no tendency to destroy the legal equality of the two races or reestablish a state of involuntary servitude.” On the Fourteenth Amendment, even if inequality occurred between the two races, he argued that this was due to natural and biological causes, and

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15248: *The Supreme Court of the United States*, 26.

<sup>149</sup> Tourgée, “Brief of Plaintiff in Error,” in *Plessy v. Ferguson*, October Term, 1895, No.210, in *Record Case No. 15248: The Supreme Court of the United States*, 19.

<sup>150</sup> *Plessy v. Ferguson*, 163 U.S. 537 (1896), 542, 546-47.



civil rights could not “abolish distinctions based on color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either.”<sup>151</sup> Failing to secure federal relief, Creoles of color lost the last means to implement their ideals.

The *Plessy* case dealt a staggering blow to the *Crusader* and the Citizens’ Committee. Around the time the decision was made, the *Crusader* ceased its operation. Desdunes explained publication ended because of increasing threats, stating, “Those who had the means and who would have been able to support the paper were frightened at the increasingly difficult circumstances,” and “the friends of justice were either dead or indifferent, they believed that the continuation of the *Crusader* would not only be fruitless but decidedly dangerous.”<sup>152</sup> The Citizens’ Committee likewise halted its activities. After the *Plessy* case, it settled accounts and paid a testimonial to Tourgée. Rather than retaining its remaining balance for future action, the Committee decided to divide the amount among various social organizations such as hospitals, an asylum, a sanitarium, and the Catholic Institute.<sup>153</sup> On January 11, 1897, the Committee’s last act was to pay Plessy’s fine of twenty-five dollars at the Criminal District Court.

After *Plessy*, the Jim Crow system expanded significantly to regulate the social, educational, religious, economic, and political lives of people of color. Despite Creoles’ initial refusal to attend St. Katharine’s Church, racial separation of churches reflected a new standard of the city. African American worshippers at St. Katharine’s, therefore, steadily increased. In 1895, there were only 140 communions at St. Katharine. In five years, the number increased to 1,415.

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<sup>151</sup> Mark Golub, “Plessy as ‘Passing’: Judicial Responses to Ambiguously Raced Bodies in *Plessy v. Ferguson*,” *Law & Society Review* 39, no. 3 (September 2005): 578; 163 U.S. 537, (1896), 544, 549.

<sup>152</sup> Desdunes, *Our People and Our History*, 147.

<sup>153</sup> The Citizens’ Committee, “Statement of the Citizens’ Committee,” in *Report of Proceedings for the Annulment of Act 111 of 1890*, 8, CBRP, Box 1, Folder 13, ARC, TU.

Children's baptisms increased from sixteen in 1895 to seventy-five in 1900. Public education for African Americans in New Orleans became more curtailed. In 1898, the city school board decided to limit public education for African Americans above the fifth grade, further cutting opportunities. While the first city streetcar segregation occurred 1902, throughout the 1890s, the state legislature made multiple attempts to pass a streetcar segregation law. When the state succeeded, it did not reinstate the star car system: instead it introduced a movable sign to physically separate white and African American passengers in the same car. Yet, New Orleans citizens were fully aware of the intention of the bill, Thomas Ewing Dabney recalled, "the measure...was called the Star-Car Bill, in memory of the 1860's"<sup>154</sup>

In order to cope with these hardships and failures, the Creole community refashioned its identity as 'Latin.' For them, 'Latin' signaled political idealism and colonial and trans-Atlantic identity. As early as 1892, Louis A. Martinet had expressed his frustration with Republican party politics to Albion W. Tourgée asking, "why are the descendants of the Latin races in the United States were [more] liberal than the so called Anglo-Saxons?"<sup>155</sup> Latin identity also signified Creoles' old ties to colonial Louisiana and the changing landscape and demography of the city. In 1897, Paul Trévigne, commented on the Americanization of New Orleans: "The Creole and Latin race is overwhelmed by the Anglo-Saxon wave. It is not only the artistic taste that disappears here, there is the exquisite politeness of our ancient populations, there is its brilliant spirit, there is its native elegance which go slowly but slowly but surely."<sup>156</sup> This erosion of

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<sup>154</sup> Dabney, "Consolidation Develops Community," 4, *Public Service of New Orleans*, Thomas Ewing Dabney Papers, Box 11, Folder 1, LaRC, TU.

<sup>155</sup> Louis A. Martinet to Albion W. Tourgée, July 4, 1892, no. 6377, Albion Tourgée Papers, CCHS, NY.

<sup>156</sup> "La Guerre au Second District," *Louisiana Republican*, May 1, 1897.

Creole-ness in New Orleans concurrently developed with the Jim Crow system and further isolated Creoles of color.

Rodolphe Lucien Desdunes crystalized the use of ‘Latin’ as an identifier of Creoles’ political morality and radical distinctiveness. In 1907, Desdunes openly criticized W. E. B. DuBois for his characterizations of African Americans in the South as an uneducated and non-industrious group. In contrast, Desdunes depicted Creoles of color as skilled laborers and the intellectuals among black Southerners. He called late Creole leaders such as Louis Charles Roudanez and Aristide Mary “moral negroes.” Touching on their political activism, he contended that “the Latin Negro differs radically from the Anglo-Saxon in aspiration and in method. One hopes, the other doubts...One forgets he is a Negro in order to think he is a man; the other will forget that he is a man in order to think that he is a Negro...One is a philosophical Negro, the other practical.” Losing visibility in American politics and African American intellectual debates, Desdunes argued, “if it were possible to convince the American Negro on the established worth of the Latin Negro, there is no example seen in the other races, that could not find a parallel faith in the unity of humanity could begin at home.” Desdunes reminded DuBois of Creoles’ relentless activism in the South and hinted at the need of collaboration. At the same time, Desdunes demanded the ‘American Negro’ to respect Creoles’ ideals. He implied that bridging the gaps between Anglicized blacks and Creoles of color presented a major difficulty.<sup>157</sup>

Yet, those who organized the *Plessy* case remained stalwart in the Creole community. Arthur Estéves served as president of the Catholic Institute until his death in 1908. Louis J.

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<sup>157</sup> Rodolphe Lucien Desdunes, *A Few Words to Dr. DuBois* (New Orleans, 1907), 7, 13, A. P. Tureaud Papers, Series 10, Box 37, Folder 38, ARC, TU.

Joubert succeeded his post. Paul Trévigne taught at the Institute as well. Homer A. Plessy served as vice president of La Société des Francs Amis, one of the donors of the Citizens' Committee, and he and Joubert both worked as board members of the Cosmopolitan Mutual Aid Association. Daniel Desdunes became a well-known music teacher and led various bands and orchestras in New Orleans before he moved to Omaha, Nebraska in 1904.<sup>158</sup>

At the turn of the twentieth century, Creoles of color also sought means to continue their pursuit of equality through the Republican Party. While it was short-lived, in 1897, Paul Trévigne revived the weekly *Louisiana Republican*. They sided with the Philip Felix Herwig-Henry Demas wing of the Republican Party. During its committee meeting, Rodolphe Lucien Desdunes demanded more schools, denounced lynching, and vehemently opposed the Grandfather clause, which aimed to disenfranchise African American voters in Louisiana.<sup>159</sup> At the turn of the twentieth century, Creoles of color also published two other Republican newspapers: the *Republican Courier* and the *Southern Republican*. In 1899, the *Southern Republican* mentioned Louis A. Martinet for his aid to the paper.<sup>160</sup> In 1900, the *Republican Courier* reported Louis J. Joubert became a secretary of the Republican State Central Committee along with James Madison Vance who worked as a chairman of the committee on resolutions.<sup>161</sup> At the turn of the twentieth century, Creoles of color continued seeking for racial justice. On February 1898, Louis A. Martinet submitted a protest for the exclusion of African American

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<sup>158</sup> Board of Directors, *History of the Catholic Indigent Orphan Institute*, CBRP, Box 1, Folder 20, ARC, TU; Medley, *We as Freeman*, 214; Vernhettes and Hanley, "The Desdunes Family," 27.

<sup>159</sup> "Demas' Committee," *Daily Picayune*, December 3, 1897.

<sup>160</sup> "No Title," *Southern Republican*, September 9, 1899.

<sup>161</sup> "Meeting of State Committee," *Republican Courier*, January 27, 1900.

citizens from federal juries in Louisiana.<sup>162</sup> Furthermore, on February 15, 1900, the *Southern Republican* called for justice for Sam Wright, a victim of lynching from Jefferson Parish.<sup>163</sup>

While these newspapers did not generate enough power to halt further Jim Crow rules and laws, Creoles of color once again looked for ways to regenerate their radicalism.

## **Conclusion**

The end of Reconstruction did not stop Creoles of color's pursuit of racial equality. In the 1880s, they had reorganized their community to cope with political changes with education as the key of reformulation. Southern University served as a place for Creoles of color and Anglicized blacks to work together. Straight University also continued to offer education and to nurture ties among all people of color. Because of drastic limits to public educational opportunities, Creoles of color put significant efforts into various private institutions, including the venerable Catholic Institute, to ensure schooling for their children. These educational efforts provided venues for Creoles of color to repair their relationship with Anglicized blacks and also to tighten social networks within their community. A civic organization such as the Justice, Protective, Social, and Educational Club developed from their educational concerns, closely linking education and community organizing.

These efforts generated a new leadership in the Creole community. In the 1880s and 1890s, a number of young Creole leaders rose into prominence and led the anti-Jim Crow segregation campaign. Many of them had spent their youth during the Civil War and Reconstruction and had absorbed in their daily lives what their elder community members had

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<sup>162</sup> "Editorial Comments," *Southwestern Christian Advocate*, February 17, 1898.

<sup>163</sup> "To Test the Constitution," *Southern Republican*, February 15, 1900.

accomplished with desegregation. When Reconstruction ended, they promoted their own campaigns for racial equality. After multiple attempts, these new members, led by Louis A. Martinet, began publishing the *Crusader*, which in style, contributors, and supporters revealed as an earnest successor to the *New Orleans Tribune*.

To fight against the 1890 Louisiana separate car act, Creoles of color re-established their radical networks with Anglicized blacks and white radicals. First, Creoles of color worked with Anglicized black leaders through ACERA. Although the organization's moderate approach to the Jim Crow segregation law disappointed Creoles of color, they attempted to work with Anglicized blacks just as during and after the Civil War. The Citizens' Committee, made up mostly of Creoles of color, welcomed a few members of non-Creole descent who shared their radical beliefs. Creoles of color exploited their relationships with white Reconstruction radicals inside and outside of Louisiana, to assist with *Plessy v. Ferguson*. They welcomed James C. Walker from New Orleans and Albion W. Tourg  e, a radical Republican of Reconstruction North Carolina as legal counsel. Various Creole community organizations supported the Committee's movement. The Committee's court cases also symbolized the significance of young activists, choosing Daniel F. Desdunes and Homer A. Plessy, involved with various Creole organizations since the late 1880s, as plaintiffs. The Citizens' Committee and its activities also represented the continuation of their radical alliance and weakened, but still important relationships with Anglicized blacks.

Not only did Creoles of color fight against the 1890 Louisiana separate car act, they opposed numerous segregation laws and practices throughout the 1890s. In each instance, Creoles reached out by organizing protest meetings and publishing statements and writing pieces in the *Crusader*. This struggle, led by veteran and emerging male leaders, but included

substantial efforts by women and children. In particular, Creole women ardently criticized the segregation of the Catholic Church. Their contributions made the anti-Jim Crow activism community-wide.

The *Plessy* case was the culmination of Creoles' long struggle for racial equality in public space. Although Albion W. Tourg   led the case, his rhetoric and argument overlapped with legal tactics that Creoles of color had developed over decades. The legal team argued the practical impossibility of achieving racial distinction and sought to invalidate 'separate but equal' as a viable principle. These two arguments had developed from the beginning of Creoles' activism against the star car system and school segregation in Reconstruction New Orleans. Creoles of color crystalized their arguments before ultimately challenged the federal judicial authority.

The loss of the *Plessy* case caused a fatal blow to the Creole community in New Orleans. Both the *Crusader* and the Citizens' Committee ceased their activities immediately after the decision. At the turn of the twentieth century, Jim Crow segregation appeared irreversible. St. Katharine's Church remained blacks-only. Public education for African Americans ended with the fifth grade, and re-segregated streetcars loomed. Having failed to stop the expansion of Jim Crow segregation, Creoles thinkers strengthened their identity as 'Latin negroes,' a philosophically radical group of African descent who were distinct from 'American negroes.' Yet, many Citizens' Committee members remained fundamental to the Creole community. While facing the challenging of the new racial norm, they soon sought ways to revive their ideals.

## **CONCLUSION**

From the onset of the Civil War, Creoles of color in New Orleans advocated for universal access to public institutions as essential rights of all people of color. They considered racial segregation of public institutions as a relic of slavery and the overwhelming hindrance to exercising their full rights as United States citizens. In postbellum New Orleans, Creoles of color used their economic, political, and human capital and developed their networks to achieve their ideals. Through this process, they collaborated closely with various likeminded groups, in particular, Anglicized blacks and white radicals, who served as key partners in transforming objectives for equal treatment into political goals. This alliance created a forceful grassroots movement against streetcar and school segregation that culminated in the ratification of the radical 1868 constitution ensuring equal entry to all public institutions.

Throughout the rest of Reconstruction, Creoles of color made further efforts to exercise their constitutional rights. The city school board openly defied the state order to desegregate its schools, transportation companies often provided separate accommodations for African American passengers, and the Catholic Church continued ignoring the plight of African American worshippers. In response to these predicaments, Creoles of color, along with Anglicized blacks and white radicals, deployed their political power to pass additional laws, filed numerous lawsuits, and mobilized their organizing skills to secure entrance to all public facilities. These relentless and multifaceted actions led to partial desegregation of public schools and transportation, two of the few successful instances of desegregation during Reconstruction in



the Deep South. In addition, Creoles of color developed their own social and educational organizations by developing their networks with Protestant missionaries.

Furthermore, these ongoing community mobilizations made it possible for Creoles of color to continue organized resistance to segregation at the end of Reconstruction. Following the Battle of Liberty Place in 1874, white supremacists' takeover of city and state politics diminished the political prominence of Creoles of color. However, Creoles and their allies continued to fervently oppose segregation. At the end of Reconstruction, Creoles of color confronted the newly fashioned segregation practices created as 'separate but equal.' To strike back, they rebuilt their educational institutions and reformulated their alliance with Anglicized blacks. They also published their own newspaper, the *Crusader*, to galvanize political opinion. These sustained efforts culminated in a quick response to the 1890 Louisiana separate car act.

In the 1890s, Creoles of color resignedly adapted to socio-political changes in New Orleans and rebuilt an alliance with Anglicized blacks and white radicals. When Creoles of color formed the Citizens' Committee in 1891, they fully deployed their social networks inside and outside of New Orleans in order to organize, fund, and plan the *Plessy* case. Although the Committee was primarily a Creole organization, Creoles of color still retained considerable connections with Anglicized blacks and Reconstruction white radicals and used anti-segregation rhetoric developed since the Civil War. They continued raising their voices against Jim Crow practices including a miscegenation bill, the establishment of the black Catholic Church, and an unlawful eviction of one of their community members from Mandeville. In this sense, the *Plessy* case represented Creoles' culminating sortie for racial equality.

Creoles' four-decade long movement for racial equality was part of the larger African American struggles to assert their freedom after the Civil War. The ideology of Creoles of color

was influenced by their francophone trans-Atlantic thoughts and their identity as free people of color. However, their school, transportation, and church desegregation activism demonstrated that their struggles were closely tied to their everyday experiences of discrimination, and they advocated for racial equality as a right to protect every people of African descent. The strength of Creoles' desegregation movement was their constant efforts to keep alliances with Anglicized blacks and white radicals and their ability to galvanize their community members, including women and children, to rally for their cause.

At the turn of the twentieth century, however, the memory of a desegregated past had quickly eroded from the public image of New Orleans. Once the most desegregated urban city in the Deep South, New Orleans was hastily introducing Jim Crow measures like its other Southern neighbors. The fate of the Fillmore School and Catholic Institute symbolized the forgotten radical past and the hardships of Creoles of color confronted under the Jim Crow system. The Fillmore School, the center stage of Creoles' massive resistance to school segregation, remained officially white, and, in 1883, was renamed as McDonogh No. 16, in honor of its benefactor, John McDonogh. This name change was the beginning of the erasure of Fillmore's past.

In the early twentieth century, the construction of a new school building further eradicated Fillmore's history. In 1908, McDonogh No. 16 parents petitioned the school board to replace the old school building due to unsanitary and dangerous conditions. The board moved swiftly to erect a new building. For parents, the new school symbolized modernization and the departure from Fillmore. Paul Burvant, chairman of the parents' club was one of several parents who had spent their childhoods at Fillmore in the 1870s. At the annual parents' club meeting before the ceremony of school opening, club president Lazu Block stated, "I led you through a

thrilling experience from the dark days of the old Fillmore School to the radiance and sun-burst of the New McDonogh No.16.”<sup>1</sup> When the new building was completed in 1908, no black school existed within the McDonogh No.16 school boundary.<sup>2</sup> In this neighborhood, public education became a privilege preserved for white children as it had been during the antebellum period.

Only a couple blocks away from the new McDonogh No.16 building, Creoles of color were struggling to maintain the Catholic Institute. Due to severely limited access to public schools, the demands on the Catholic Institute had steadily increased among Creole children. In the late 1890s, Creoles of color erected a new building by using bequests from Creole philanthropists Thomy Lafon and Aristide Mary to accommodate more students. On September 29, 1915, however, a massive hurricane destroyed the school building, and the board of directors immediately called for donations from the community for restoration. Despite two years of efforts, the board had failed raising funds sufficient to rebuild. In the end, school leaders asked Mother Katharine Drexel for aid through Father Samuel Kelly, a white Josephite priest who had established the Corpus Christi Church for African American Catholics in the Seventh Ward.

Due to this rebuilding process, Creoles of color lost considerable power over the Catholic Institute. Although board members succeeded in convincing Mother Drexel to help fund building repairs, she set specific conditions for the board’s future operation. First, she required the board to put the school under the supervision of Josephite priests and nuns from the Sisters of the Blessed Sacrament. Second, she limited the curriculum to two grades and specified that each class be no bigger than fifty students.<sup>3</sup> Third, she requested that the school be renamed St. Louis

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<sup>1</sup> Lazu Block, “Annual Address of Mr. Lazu Block, President of the Parent’s Club of Mc Donogh No. 16 School, October 14, 1910,” 2, *Scrapbook*, Item 4, OPSB, LSC, ELL, UNO.

<sup>2</sup> The closest black school from Fillmore was the Marigny School located on 1317 Marigny Street. Soards Directory Co., *Soard’s New Orleans City Directory for 1908* (New Orleans: Soards Directory Co., 1908), 200.

<sup>3</sup> Louis. J. Joubert to Mother Katharine Drexel, May 29, 1917, H10B, Box 31, Folder 14, SBSA, CHRCAP; Letter

after her sister, Louise Drexel Morrell. To continue providing education for their children, Creoles of color lost the autonomy they had held from the antebellum period.

The 1917 Catholic Institute pamphlet published by the board of directors shows that the memory of desegregation struggles never faded for Creoles of color. In the listing of Institute managers, its president, Louis J. Joubert was described as a former “business manager of the Daily Crusader...the defender of Right and Justice and organ of the Citizens’ Committee.” The pamphlet also honored Arthur Estèves, another member of the Citizens’ Committee, as a great benefactor as well as Aristide Mary, Thomy Lafon and Marie Couvent. Louis A. Martinet served as legal counsel. The publication reemphasized the radical legacy that still impacted community education.<sup>4</sup>

The contrast between the McDonogh No. 16 School and the Catholic Institute illustrates the hardship the Jim Crow system brought to the Creole community. The Jim Crow system limited their access to public institutions, but also transformed the educational institution fundamental to Creoles of color since the antebellum period. Losing political, legal, and grassroots ground, Creoles’ radical past became more and more invisible in twentieth century New Orleans. The McDonogh No.16 School thrived as a white school throughout the early twentieth century. Creoles of color, along with Anglicized black leaders, continued working to improve public education for their children. Throughout the early twentieth century, they made great efforts to increase the number of black schools as well as demand access to white schools. Finally, in 1962 a court order desegregation forced the admission of two African American first-

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Mother Katharine Drexel to Louis J. Joubert, June 12, 1917, H10A, Box 24, Folder 7, SBSA, CHRCAP; Neidenbach, “The Life and Legacy of Marie Couvent,” 456-57.

<sup>4</sup> Board of Directors, *History of the Catholic Indigent Orphan Institute*, CBRP, Box 1, Folder 20, ARC, TU.

graders to McDonogh No. 16. Yet, the public rarely recognized that the case was in fact the school's second desegregation experience.<sup>5</sup>

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<sup>5</sup> "Mixed Classes to Begin at 21 Public Schools," *Daily States-Item*, September 5, 1962. In the early twentieth century, New Orleans historians, journalists, activists occasionally mentioned Reconstruction school desegregation, however, hardly examined individual schools. See Marcus Christian, "Chapter 32: Negro Education, 1861-1900," 1, Subseries XIII., Series XIII., Box 9, Marcus Christian Collection (MSS 11), LSC, ELL, UNO; Roussève, *The Negro in Louisiana*. In 1961, The *Times Picayune* journalist Francis P. Burns published an article discussing school desegregation during Reconstruction and mentioned the lawsuits brought by Paul Trévigne and Arnold Bertonneau, but he did not point out that their children attended Fillmore. Francis P. Burns, "Burns Relates School History," *Times Picayune*, October 26, 1961.

## APPENDICES

### APPENDIX A: THE MEMBERSHIPS OF THE 1867-68 LOUISIANA CONSTITUTIONAL CONVENTION SPECIAL COMMITTEES

#### The Committee on the Bill of Rights \*

\*white delegate

| <b>Name</b>                  | <b>District</b>                                |
|------------------------------|--|
| James H. Ingraham (chairman) | Caddo  |
| Gustave Duparte              | Washington/St. Helena                          |
| C. B. H. Duplessis*          | Third District Orleans                         |
| John Pierce                  | Bossier  |
| George W. Reagan*            | East Baton Rouge                               |
| D. D. Riggs*                 | Livingston/Washington/ St. Helena/ St. Tammany |
| John Scott*                  | Jackson/Winn                                   |
| Henderson Williams           | Madison and Franklin                           |
| David Wilson                 | First District Orleans                         |

#### The Committee on Public Education

| <b>Name</b>            | <b>District</b>                              |
|------------------------|--|
| John Lynch (chairman)* | Carroll/Morehouse                            |
| John L. Barrett*       | Union  |
| A. J. Bernard*         | Calcasieu/Vermillion                         |
| Ovide C. Blandin       | Second District Orleans                      |
| H. Bonseigneur         | First District Orleans                       |
| William Butler         | Livingston/Washington/St. Helena/St. Tammany |
| Dennis Burrell         | St. John the Baptist                         |
| A. J. Demarest*        | St. Mary                                     |
| Pierre George Deslonde | Iberville                                    |
| David Douglas*         | Third District Orleans                       |
| Theophile Myers*       | West Baton Rouge/Pointe Coupee               |
| Peter Harper*          | St. Charles/St. John the Baptist             |
| George Snyder*         | DeSoto/Sabine                                |

#### The Committee on the Draft of the Constitution

| <b>Name</b>           | <b>District</b>                |
|-----------------------|--------------------------------|
| W. Cooley (chairman)* | West Baton Rouge/Pointe Coupee |
| Thomas S. Crawford*   | Caldwell/Ouachita              |
| John S. Ludeling*     | Caldwell/Ouachita              |
| Rufus Waples*         | Fourth District Orleans        |
| W. L. McMillan*       | Carroll/Morehouse              |
| Charles Leroy         | Natchitoches                   |
| P. F. Valfroit        | Ascension                      |
| J. A. H. Roberts      | Jefferson                      |

|                   |       |
|-------------------|-------|
| James H. Ingraham | Caddo |
|-------------------|-------|

Sources: *Official Journal of the Proceedings of the Convention, for Framing a Constitution for the State of Louisiana, 1867-1868* (New Orleans: J. B. Roudanez & Co., Printers to the Convention, 1868), 13

## **APPENDIX B: EXTRACTS FROM THE 1868 LOUISIANA STATE CONSTITUTION**

Article 2: All person, without regard to race, color, or previous condition, born or naturalized in the United States and subject to the jurisdiction thereof, and residents of this 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 this State. They shall enjoy the same civil, political, and public rights and privileges, and be subject to the same pains and penalties.

Article 13: All persons shall enjoy equal rights and privileges upon any conveyance of a public character; and all places of business, or of public resort, or for which a license is required by either State, parish or municipal authority, shall be deemed places of a public character, and shall be opened to the accommodation and patronage of all persons, without distinction or discrimination on account of race or color.

Article 135: The General Assembly shall establish at least one free public school in every 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.

Source: *Constitution Adopted by the State Constitutional Convention of the State of Louisiana, March 7, 1868*. (New Orleans: The Republican Office, 1868), 3-4, 17.



**APPENDIX C: THE LIST OF STUDENTS OF COLOR IN THE FILLMORE SCHOOL REGISTER, 1877-1878**

\*Order based on Original Record

| Name            | Age | Birthplace  | Address                           | Admission Date | Guardian's Name  | Occupation    | Remarks                                  | 1880 Census | Notes                     |
|-----------------|-----|-------------|-----------------------------------|----------------|------------------|---------------|--|-------------|---------------------------|
| Henry Amand     | 10  | New Orleans | 296 Roman St. and Columbus St.    | October 23     | Jules Amand      | Shoemaker     | Transferred October 29 to Colored School | Mulatto     | Brother of Robert Amand   |
| Gabriel Avril   | 13  | New Orleans | 186 Mandeville St.                | October 23     | Antoine Avril    | Cigar Maker   | Transferred October 29 to Colored School | Mulatto     | N/A                       |
| Henry Antoine   | 6   | New Orleans | 14 Union St.                      | October 22     | Eugene Antoine   | Printer       | Transferred October 29 to Colored School | White       | N/A                       |
| Louis Anderson  | 7   | New Orleans | 5 Urquhart St.                    | October 22     | William Anderson | Shoemaker     | Blank                                    | Mulatto     | N/A                       |
| Robert Amand    | 7   | New Orleans | Corner Columbus St. and Roman St. | October 23     | Jules Amand      | Shoemaker     | Transferred October 29 to Colored School | Mulatto     | N/A                       |
| Emmanuel Brulee | 13  | St. Domingo | 30 Kerlerec St.                   | October 22     | Elvina Brulee    | No Occupation | Blank                                    | Mulatto     | N/A                       |
| Joseph Blandin  | 13  | New Orleans | 232 Elysian Fields St.            | October 23     | Ovide C. Blandin | Pawn Broker   | Blank                                    | Mulatto?    | Joseph is Ovide's nephew. |
| Anatole Ballon  | 12  | New Orleans | St. Bernard St. and Robert St.    | October 23     | Henry Ballon     | Shoemaker     | Blank                                    | Mulatto     | N/A                       |

|                      |    |             |                            |            |                       |                    |  |          |  |
|----------------------|----|-------------|----------------------------|------------|-----------------------|--------------------|--|----------|--|
| Oscar Bouny          | 8  | New Orleans | 35 St. Bernard St.         | October 22 | John Bouny            | Cigar Maker        | Transferred October 29 to Colored School | N/A      | N/A  |
| Albert Berdenave     | 9  | New Orleans | 257 Bagatelle St.          | October 22 | O. Berdenave          | Cigar Maker        | Blank                                    | Mulatto  | N/A  |
| Arnold Bertonneau    | 8  | New Orleans | Love St. near Columbus St. | October 22 | A. Bertonneau         | Clerk              | Blank                                    | White    | 1870 Census: Mulatto                               |
| Alphonse Cazelar     | 8  | New Orleans | 369 St. Claude St.         | October 22 | John Cazelar          | Planter            | Blank                                    | White    | 1870 Census: Mulatto                               |
| Victor Cazelar       | 7  | New Orleans | 369 St. Claude St.         | October 23 | Victor Cazelar        | Planter            | Blank                                    | Mulatto? | N/A  |
| Alex Chisse [Chessé] | 7  | New Orleans | 33 Kerlerec St.            | Blank      | A. L. Chisse [Chessé] | Tailor             | Blank                                    | Mulatto  | N/A  |
| Louis Duffaut        | 13 | New Orleans | 217 Mandeville St.         | October 23 | Joseph Duffaut        | Bricklayer         | Blank                                    | Mulatto  | N/A  |
| Joseph Dellandé      | 13 | New Orleans | 434 St. Claude St.         | October 23 | Ursin Dellandé        | Cigar Manufacturer | Transferred October 29 to Colored School | White    | Brother of Francis Delandé                         |
| Paul Desarzant       | 13 | New Orleans | 493 Bagatelle St.          | October 23 | Armand Desarzant      | Printer            | Blank                                    | White    | 1870 Census: Mulatto, Brother of Charles Desarzant |

|                      |    |             |  |             |                    |                    |  |          |                             |
|----------------------|----|-------------|--|-------------|--------------------|--------------------|--|----------|-----------------------------|
| Henry Duhart         | 11 | New Orleans | 193 Spain St.                                      | October 22  | Armand Duhart      | Printer            | Transferred October 29 to Colored School | N/A      | N/A                         |
| Francis Deland e     | 11 | New Orleans | 434 St. Anthony St.                                | October 22  | F. Deland e        | Cigar Manufacturer | Transferred October 29 to Colored School | N/A      | N/A                         |
| G. Duhart            | 9  | New Orleans | 193 Spain St.                                      | October 22  | A. Duhart          | Book Keeper        | Transferred October 29 to Colored School | N/A      | N/A                         |
| Thomas L. Dupless is | 9  | New Orleans | 75 St. Bernard St.                                 | October 23  | Edward Dupless is  | Carpente r         | Blank                                    | Mulat to | N/A                         |
| Ulysse DuBois e      | 7  | New Orleans | 335 Craps St.                                      | Blank       | E. DuBois e        | Tailor             | Blank                                    | Mulat to | N/A                         |
| Eufroi Despin asse   | 15 | New Orleans | 125 St. Antoine St.                                | Blank       | Valsin Despin asse | Cigar Maker        | Blank                                    | Mulat to | N/A                         |
| William A. DuBois e  | 6  | New Orleans | 365 Craps St.                                      | February 25 | H. N. Dubois       | Tailor             | Blank                                    | Mulat to | Brothe r of Ulysse DuBoi se |
| Charles Ferbos       | 11 | New Orleans | 401 Greatma n St.                                  | October 22  | Joseph Ferbos      | Cigar Maker        | Blank                                    | Mulat to | N/A                         |
| Louis Frere          | 10 | New Orleans | 102 Elysian Fields St.                             | November 2  | Ed. Frere          | Tobacco nist       | Blank                                    | Mulat to | N/A                         |
| Nelson Gaspar d      | 7  | New Orleans | Annette St. between Robertso n St. and Villere St. | October 24  | Philo Gaspar d     | Cooper             | Transferred October 29 to Colored School | Mulat to | N/A                         |

|                 |    |             |                                       |            |                  |                |  |         |                      |
|-----------------|----|-------------|---------------------------------------|------------|------------------|----------------|--|---------|----------------------|
| Albert Guichard | 7  | New Orleans | 73 Columbus St.                       | April 22   | Leopold Guichard | Carpenter      | Blank                                    | Mulatto | N/A                  |
| George Heno     | 14 | New Orleans | 30 St. Anthony St.                    | October 22 | Joseph Heno      | Sailmaker      | Blank                                    | N/A     | 1870 Census: Mulatto |
| Joseph Honore   | 11 | New Orleans | Corner Bagatelle St. and Derbigny St. | October 22 | Joseph Honore    | Carpenter      | Blank                                    | Mulatto | N/A                  |
| Anthony Hart    | 8  | New Orleans | 123 Conti St.                         | Blank      | Mrs. Hart        | Dressmaker     | Blank                                    | Mulatto | N/A                  |
| Henry Leon      | 15 | New Orleans | 154 Washington Avenue                 | October 23 | Thomas Leon      | Policeman      | Transferred October 29 to Colored School | Mulatto | N/A                  |
| Constant Leon   | 10 | New Orleans | 154 Washington Avenue                 | October 23 | Thomas Leon      | Policeman      | Transferred October 29 to Colored School | Mulatto | N/A                  |
| John Larrieu    | 11 | New Orleans | 49 St. Bernard St.                    | October 22 | E. L. Larrieu    | Druggist       | Blank                                    | Mulatto | N/A                  |
| John Marin      | 9  | New Orleans | 483 Robertson St.                     | March 14   | Michel Marin     | Cigar Maker    | Blank                                    | Mulatto | N/A                  |
| Dixon McKenna   | 11 | New Orleans | 99 Union St.                          | March 18   | Jim McKenna      | Mattress Maker | Blank                                    | Mulatto | N/A                  |
| Lucien Plessy   | 11 | New Orleans | 507 Love St.                          | October 22 | Gustave Plessy   | Carpenter      | Transferred to Colored School            | Black   | N/A                  |
| Albert Rey      | 9  | New Orleans | 95 Columbus St.                       | October 22 | Henry Rey        | Book Keeper    | Transferred October 29 to                | Mulatto | N/A                  |

|                    |    |             |                              |             |                    |   |  |         |     |
|--------------------|----|-------------|------------------------------|-------------|--------------------|---|--|---------|-----|
|                    |    |             |                              |             |                    |   | Colored School                           |         |     |
| Leonard Rouzan     | 13 | New Orleans | 186 Mandeville St.           | October 22  | Martin Rouzan      | Bricklayer                                | Transferred October 29 to Colored School | Mulatto | N/A |
| Aug. Rotschild     | 13 | New Orleans | Girod St. and Spain St.      | October 22  | Joseph Rey         | Carpenter                                 | Blank                                    | Mulatto | N/A |
| Placide Saune      | 13 | New Orleans | 405 Goodchildren St.         | February 18 | Paul Saune         | Cigars                                    | Blank                                    | Mulatto | N/A |
| Paul Trevigne      | 15 | New Orleans | 155 Columbus St.             | October 22  | Paul Trevigne      | Clerk Marine Office C. H. [Custom House?] | Blank                                    | Mulatto | N/A |
| Joseph Touchard    | 11 | New Orleans | 436 St. Claude St.           | October 23  | L. Touchard        | Laborer                                   | Blank                                    | Mulatto | N/A |
| Alexander Thomatis | 7  | New Orleans | 455 St. John the Baptist St. | October 25  | Alexander Thomatis | Laborer                                   | Transferred October 29 to Colored School | Mulatto | N/A |
| Henry Tibault      | 7  | New Orleans | 403 Goodchildren St.         | March 25    | D. Tibault         | Letter Carrier                            | Blank                                    | Mulatto | N/A |

Sources: *School Registers*, *Millard Fillmore School*, 1877, OPSB, LSC, ELL, UNO; 1870 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans; 1880 U.S. census, Orleans Parish, Louisiana, population schedule, New Orleans.

## APPENDIX D: THE ORIGINAL MEMBERS OF THE CITIZENS' COMMITTEE

| Name                  | Title               |
|-----------------------|---------------------|
| Arthur Estèves        | President           |
| Caesar C. Antoine     | Vice President      |
| Firmin Christophe     | Secretary           |
| G. G. Johnson         | Assistant Secretary |
| Paul Bonseigneur      | Treasurer           |
| Laurent Auguste       |                     |
| R. B. Baquie          |                     |
| Rodolphe Lucien       |                     |
| Desdunes              |                     |
| Arthur J. Giuranovich |                     |
| Alcée Labat           |                     |
| E. A. Williams        |                     |
| Pierre Chevalier      |                     |
| Louis A. Martinet     |                     |
| Numa E. Mansion       |                     |
| Louis J. Joubert      |                     |
| A. B. Kennedy         |                     |
| Myrtle J. Piron       |                     |
| Eugène Luscy          |                     |

Source: The Citizens' Committee, "An Appeal," in *Report of Proceedings for the Annulment of Act III of 1890*, 3, CBRP, Box 1, Folder 13, ARC, TU.

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Roger Baudier Collection

Colored Missions File

Widow Couvent's School Collection

St. Katherine's Church File

Archives and Special Collections, Xavier University of Louisiana, New Orleans, Louisiana

Desdunes Family Collection

Chautauqua County Historical Society, Westfield, New York

Albion Tourgée Papers

Josephite Archives, Washington D.C.

Mill Hill Fathers Papers

Francis Janssens Papers

Library of Congress, Washington D.C.

Nathaniel P. Banks Papers

Louisiana and Lower Mississippi Valley Collections, Louisiana State University, Baton Rouge, Louisiana

Beauregard (Pierre G.T. and Family) Papers

Léona Queyrouze Barel Papers

Edward Clifton Wharton Papers

Louisiana and Special Collection, Earl K. Long Library, University of New Orleans, New Orleans, Louisiana

Marcus Christian Collection

René Grandjean Collection

Orleans Parish School Board Collection

Supreme Court of Louisiana Collection

Société d'Economie et d'Assistance Mutuelle Collection

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Thomas Ewing Dabney Papers  
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