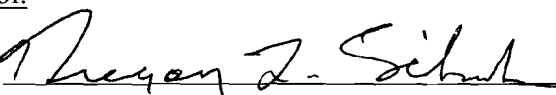


AN ABSTRACT OF THE THESIS OF

David J. Peavler for the Master of Arts in American History presented on November 5, 2003.

Title: The Origins of Segregated Education in Kansas City: The Creation of Sumner High School.

Abstract approved:  _____

When most Americans think about the struggle for civil rights, their thoughts immediately turn to the South during the tumultuous decades of the 1960s and 1970s. This focus on civil rights as the domain of recent history has limited our understanding of the movement by neglecting the origins of segregation as it spread across the nation. As segregation spread west, it took on many Southern characteristics but was profoundly influenced by local factors such as culture, demographics, and the actions of local community members. Segregation in Kansas was no exception, with separate schools being established at various times and in various ways according to these factors.

The most visible example of segregation in Kansas was Sumner High School in Kansas City. Sumner was the only segregated high school ever to operate in the state, yet its story is representative of the racial attitudes that existed at the time of its founding. Prior to its creation, black and white children in Kansas City attended segregated grammar schools but were integrated at the secondary level. State law forbid segregation at the high school level until a movement was begun by students and parents, allegedly due to the killing of a white student by a black youth. A deeper analysis reveals that the movement was not the result of this tragedy, but rather the result of demographic changes which facilitated the construction of an additional school combined with the racial antagonisms which existed in the state at this time.

THE ORIGINS OF SEGREGATED EDUCATION IN KANSAS CITY:
THE CREATION OF SUMNER HIGH SCHOOL

A Thesis

Presented to

The Department of Social Sciences

EMPORIA STATE UNIVERSITY

In Partial Fulfillment

Of the Requirements for the Degree

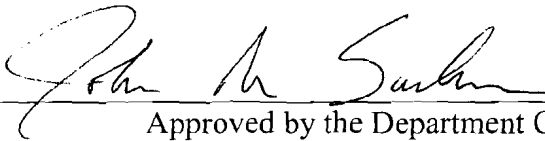
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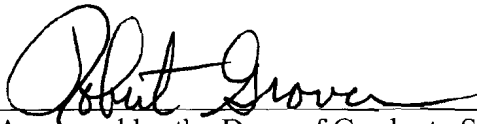
David Jay Peavler

December 2003

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Approved by the Dean of Graduate Studies and Research

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Introduction

Background

In 1954, the U.S. Supreme Court declared in *Brown v. Topeka Board of Education* that segregation in the public school system denied American children of their right to equal protection under the law. Almost five decades later, a report from the Civil Rights Project at Harvard University concluded that many American schools were more segregated in 2001 than they were on the day the landmark case was decided. While historians have produced a myriad of books and articles on the famous Topeka segregation case, one of the most essential questions has been overlooked: The State of Kansas was founded by abolitionists and home to men and women who perceived themselves as defenders of freedom and equality. Why would such a people risk their lives to defeat the South only to embrace a Southern system of apartheid in public education?

Such an exploration will show that segregation in Kansas was a contentious issue. In every school district, local conditions were the primary factor in determining the extent of segregation, with separate schools being established at various levels in virtually every community that had a black population large enough to justify the added expense. Although demographic conditions were the single most influential factor, the attitudes and actions of community leaders played a determinative role in responding to those conditions. Finally, the actions of individual community members on both sides of the issue must also be considered.

The ambivalence of Kansans regarding the race question can clearly be seen in the legislative history of segregated schools. In fact, the inconsistencies of that

record and its implementation would lead several black plaintiffs to sue for their rights without challenging the statutes themselves. Laws were frequently proposed to clarify the issue and allow the expansion of segregated education. Although few white citizens and community leaders took a stand against these measures, even fewer lawmakers were eager to be identified as supporters of Jim Crow.

Given this background, it is not surprising that in February 1905, a specific law was passed granting the school district of Kansas City an exemption to the state law forbidding racial segregation at the high school level. Contrary to his professed beliefs, a reluctant governor signed the bill, calling it a “great step backwards” but also stating that he feared public opinion had made such a separation necessary for the safety and well-being of the entire student body. The next year Sumner High School opened its doors as the first and only segregated high school in Kansas history. It’s enrollment would remain 100% African-American until the late 1970s.

Focus of the Study

The focus of this study is the attitudes and events that led to the creation of Sumner High School in 1905. I will briefly examine the history of Kansas schools and the emergence of segregated education in the state as a foundation for understanding these opinions and experiences. A brief survey of segregated education in Kansas City prior to 1904 is also included as background. The bulk of this work is devoted to understanding the movement for a separate high school in Kansas City. Great detail is given to the alleged impetus of the movement—the death of Roy Martin, as well as the resulting actions of students, parents, community leaders, and

politicians throughout the state. Although the creation of Sumner High had its origins in racial prejudice, no article on Sumner would be complete without an acknowledgement of its achievements. The final chapter chronicles the tradition of academic success and personal growth that was established at Sumner High.

Significance of the Study

W. E. B. DuBois said, “The problem of the twentieth century is the problem of the color-line.” He was wrong. The problem of the color line has been the problem of every century, and this one is shaping up to be no different from all of the others. Every major conflict of the modern era shares a common origin—the creation of one’s identity in opposition to another. These identities are not always exclusively linked to racial, religious, or ethnic categories, but it is only when an appeal is made along these boundaries that the very humanity of “the other” is questioned.

Far from being an anomaly in the history of race relations in Kansas, the story of Sumner High is an excellent model for understanding the dynamics of racism in the West. Unlike the Southern impulse to subjugate its black population into a state of perpetual servitude, Kansans pursued a strategy of isolation reminiscent of the treatment of Native Americans during its antebellum period. In both cases, whites defended their actions by claiming that present isolation would somehow facilitate future integration, an objective that could only be achieved, ironically, by education. Although demographic factors were of primary importance, the maintenance of separate schools was a local decision that was highly contested.

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Much can be learned by examining the actions and motivations of those Kansans who actively campaigned for segregated schools and the intrepid souls who opposed them. While civil rights historiography tends to focus on these heroes and villains, especially those who were active in the South during the 1960s, it is my hope that this paper will attest to the truth that the battle for civil rights has been waged by millions of people throughout the nation for the entirety of our history.

Chapter 1.

Origins of Segregated Education in Kansas

National Perspectives

America's educational system has discriminated against African-Americans throughout the majority of its history. In most areas, public sentiment served to restrict black children to separate schools or to exclude them altogether, even when public policy did not support such a course. Such discrimination received little attention from lawmakers and scholars alike until recent decades, at least partially owing to the fact that educational opportunities were rare for members of all races prior to the turn of the century.¹

This is not to say that discrimination and segregation in America's educational system was inevitable. There has been organized protest to segregated education as early as 1787, when a group of black citizens in Boston organized to petition their state legislature to open the city's schools to members of their race. Unfortunately, the forces pushing for equal educational opportunity were all but ignored until the middle of the twentieth century.²

That the city of Boston eventually rejected segregation demonstrates that segregation was neither a natural nor inescapable part of America's educational system. In 1849 the father of Sarah Roberts, a black elementary school student, enlisted the help of future Senator Charles Sumner to test the legality of the city's

¹ Robert Freeman Butts, *A History of Education in American Culture*. (New York: Rinehart and Winston 1953).

² Leon Litwack, *North of Slavery*. (Chicago: University of Chicago Press, 1961), 113-4.

system of segregated schools. Although Sumner lost his case, many of the Boston schools voluntarily desegregated shortly thereafter.³

Writing in 1859, Frederick Douglass spoke for many seeking an end to segregated schools. His words echo those of the Boston School Committee a decade earlier:

The point we must aim at is to obtain admission for our children into the nearest schoolhouse, and the best schoolhouse in our respective neighborhoods. Integrated schools would not only afford Negro children a better education; they would strike a fatal blow at racial segregation and create an atmosphere in which Negroes could work more effectively for equal political and social rights.⁴

Although they had been excluded from white schools, blacks never surrendered their faith in education, establishing their own institutions and seeking the support of community members and governmental agencies. By 1860 there were scores of private black colleges and academies and nearly every northern state provided some type of public school for its black children. Most of these schools, however, were thoroughly segregated and vastly inferior to the schools white students attended. As the nation's population extended westward, it was unknown whether this pattern would continue.⁵

³ Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality*. (New York: Alfred A. Knopf, 1976), 75-6. Robert Leon Lane, "A Historical Study of the Development of School Desegregation in the Wichita Public Schools, 1966 to 1975." (Ph.D. Diss., University of Kansas, 1976), 33.

⁴ Litwack, 143.

⁵ Carter G. Woodson, *The Education of the Negro Prior to 1861*. (Washington, DC: The Associated Publishers, Inc., 1919).

The First Schools of Kansas

The first schools of Kansas were established by missionaries several decades prior to statehood for the benefit of the children of the Wyandot Indian tribe.⁶ In 1831, Thomas Johnson built a log-cabin school in the area north of the Kansas River. Thirteen years later John McIntyre operated a one-room schoolhouse managed by the Wyandot Council that was funded by the federal government for the benefit of Indian children in that area. Both of these schools were racially integrated, with local white children being allowed to attend the schools without charge.⁷

Northeast Kansas was not alone in establishing early schools for Native Americans. Reverend T.S. Huffaker established a school to educate Indian children in the area that would become Council Grove during this same time period. Huffaker complained that his school was a failure through no fault of his own, but rather the result of a lack of potential inherent in his students and their parents. Despite Huffaker's complaints, these schools were in high demand, with about twenty of them in operation at various times throughout Kansas prior to the state's admission into the Union. Today, both Ottawa University and Highland Community College can trace their origins to these schools.⁸

Prior to the middle of the 1860s, few schools existed in Kansas and even fewer of these held classes for more than a few months. Educational opportunities at this time were very limited for whites and practically non-existent for blacks with the

⁶ A. Theodore Brown, *Frontier Community: Kansas City to 1870*. (University of Missouri Press: Columbia, 1963), 19.

⁷ Kate L. Cowick, *The Story of Kansas City*. (Kansas City: The Kansas City Kansan, 1924).

⁸ William E. Connelley. *A Standard History of Kansas and Kansans*. (Chicago, Lewis Publishing Company, 1918), 215. Woman's Kansas Day Club, *Early Day Schools in Kansas*. Vol. 1. (Topeka: Woman's Day Club of Kansas, 1961.)

exception of those schools established for freed slaves. It did not take long, however, before Kansans began building schools out of whatever materials they could find, supporting them by boarding teachers in their homes, and paying for their operation by voluntary contributions.

In his speech to welcome the new territorial governor, General Pomeroy emphasized the importance of public schools to the first settlers of the state. “We come with the open bible, and the open spelling book,” Pomeroy said. “Our Purpose is to place the one upon the pulpit of a free church, and the other upon the desk of a free school.” By 1867 there were 703 schoolhouses in the state, yet all but about two hundred of these were constructed of sod and were similar to the dugouts that were used as temporary homes by the first settlers. The total valuation of school property for that year was just over a half million dollars, the vast majority of which was derived from the vast tracks of real estate set aside for educational purposes. From these humble beginnings came rapid progress, and in forty years the total valuation increased nearly forty times, reaching \$21 million in 1910.⁹

What is difficult to discern, however, is how much this progress benefited all of the people of Kansas. Although the state offered many settlers a fresh start, the people who migrated to Kansas brought with them the attitudes and prejudices of the East and the South. Despite the fact that slavery was rejected by an overwhelming majority of Kansans by the time the first public schools were created, these attitudes led to a great deal of support for a law prohibiting people of African descent from

⁹ Kansas State Historical Society, *Columbian History of Education in Kansas*. (Topeka: Hamilton Printing Co., 1893), 130. *Topeka Capital*, June 18, 1911.

entering the state at all. Although no such measure was ever passed, many other efforts were taken to limit the opportunities of blacks within the Free State.¹⁰

As the black population continued to grow and more and more public schools were built, the question of an integrated school system became a major issue in every district. In every instance, efforts to segregate the schools met opposition from black parents and a handful of whites who opposed separation on moral or economic grounds. Although the majority of Kansans accepted the need for some type of schooling for black children, it seems that with few exceptions, separate schools were only rejected when taxpayers refused the added burden of separate teachers and facilities.

The attitudes which led to the creation of a dual system in Kansas can be seen in an article in the *Leavenworth Times* which was typical of the opinions of Kansans regarding the need to provide schools for black children. The author regarded the provision of schools for blacks as a way to provide public security rather than valuing the potential of young black scholars. The author wrote that if schools for blacks were not built and these children were allowed to “grow up in ignorance,” taxpayers would simply end up financing the construction of prisons.¹¹

The Exodus

In 1855 there were only a handful of free black families, the total black population being 343, with 192 of those individuals in slavery. The census of 1860, however, shows the victory of the free state forces, with the black population

¹⁰ Connelly, p. 467.

¹¹ *Leavenworth Times*, December 6, 1863.

increasing to 627 with only two of those individuals still in bondage. By the end of the Civil War this number jumped to twelve thousand, constituting nine percent of the total state population—the highest percentage in state history.¹²

Contrary to widespread opinion, many African-Americans immigrated to Kansas prior to the Great Exodus of 1879. The state was a symbol of freedom for many black Americans throughout the 1870s, and many families moved to the state during this time. William Cohen argues that the significance of the Exodus was largely symbolic, emphasizing the oppressive conditions which existed in the South but relatively insignificant as a migration. Cohen supports his interpretation by arguing that less than 25,000 blacks moved to the state during the entire decade of the 1870s—a relatively insignificant number given the millions of African-Americans who remained in the Southern and border states.¹³

This number may appear insignificant from a national perspective, but for those living in Kansas it was an event of the first magnitude. Census records show that the black population more than doubled between 1870 and 1880, increasing from 17,056 to 43,799.¹⁴ Because so many of these emigrants were destitute, efforts were made by both white and black residents to provide for these newcomers. Private organizations were among the first to deliver relief. On May 8, 1879 Governor St. John sustained these private efforts by establishing the Freedman's Relief Association. Although its primary mission was to provide for the immediate physical

¹² William Frank Zornow, *Kansas: A History of the Jayhawk State*. (Norman: University of Oklahoma Press, 1957). James N. Leiker, "Race Relations in the Sunflower State," *Kansas History*, Autumn 2000, 222.

¹³ William Cohen. *At Freedom's Edge: Black Mobility and the Southern White Quest for Racial Control 1861-1915*. (Baton Rouge, Louisiana State University Press 1991), 168-176. Robert G. Athearn. *In Search of Canaan: Black Migration to Kansas, 1879-1880*. (Lawrence, The Regents Press of Kansas, 1978).

¹⁴ Cohen, 303.

needs of the Exodusters, this organization also constructed a school near Baxter Springs.¹⁵

Despite the fact that many organizations provided aid for these immigrants, funds were generally limited to provide only the most basic of the Exodusters' needs. Few considered opening their public schools to the children of the new arrivals, and most relief efforts were only successful when money was also collected to cover the costs of transporting these individuals to another place.¹⁶

The reception of the citizens of Kansas to the Exodusters grew less sympathetic and increasingly hostile with the arrival of each vessel. Towns such as Lawrence and Topeka, which had volunteered to accept these emigrants, suddenly rescinded their offers after it was clear that the flow of emigrants would continue into the summer. Tense moments were witnessed on the shores of the Kansas River as the year progressed. "With the news of the approach of the steamer E.H. Durfee," wrote historian Glen Schwendemann, "came also rumors that 'Drought rifles' might have to be used to prevent landing of the vessel."¹⁷

While most Kansans were apprehensive about the migration of blacks to their state, they restrained themselves to making verbal complaints. Unlike their eastern neighbors, officials in Kansas did not intervene to stop the migration. In fact, Governor St. John took a personal interest in the plight of the Exodusters, taking time to meet personally with black leaders. His personal opinion about the potential value

¹⁵ William Sherman Savage. *Blacks in the West*. (Westport, Conn: Greenwood Press, 1976), 178.

¹⁶ Glen Schwendemann. "Wyandotte and the First 'Exodusters' of 1879." *The Kansas Historical Quarterly*. Autumn, 1960, 237-42.

¹⁷ *Ibid*, 236.

of the migration appears in one of his letters in which he describes a meeting he held with 'leading colored men':

It seems as if the North is slow to wake up to the importance and magnitude of this movement of the colored people. No longer ago than last Saturday I had a call from a delegation of 100 leading colored men from the states of Mississippi and Alabama, who are here canvassing Kansas and other Northern states with a view of migrating this coming fall and spring. I had a talk with them for nearly an hour in the Senate chamber, in which I gave them a full and fair understanding of the condition of things in Kansas, and what they may and may not expect by coming here. They answered me that they had borne troubles until they had become so oppressive on them that they could bear them no longer; that they had rather die in the attempt to reach the land where they can be free than to live in the South any longer.¹⁸

Despite the liberal attitudes of many Kansans and the organization of humanitarian aid, the influx of destitute blacks intensified racial stereotypes and brought new pressures on race relations in many Kansas communities.¹⁹ Many scholars have developed the thesis that white toleration of blacks has been directly related to the relative population of the latter group. Many blacks sensed these pressures and decided to avoid them by settling their own communities in rural areas of the state.

The attitudes and beliefs about education of those living in these colonies were similar to rural whites. In many ways, blacks valued education more because they had been denied the opportunity to learn even the most basic skills for so long. Norman Crockett's research on these towns suggests that there was a common impression among these settlers that so long as they were transient and uneducated,

¹⁸ Everett Newfon Dick, *The Sod-House Frontier, 1854-1890 : A Social History of the Northern Plains From the Creation of Kansas & Nebraska to the Admission of the Dakotas*. (Lincoln: University of Nebraska Press, 1989), 196.

¹⁹ Nell Irvin Painter, *Exoduster: Black Migration to Kansas After Reconstruction*. (New York: Alfred A. Knopf, Inc., 1977), 259-60.

their quest for meaningful freedom would never be achieved. On the other hand, rural blacks shared a basic distrust of those who had acquired ‘too much education’ which was common among rural farm communities. Given their lack of resources, many desired schools to provide a limited but effective curriculum so that their children might “first learn how to earn bread and butter.”²⁰

Each black colony established their own system of education emphasizing practical skills such as on vocational training and basic reading and math skills. Many of these schools were as short-lived as the colonies themselves, yet it is clear that the residents supported education and were willing to make sacrifices in order to obtain it. Church leaders often doubled as schoolteachers and in a few instances the colonies were even able to raise enough funds to import a certified teacher.²¹ Larger black colonies such as Nicodemus and Dunlop were able to establish their own academies that taught a much wider range of subjects including literature and business. The Dunlop school prepared many students for successful careers in teaching and many of its graduates went on to study at the University of Kansas.²²

The State Legislature and Supreme Court

Neither the courts nor the Kansas legislature provided any leadership on the question of school segregation. The state made repeated changes to its laws in response to local preferences and showed little concern for the fact that many districts maintained segregated schools without the legal authority to do so. Its laws were

²⁰ Norman L. Crockett, *The Black Towns*. (Lawrence: The Regents Press of Kansas, 1979), 58-9.

²¹ Thomas C. Cox. *Blacks in Topeka, Kansas 1865-1915: A Social History*. (Baton Rouge, Louisiana State Press, 1982), 59.

²² Dick, 198. Savage, 178. With the temporary exception of some of its medical programs, Kansas University accepted black candidates on an equal basis with whites.

often contradictory and confused, providing for education that was free and equal to all children in one act, only to pass another law making an exception for a particular community or granting discretion to local leaders of cities with populations above certain levels.

In 1855 the proslavery men of the territorial legislature mirrored the laws of Missouri in providing for schools that were open to whites only.²³ The same question would lead to a heated debate in the Wyandotte Constitutional Convention four years later. A motion to insert the word “white” to the criteria for determining eligibility of students for public schools was tabled by the vote of 26 to 25. Of those twenty-six men who wished to see this motion tabled, only two spoke out in favor of educating black children. One of these men, Representative Thatcher, gave a moving speech on the evils of slavery and the need to provide educational opportunities for black citizens. Thatcher also made it clear, however, that he could not support any scheme that involved placing white and black children together in the same classroom.²⁴

Representative Houston echoed these sentiments, expressing his regret that Section Nine had been removed. This section provided that an equitable portion of the school funds be dedicated to “the children of African descent.” Houston mentioned prior to adjournment that he intended to insert the word “separate” into this section so that there would be no misunderstanding that black and white children were not to

²³ Clyde L. King. “The Kansas School System: It’s History and Tendencies,” *Kansas State Historical Society Collections* 11 (1909-1910), 426-7.

²⁴ “Debate Over Segregated Schools, Wyandotte Constitutional Convention, 1859.” Unpublished manuscript, Kansas State Historical Society.

share the same schools, and reiterated his belief that "...the people are unwilling to have their children educated with the blacks."²⁵

Rather than firmly advocating a standard of equal educational opportunities for all students, these men supported a doctrine ironically similar to the one they had just rejected in making Kansas a free state. In deciding to leave such questions to the dictates of local opinion or the directives of future state legislatures, the delegation accepted a system of popular sovereignty only slightly modified to fit postbellum America. Because of its divisive nature, the question of black education would simply be left to local control. Although later state leaders would pass laws allowing segregated schools in some areas while banning the practice in others, this *laissez faire* attitude would continue for the next century, with these decisions being seldom enforced.

Although the amendment to deny black citizens any type of educational opportunity failed, it is important to note that the members of the convention also considered an amendment prohibiting all people of African heritage from entering the state. A speech by Representative McDowell, one of the more outspoken critics of integration, characterized the attitudes of many in attendance.

"...Now I propose to make this not only a free State, but a free white State. We do not propose that this state shall be the receptacle of free negroes and runaway slaves. ... We propose to nip this evil in the bud. We stand upon the record as believing that God Almighty, for some high purpose, has established this inferiority of the black race, and stamped an indelible mark upon them. Between the two races there is an unfathomable gulf that cannot be bridged. ... The black race should not be allowed to live in this Territory, as we do not propose to have slavery in the new State of Kansas."²⁶

²⁵ *Ibid.*

²⁶ *Ibid.*

Despite such sentiment, the 1859 constitution provided for “equal educational advantages for white and colored” and “males and females alike.” It is clear from the actions of state leaders that the phrase ‘equal advantages’ did not mean that the framers intended the schools to be integrated with black and white pupils attending classes together. Even the idea of men and women attending classes together was undesirable to many, with the University of Kansas originally designed to be segregated by gender with separate branches and separate male and female teachers. These plans were never realized due to a lack of funds. Early budget deficiencies would also result in many public schools being racially integrated, not as the result of progressive attitudes, but rather as a result of conservative school budgets.²⁷

Due to the lack of public schools, these early laws had little effect and in 1861 the law was changed requiring schools to be open to all residents between the ages of five and twenty-one. Subsequent legislation revealed that the legislature still had no intention to require schools to open their doors to black pupils. Later that same year, an act was passed giving the district of Maryville the authority to prohibit blacks and mulattoes from attending the public schools.²⁸

In 1862, the law was amended and the operation of public schools in cities of the first class (those with populations over 7,000) was placed under the jurisdiction of city governments. Section 18, Article 4 of the law gave local authorities the power to separate the tax collected from black and mulatto citizens from those taxes collected from whites. The proceeds from each were to be used to maintain separate schools. Because the tiny black population of Leavenworth, the only city that met the

²⁷ Harold Evans, ed., *Kansas: A Guide to the Sunflower State*. (New York: Hastings House, 1949).

²⁸ Savage, 177.

population requirement in 1862, could not have possibly supported the costs of a separate school system, the intent of the legislature appears to have been to provide schools for white children without specifically excluding blacks. Section 19 classified all white children between the ages of six and twenty-one as eligible for admission, with no mention of what would become of black students. In operation, this act mattered little as the law for separate tax collection was short-lived and the only city that met the population requirement was Leavenworth.²⁹

Despite these laws and attitudes there is still no evidence to support the conclusion that segregation was inevitable or universally desired by whites. A resolution passed by the annual meeting of the Kansas State Teachers Association in 1866 spoke out strongly against the creation of segregated schools. Although this may have been partly due to the fear of losing jobs to a growing cadre of black teachers, the language of the resolution indicates otherwise:

... We as teachers use our best endeavors to overcome unreasonable prejudice existing in certain localities against the admission of colored children upon equal terms with the white children as guaranteed by the spirit of the law of our state.³⁰

Most teachers knew they had no reason to fear the loss of their jobs to black educators as there were so few black teachers employed in the state at this time. White teachers predominated in every school, even in many of those schools where the entire student body was black. This does not mean, however, that schools that were attended by whites never hired black teachers. In 1868, a black man by the name of 'Professor' Butler taught at Topeka High School and later taught in Lawrence.

²⁹ Compiled Laws of 1862, Chapter 46, Section 18 Article 4. Compiled Laws of 1862, Chapter 46, Section 19. Daniel G. Neuenswander. "A Legal History of Segregation in the Kansas Public Schools From Statehood to 1970." (Ph.D. Diss., University of Kansas, 1973.)

³⁰ *Kansas Educational Journal*, August 1866, 69.

While it is tempting to extend this fact to a conclusion that race was not a factor in the decision to hire, it is important to keep in mind that this was such a rare occurrence that it has received special mention in several historical works.³¹

Although most state leaders preferred to avoid the question, the highest-ranking school official in the state at this time made it clear where he stood. Peter McVicar, Superintendent of Public Instruction from 1867 to 1871, was a defender of the rights of black children. To McVicar, providing equal educational opportunities was “the only course worthy of a free people.” Although he would continually denounce segregation during his term as state superintendent, he was unable to stop its spread throughout the cities of Kansas.³²

The laws allowing for segregated schools were clarified in 1868, creating boards of education in cities of the first class. Listed among the board’s powers was the authority to “maintain separate schools for the education of white and colored children.” The act was ironically passed, as Richard Kluger points out, shortly after Kansas ratified the 14th amendment.³³

Although a specific order was not given to smaller municipalities and county school districts allowing for segregation, there was never a specific injunction against it. A later court decision would rule that such power existed only if it was expressly enumerated; yet there is little indication that any branch of government outside of the judiciary ever made any effort to enforce this ruling. The result was that many

³¹ Leland George Smith. “Early Negroes in Kansas.” (M.A. Thesis, Wichita State University, 1932), 81. Connelley, 1040.

³² *Columbian History of Education in Kansas*, 9-10.

³³ *General Statutes of 1868*. Chapter 18, Article 5. Section 73. Kluger. A review of the House and Senate Journals reveal that the 14th amendment was ratified unanimously by the Senate and that the House vote was 76 to 7 in favor.

districts practiced segregation without legal authority well into the middle of the 20th century.

The only progress made during this period was that the legislature effectively ended the authority to maintain separate tax collections by not including it in the 1868 law. There is little reason to believe that such a practice was ever observed due to the low numbers of blacks in the state, and even though the law now required that whites and blacks would be equally taxed, there was no requirement that these funds would be equally distributed among the schools.³⁴

Although segregation was in no means limited to the public schools of Kansas, it is interesting to note that the legislature made no other laws allowing for segregation outside of the common school. In fact, in 1874 the legislature expressly forbid any “distinction on account of race, color or previous condition of servitude” in transportation, lodging, entertainment, or higher education and included criminal penalties punishable by a fine of up to one thousand dollars.³⁵

Considering this trend, it would appear that the actions of the 1876 legislature, which codified the Kansas school laws and omitted all mention of separate schools, were deliberately intended to end all forms of segregation in the state.³⁶

Unfortunately, the new law failed to slow the trend towards separate schools in the state and appears to be the result of oversight rather than an intentional change in policy. This conclusion is supported by the fact that no efforts were made to disband

³⁴ Neuenswander, 32.

³⁵ Bernard D. Reams and Paul E. Wilson, “Segregation and the Fourteenth Amendment in the States: A Survey of State Segregation Laws 1865-1953”, Prepared for the United States Supreme Court in re: Brown vs. Board of Education of Topeka, 1975.

³⁶ Kansas Session Laws 1876, Chapter 122.

existing segregated schools. In fact, the previous school laws of 1868 were amended a decade later as if the recodification of the school laws in 1876 had never taken place.

William Reynolds used this oversight to challenge the legality of the segregation law. Reynolds' contention that the state legislature had effectively repealed the law providing for separate education in 1876 was hard to deny, and the Topeka Board of Education acquiesced to his legal argument. Although the Board was clearly acting outside of the law in maintaining segregated schools, it insisted that the power to maintain separate schools was implied, a contention that was supported by the Kansas Supreme Court in ruling against Reynolds.³⁷

Reynolds' case was only one of fourteen lawsuits involving segregated schools that were brought to the Kansas Supreme Court prior to the Brown decision in 1954. Elijah Tinnon brought the first of these cases in 1881. Tinnon was an Ottawa resident whose daughter was denied admission to the elementary school nearest her home because she was black. At the time there were three elementary schools in the city but only one that admitted black or mulatto children.³⁸

The court ruled in Tinnon's favor but stopped short of agreeing that segregated schools violated the rights of black citizens. Instead, the court placed that burden on the United States Supreme Court, claiming that only the highest court in the nation could determine whether or not the states had the power to segregate. The decision of the court did provide a limited victory for proponents of integrated schools, however. The court held that unless clear legislative authority had been granted to a school district authorizing the creation of separate schools, such power

³⁷ Neuenswander, p. 55-60.

³⁸ *Ibid.* 48-9.

did not exist. This ruling should have limited segregation to cities of the first class, as the 1879 law did not state that other cities would be permitted to segregate.³⁹

Although the school laws of Kansas were ambiguous on some points, they were very clear when it came to the question of segregated high schools. The 1879 law clearly forbid such a practice, granting boards of education in cities of the first class the power to "...Organize and maintain separate schools for the education of white and colored children, except in high school, where no discrimination shall be made on account of color."⁴⁰

It is doubtful that the state legislature passed this law limiting segregation as a result of concern for black students. Attorney Paul Wilson, the same man who represented the Topeka school board's position in the Brown case, contends that Kansas established an early tradition of allowing local leaders to control their own schools.⁴¹ Considering the hesitancy of the state legislature to deny individual districts the power to maintain segregated schools and the tolerance displayed towards those districts which did so illegally, it can reasonably be assumed that the motivation behind this bill was to limit segregation where it was least cost effective as a way of reducing the demands on the state school fund.

After the tumultuous decades of the 1860s and 1870s, there was considerably less public discussion about segregation. As was the case throughout the nation, Kansans grew tired of the race question because it had dominated so much of the public discussion during the Civil War and era of Reconstruction. Following the

³⁹ *Ibid.* 48-52.

⁴⁰ Laws of Kansas, 1879. Chapter 81.

⁴¹ Paul E. Wilson. *A Time to Lose: Representing Kansas in Brown v. Board of Education.* (Lawrence: University Press of Kansas, 1995).

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example of their national leaders, many Republicans and Democrats had reached a tacit understanding, accepting both the need to provide education for all and the acceptance of doing so in a segregated environment.

For most Kansans, it was a pleasant fiction to regard the separation of the races as natural and beneficial to all. The United States Supreme Court provided further reassurance when it ruled in *The Civil Rights Cases* of 1883 and the infamous *Plessy v. Ferguson* case in 1896. To make matters worse, a handful of influential blacks even endorsed the separation. Although their views were far from representative, they were often the only ones that appeared in most newspapers.

The neighboring state of Missouri had few scruples in expressing its opinion on the issue, providing for separate schools in its new constitution adopted in 1875. The document required the state to provide schools for all children, but Section 3 of Article 6 made it clear that “separate free public schools shall be established for the education of children of African descent.”⁴²

Rural Schools of Kansas

Rural school districts provided only limited opportunities to those students, white or black, who were lucky enough to live within walking distance. This was especially true during the early years of the state. A rather amusing example is that of the Marion School District, covering almost 32,000 square miles when it was first outlined by government officials in 1865. By comparison, this single district was larger than the states of Connecticut, Massachusetts, Rhode Island, and New

⁴² Claude A. Phillips, *A History of Education in Missouri*. (Jefferson City, Missouri: Hugh Stephens Printing Co., 1911), 26.

Hampshire combined. Early residents attempted to offset this disadvantage by opening their private school to the public and donating the building to the district.⁴³

Kansas historians have recorded many accounts of the first schools of the state. From all of these stories it is clear that Kansans valued education but were often pulled between the desire to send their children to school and the necessity of keeping them at home to assist in operating the family farm. Many of these schools were as rugged as the frontier itself, with irregular lessons and serious discipline problems. Most early schools were subscription schools, requiring parents to pay for their children's attendance. Teachers were often little more than literate vagabonds, carrying certificates that were obtained from local officials rather than accredited institutions. Communities hired most rural teachers for school terms that often lasted no longer than a few months, forcing them to find other work in the interim. In many cases they were paid by the day and boarded around from one home to another. The older male students frequently bullied these teachers while other students and community members often ran unpopular teachers off. In some areas discipline problems were so bad that community members were more concerned with the size of a teacher's frame than they were with the size of his intellect.⁴⁴

Kansans lived up to their state motto and overcame these difficulties because of the importance they placed on education. The *Columbian History of Education in Kansas* provides the best account of the early schools of the state, emphasizing that the education of their children was often the highest priority of the early settlers:

⁴³ Alex E. Case. "School District That Covered One-third of Kansas." *The Club Member*. February 1910, 7-9.

⁴⁴ Dick, 313-24.

Parents, toiling and enduring frontier hardships themselves, held it their first duty to educate their children. Farms might be mortgaged, crops fail, or prices run low, but schoolhouses must be built. Hence, the first good building in nearly every neighborhood was a school [with a] history fraught with as thrilling examples of self-sacrifice and determination as glow upon the pages of Prescott or Bancroft.⁴⁵

Despite the logistical problems of building separate schools in rural districts, the arrival of the Exodusters led to the decision to build Jim Crow schools beyond the cities. Such a school was constructed in Morris County in 1881, “for educational purposes for the colored people exclusively.” The Presbyterian Church funded the project as a matter of relief, yet the possibility of including these children with their own was apparently out of the question.⁴⁶

Early photographs prove that segregation was far from universal in rural Kansas. An 1893 photograph of the students of Barrett School District #1 reveals two black pupils among a student body of about fifty.⁴⁷ Such photographs are rare, and according to a resident of Newton, there were “seldom over three or five Negro children in any school district.”⁴⁸

In some rural areas, imaginative schemes were concocted to separate students without incurring additional expenses. In Burlingame, separate terms were designated for whites and blacks using the same building. Other small towns went to great lengths to prevent black and white students from attending class together. Seneca residents convinced the school board to provide a separate room and teacher even though there were only two black students in the entire district. Where local school

⁴⁵ *Columbian History of Education in Kansas*, 214.

⁴⁶ *Morris County Times*, July 22, 1881.

⁴⁷ *Marysville Advocate*, August 6, 1953.

⁴⁸ Leland George Smith. “The Early Negroes in Kansas.” (M.A. Thesis, Wichita State University, 1932).

budgets would not allow such separation, black students were often excluded by other means. For example, the superintendent of Jefferson County required black applicants to the high school to take a special examination that none had passed as of 1898.⁴⁹

Segregation in Urban Areas

During the early 1860's, most urban blacks were educated by privately supported freedmen's schools. Such schools were operated in Lawrence, Leavenworth, Wyandotte and Topeka. Due to the rising black population in these cities, these charity schools were soon overwhelmed, and it was clear that the public school system would be required to intervene. In his study of the attitudes of Kansans regarding education during these years, James Carper clearly demonstrates that few residents of the state favored 'mixed schools.' Among his evidence of this conclusion is a letter from G.W. Simcock to the *Council Grove Press*:

Now I would like to see harmony in our school... [but do not] feel disposed to send my children to school with negroes. I may have inherited this felling by being born in Virginia and principally raised in Missouri; be that as it may, I did not inherit an exalted opinion of the institution of slavery, and I am truly glad we are rid of it. But I think I have seen enough of negroes to know that I cannot nor will treat them as my equal, and I know it unsafe for any community to elevate them too high. I am in favor of treating them well, but not as well or better than our own race.⁵⁰

A community meeting in nearby Junction City echoed these sentiments in resolving:

We are in favor of educating the white children at a school separate from negroes and that any attempt...to compel our white children to

⁴⁹ James Carothers Carper. "The Published Opinions of Kansans Concerning Education", (1854-1900. Ph.D. Diss., Kansas State University, 1977), 75. *Topeka Colored Citizen*, October 12, 1898.

⁵⁰ Carper, 72-7.

associate with and become the equal of negroes...will result disastrously to the interests of the school in this place...⁵¹

It is important to note that in 1868 when the legislature restated its authorization of segregated schools in cities of the first class, it was highly unlikely that smaller cities would have reason to consider maintaining such a system. At this time ninety percent of blacks lived in cities of the first class—meaning those communities which had populations over 15,000. Furthermore, its ban on segregation in the high schools mattered little, as there were few black pupils attending high school in the entire state that year.⁵²

Smaller cities such as Manhattan also experimented with segregation. Even before the 1879 Exodus, Manhattan had a black population of over one hundred people. When the authorities in the Wyandotte area began to get nervous about the increasing black population among them, funds were secured to send these people elsewhere. Manhattan was one of these destinations.⁵³

By 1880 the black population of Manhattan was 315, representing fifteen percent of the total population. Within a few years this entire group was relegated to the southwest part of the town by a combination of choice and coercion. Newcomers naturally sought the comfort of being a part of a community that accepted them, and those who attempted to move elsewhere were effectively ‘dissuaded’ by Manhattan’s white population.⁵⁴

⁵¹ Carper, 75.

⁵² Leiker, 225. A public high school was not established until 1879 in Kansas City and the class of 1898 at Topeka High had only two black students. See *Sixty-Two Years of History in the Topeka High School*, (Topeka: The College Press, 1932).

⁵³ Nupur Chauhuri. “‘We All Seem Like Brothers and Sisters’”: The African-American Community in Manhattan, Kansas, 1865-1940. *Kansas History* Winter 1991, 274-5.

⁵⁴ *Ibid*, 275-8.

After several years of debate, Manhattan adopted a policy in 1884 of separating black and white children into different classrooms in the same building. Nine years later the school board approved the construction of a separate schoolhouse despite opposition from the black community. While the junior and senior high schools remained open to black students, interviews of former students reveal that the school could hardly be considered integrated in any real sense of the word.⁵⁵

Although there were not separate schools in Manhattan until January 1904, there was little interaction between whites and blacks. One exception to this unwritten rule was the celebration of Emancipation Day, when the white community welcomed their African brothers and sisters to partake of food and drink and enjoy the city park and pool. This holiday was celebrated every August 2nd, a day that lacked any historical relation to Lincoln's declaration, but was curiously close to election day as well as the closing of the city pool.⁵⁶

Education was especially important to the first emigrants to Lawrence who arrived in August of 1854. Within a few months they had already established a free school.⁵⁷ Additional schools were opened almost every year, with a formal school district and board of education established in 1867.⁵⁸ Finding qualified teachers was one of the greatest challenges for newly organized districts, and the Lawrence area was no exception. John S. Brown, Douglass County Superintendent, expressed his frustration by relating an interview in which he asked the applicant to add one-fourth

⁵⁵ *Ibid*, 283-4.

⁵⁶ *Ibid*, 279.

⁵⁷ Dick, 315.

⁵⁸ David Dary, *Lawrence, Douglas County, Kansas, An Informal History*. (Lawrence, Allen Books, 1982), 273-4.

and one-half. After scratching his head for a moment, the man looked up and replied, "I guess that's a little too fine for me."⁵⁹

The public schools of Lawrence were open to all children prior to the Exodus, and additional schools were established for black adults who were not eligible to attend with their children. Community volunteers taught these night schools, with as many as a hundred men and women attending classes. The editor of the local newspaper commended these schools, noting that the adult students made incredible progress and crediting blacks for their desire to obtain an education.⁶⁰

These liberal attitudes could not withstand the influx of large numbers of impoverished blacks fleeing the South. The citizens of Lawrence eventually followed the trend of other Kansas cities in establishing segregated schools. Although Lawrence enjoys a reputation of being one of the most liberal communities in the state, boasting of its heritage as a free state community and home to eastern abolitionists, its citizens refused to dismantle their dual system of education until after the *Brown* case of 1954.⁶¹

Many smaller communities began segregating their schools as a direct response to the 1879 Exodus. Emporia never adopted segregated schools, yet the topic was given a great deal of consideration in the form of a debate on public health. At the time it was argued that black children would spread disease, although there was never any scientific proof of such a claim. Smaller cities such as Ottawa and Paola began to maintain separate schools at this time, despite the fact that there had

⁵⁹ Columbian History of Education in Kansas, 128.

⁶⁰ Richard Cordley. *Pioneer Days in Kansas*. (Boston: Pilgrim Press, 1903), 139-41.

⁶¹ Nettie Lee Collins Hart. "African American Community Perspectives on Brown V. Board of Education of Topeka, 1954." (Ph.D. Diss., University of Kansas, 1995), 54-5.

been no movement for such a system prior to the Exodus. A letter published in the *Weekly Clarion* of Jackson, Mississippi by a visitor to Kansas reveals the attitudes of some Kansans who removed their children when blacks were admitted to the public schools. "The school question here is looming up as a running sore," the letter said, "when the Negroes are in any numbers, in a given locality." "The mutterings are low and threatening," the author continued, "and separate schools must be had."⁶²

If segregation was common in the smaller communities of Kansas, it was even more widespread in its largest cities. The city of Topeka was quick to segregate its school system in 1866, even though the state legislature had not authorized such a practice for cities of the second class. The first public school built by the city was a small two story frame building erected near the present day corner of Sixth and Kansas during the middle of the 1860s. Although the first classes here were integrated, by 1866 whites and blacks were separated, with white children attending class on the first floor and black children upstairs.⁶³

Shortly after the completion of several newer schools, the building at Sixth and Kansas was converted to a segregated school for black children.⁶⁴ Black leaders responded by making the school a meeting place for a growing black community, with individuals such as E.H. White, the first black teacher of the city, volunteering his services to adults during the evening. Responding to pressure from the black community, the Topeka School Board agreed in 1894 to hire only black teachers for the segregated schools. The district's former policy encouraging the employment of

⁶² Athearn, 193-4.

⁶³ Thomas C. Cox. *Blacks in Topeka, Kansas 1865-1915: A Social History*. (Baton Rouge, Louisiana State Press, 1982), 268.

⁶⁴ A.T. Andreas. *History of the State of Kansas*. (Chicago, 1883.) Reproduction by the Kansas State Historical Society, 1976. p. 1234.

white teachers in these schools was not due to a lack of certified black teachers in the region. In fact, there were three times as many unemployed black teachers with certificates as had been hired by the Topeka school district prior to 1894.⁶⁵

Although white leaders frequently boasted that equal facilities were provided for black children, it is clear that such statements were patently false until the later part of the 20th century. According to the Reynolds case, the school his children attended was far from meeting even the most generous definition of separate but equal, describing it as a “veritable cesspool” and complaining of its location near railroad tracks. The school board defended its policy of segregation by claiming that blacks needed “a little different discipline from the white pupils (and) have somewhat different educational requirements.”⁶⁶

The exact reason why black children needed to be educated in cesspools adjacent to railroad tracks was never fully explained by the board, and black leaders continued to press for better conditions. The *Topeka Plaindealer* reinforced Reynolds’ claim two years later, stating unconditionally that the schools provided for black children in the city were vastly inferior and were placed in unsafe areas:

We know for a certain fact which cannot be successfully contradicted, that in Topeka... the school buildings are not as well equipped or kept as neat as those of the whites in the same grade.

You cannot find a school building in the city where whites attend up to the sixth grade close to the railroad, yet we have all four of our colored schools located either near the railroad or streetcar line where children are liable to be injured.⁶⁷

⁶⁵ Cox.

⁶⁶ *Ibid*, 113.

⁶⁷ *Topeka Plaindealer*, March 3, 1905.

Segregation of Other Races

The Wyandotte Convention rejected a scheme for the segregation of Native Americans in 1859.⁶⁸ This dismissal of segregation should not be construed as evidence of acceptance of Native Americans by whites, but rather a reflection of the fact that native populations were generally low in urban areas of the state. The treatment of Native Americans in the earliest schools of the state reflects the racial attitudes of even the most benevolent and enlightened of white settlers. One Massachusetts volunteer described the treatment of her students at a Baptist mission for Delaware Indians near present day Leavenworth:

A room full of lively children, jabbering an unknown tongue, was very trying on one's nerves. Wishing to avoid corporal punishment as much as possible, we resorted to rather original methods to preserve necessary order. To keep little ones from mischievously annoying one another we often pinned their aprons over their heads or tied their hands behind them, even blindfolded them on occasion. If the tongue became unruly a chip was put between the teeth. Around the yard were numerous stumps, two or three feet high, where the quarrelsome boys were sent to stand, living statues adorning the grounds for a while.⁶⁹

Despite the fact that people of Mexican descent constituted only a tiny minority of residents on a statewide basis, many communities had significant Mexican populations in the early part of the 20th century. Wherever these communities developed, segregation soon followed. Mexican children were excluded from the schools of Topeka, and in smaller towns an informal system of segregation worked to separate whites and Hispanics in theaters and restaurants.⁷⁰

⁶⁸ Reams, 193.

⁶⁹ Clara Gowing, "Life Among the Delaware Indians." *Kansas State Historical Collections*, vol. 12 1911-12, 183-5.

⁷⁰ Leiker, 230.

The clearest example of racial discrimination against Hispanic school children in the state was in north Kansas City. From 1907 to 1924 Mexican children in Argentine went to school with whites at John Fiske and Emerson Elementary schools. As their numbers increased as the result of changing immigration laws, however, local officials responded to pressure from parents and civic organizations in Armourdale and Argentine by creating a segregated school for Mexican children in those areas. The Clara Barton School opened in 1924 with a class of one hundred and fifty Mexican students sharing three rooms with three teachers for eight grades. Space was so limited that special permission had to be obtained in order to have outdoor toilets constructed closer to the building than was permitted by city health codes. The school expanded and remained in operation until a flood destroyed the building in 1951, ending the official segregation of Mexican children in Kansas.⁷¹

Elsewhere in Kansas City and other cities such as Ottawa, Chanute and Wichita, Mexican children were segregated in more subtle ways. They often attended the same buildings as their white peers, but were relegated to annexes or basements. In Rosedale no separate school was constructed, but Mexican children were barred from attending the Major Hudson school when it was completed, being sent instead to the former school now designated as the Major Hudson Annex. Throughout Kansas City hands were slapped for speaking Spanish and lines were drawn on playgrounds to separate white and Mexican children.⁷²

⁷¹ Loren E. Taylor, *The Consolidated Ethnic History of Wyandotte County*. (Kansas City: Kansas Ethnic Council, 2000). Judith Fincher Laird, "Argentine, Kansas: The Evolution of a Mexican-American Community, 1905-1940," (Ph.D. diss., University of Kansas, 1975).

⁷² *Kansas City Star*, August 24, 2003. A similar account is given in Judith Laird's work.

Discrimination persisted at the secondary level and it took a major campaign by community leaders to persuade school officials to admit the first Mexican child to Argentine High. Skin color was used to determine ethnicity, with some lighter-skinned Hispanics being considered “Spanish” and thereby eligible for admission to white schools while darker-skinned children were classified as Mexican and sent to segregated schools.⁷³

As this example shows, Hispanics were often racially categorized with blacks, sharing the same schools and experiencing similar forms of racial discrimination. Judith Fincher Laird writes that over time, the Mexican population succeeded in overcoming these forms of official segregation:

Mexicans found themselves excluded from restaurants, theatres, churches and swimming pools throughout the city. They particularly resented being assigned to Negro wards or annexes of hospitals in the twin cities. For a time Mexicans in Kansas City, Missouri were buried in Negro cemeteries. A mayoral proclamation in 1916 procured by the Mexican consul ended these two practices.⁷⁴

Laird also writes that while there were no separate cemeteries in Kansas City, Mexicans were also assigned to black wards at Bell Memorial Hospital and were barred from some restaurants and theaters until as late as 1951. In spite of these forms of segregation, it is clear that the discrimination African American children endured was more pervasive.

One of the reasons that the segregation of Mexican children was less insidious and received less attention is that Mexican immigration to Kansas occurred later and involved fewer people. In 1900, the Mexican presence in Kansas was barely noticeable, with only seventy-one people of Mexican descent living in the entire state.

⁷³ Taylor, 467.

⁷⁴ Laird, 192.

This situation changed rapidly in the next few decades as young males were recruited by the railroad and meatpacking industries. Even so, their numbers have only recently neared that of African-Americans, and only 13,000 Mexicans lived in the Sunflower State by 1920. Many of these individuals were seasonal laborers and not permanent residents with children living with them.⁷⁵

At least one school handbook was rather candid about the unique status of black children compared to that of other minorities. Article Four of Topeka's 1951 handbook dealt with the subjects of segregation, religion, and patriotism and clearly stated that:

School children may be segregated into racial groups for purposes of attending public school when the State Law authorizes the school board to do so. The courts, under the Fourteenth Amendment, have permitted segregation only on the condition that equal accommodations and educational facilities are provided, but the question is not entirely settled. It has been held that Negroes may be segregated from whites under appropriate authority but that children of Indian, Spanish, or Mexican descent cannot be segregated merely because of race.⁷⁶

Records of European immigrants show a much different experience in terms of public education. Although many ethnic communities supported their own schools, there is no record of a child of European heritage being excluded from a school because of his or her race. Although there was a school established for German children in Leavenworth, it is readily apparent that this distinction was made because

⁷⁵ Leiker, 229.

⁷⁶ L.W. Chesney. *School Board Handbook*. (Topeka: The League of Kansas Municipalities, 1951), 129-131.

of language rather than race, with other German children being allowed to enroll in other neighborhood schools.⁷⁷

The experiences of the Russian-German Mennonites who immigrated to Kansas were much more positive than all of these other groups for several important reasons. The first factor was that they were typically financially independent, with area merchants competing with one another for their business. Another factor was that they had no intention of settling in the cities, thereby presenting no threat to those who feared competition or coexistence. Even so, the xenophobia of many Kansans was manifest in the numerous condescending accounts of these people, referring to them as primitive and comparing them with Native Americans because their culture rejected Anglo mores.⁷⁸

‘Mixed Schools’ of Kansas

Although a large percentage of the schools in Kansas were never segregated due to low minority enrollment, it is important to understand that these schools were hardly integrated in any real sense of the word. Black pupils faced high levels of discrimination by teachers and school officials. The black press published many accounts of such discrimination, documenting instances where students were expelled for drinking from a water bucket reserved for whites as well as those instances where black students were subjected to severe types of corporal punishment.⁷⁹

⁷⁷ H. Miles Moore, *Early History of Leavenworth City and County*. (Leavenworth: Sam’L Dodsworth Book Co., 1906), 201.

⁷⁸ Norman E. Saul, “The Migration of the Russian Germans to Kansas” *Kansas Historical Quarterly*.

⁷⁹ *American Citizen*, January 25, 1888; March 15, 1889.

Black leaders also complained that white teachers had been ordered by the administration to neglect black students in order to assure that they dropped out, reducing the numbers of black students in the schools. Other teachers were accused of various levels of racial prejudice, from devoting greater amounts of energy towards the progress of their white students to completely ignoring the most basic educational needs of black pupils.⁸⁰

Black students faced little discrimination from their fellow students, however, until they reached the higher grades. It took many years for children to be trained in the attitudes and prejudices of their parents, a fact that often elicited feelings of frustration among school teachers who labored to keep white and black children separate in the schoolhouse, only to see their efforts thwarted by the children playing together in the schoolyard.

Ray Watkins described such a situation in his hometown of Cherryville, where he attended a mixed school as an eight-year-old boy in 1906. According to Watkins' diary, there was no color line among the children and many of his friends from his early childhood were black. "As a school boy," Watkins wrote, "I played ball and was in a crowd that went swimming together with the black boys in our little lake that was just at the edge of the city limits."⁸¹

⁸⁰ Woods, 188-9.

⁸¹ Diary of Ray Watkins. Manuscript Collection, Kansas State Historical Society, Topeka Kansas.

Chapter 2.

The Schools of Kansas City, Kansas

The Black Community of Kansas City

The origins of a strong black community in Kansas City date at least as far back as the organization of the Kansas City Colored Baptist church in 1862. Within seven years, the dedication and sacrifice of its two hundred and fifty members was rewarded by the construction of large church that would be a source of pride as well as a meeting place for the black community for many years. By the end of the Civil War, several black-owned businesses added a commercial element to this community.¹

Although the majority of the emigrants who came to Kansas had dreams of purchasing land, many of these families settled in urban areas in hopes of finding temporary employment. Kansas City provided many opportunities for laborers. The Kansas Pacific Railroad began construction out of Kansas City following the Civil War. In addition, several meatpacking companies opened following the incorporation of Kansas City, Kansas in 1869, and within a few years the city was the western terminus for receiving and processing cattle.²

Blacks were by far the largest minority in the area. As their numbers grew they displaced Germans and other ethnic communities in the northeastern sections of the city. Although the total black population of the state never topped five percent during this period, blacks accounted for over ten percent of Wyandotte county's total

¹ *Wyandotte Herald*, January, 26, 1882.

² *Wyandotte County and Kansas City, Kansas. Commemorating 100 Years of Progress 1859-1959.* Located in the archives of the Kansas State Historical Society, Topeka Kansas.

population by 1905. Another ten percent of the county population were foreign born, with the largest number of these immigrants coming from central Europe and Mexico.³

Each of these immigrant groups formed their own neighborhoods in the northeastern sections of the city and worked to establish their own churches and schools. Those parents who could not afford to send their children to the parochial schools sent them instead to the overcrowded public schools in those neighborhoods. Whenever possible, the school board attempted to draw its boundaries to accommodate the lines of each ethnic community.⁴

By the mid 1880s, several strong black communities had been established in the northeastern section of the city, expanding from the neighborhoods of Quindaro and Juniper into the former German enclave of Rattlebone Hollow. A smaller community was formed in the northeastern section of the city of Wyandotte. As the black population grew throughout the first half of the twentieth century, its members tended to remain within these historic boundaries as the white population continued to move south and west.⁵

As early as 1884, some of these neighborhoods in the northeast were all but exclusively black. Out of 782 school-aged children living in the second and third wards of the city, 681 or eighty-seven percent of them were black. By comparison, the average black percentage of school-aged children in the entire city was seventeen

³ *The Daily Capital*. February 4, 1881. Census for Wyandotte County, 1905. The 1880 Census shows a total of 995,966 people living in the state, 4.5% or 44,910 of whom were listed as 'colored' and 11% or 109,705 of whom were foreign born.

⁴ Loren Taylor, *Ethnic History of Wyandotte County*. (Kansas City: Kansas Ethnic Council). Kansas State Census for Wyandotte County, 1905.

⁵ Dennis Lawrence. "The Impact of Local, State and Federal Government Decisions on the Segregation and Subsequent Integration of Sumner High School in Kansas City, Kansas." (Ph.D. diss., University of Kansas, 1997), 139-40.

percent. Few of these students attended the high school, however, with blacks accounting for less than five percent of the student body until 1889.⁶

These communities consisted not only of laborers and domestic servants, but also a growing cadre of black physicians, lawyers, teachers, and businessmen. Many of these black men had successful public careers, such as Corvine Patterson, who served two terms on the Kansas City Board of Education beginning in 1872.⁷

As in any community, the schools and churches in black neighborhoods served a myriad of functions. Parents hosted fund-raisers to augment the meager school budgets while parent and teacher organizations cared for the needs of families as well as the operations of the school. The Mother's Guild of the Dunbar School provided community relief while a sewing center was operated at the Stowe school, furnishing clothing for needy children. Parents also pitched in to supply the schools with books and equipment, volunteering their time to help with coaching and other extracurricular activities.⁸

The Schools of Kansas City, Kansas.

As previously mentioned, the first schools in the area that would become Kansas City were racially integrated, with white and Indian children attending classes together. Ironically, the very first of these schools was located in the exact spot of the first Kansas City project of the Urban Renewal Agency, a redevelopment program

⁶ These figures have been calculated from the data appearing in the following sources: Annual Report of the Board of Education for the Year Ending July 31, 1884. Dept of Public Instruction. City of Wyandott. (Wyandott, Kansas: Herald Power Printing House 1884). Annual Report of the Board of Education for the Year Ending July 31, 1887. Annual Report of the Board of Education for the Year Ending July 31, 1889.

⁷ Susan D. Greenbaum, *The Afro-American Community in Kansas City, Kansas*. Published by the City of Kansas City, Kansas, 1982., 76-7.

⁸ *Ibid*, 63-4.

begun during the 1960s that helped to solidify the patterns of residential segregation in Kansas City by demolishing black neighborhoods in order “improve” the city.⁹

Reverend J.B. McAfee established the first private school in the northeastern corner of the state in Leavenworth in 1855. The school was very successful in its first few years, but the Reverend’s inability to censor his anti-slavery beliefs led to his and the school’s demise:

...The Reverend’s political views not harmonizing with the prevailing sentiment of a majority of the then citizens of the town, his days of usefulness as a successful school teacher became suddenly abridged, and as the vigilance committee gave him notice [with others] to quit, he thought prudence in this instance at least, was the better part of valor, so gracefully but with becoming agility retired from the school field.¹⁰

In the earliest days of Kansas City, educational opportunities were limited for all children, especially for those who were not from wealthy white families. In 1857 Reverend Eben Blatchley worked to remedy this problem, establishing Freedman’s University in the town of Quindaro. The school led a precarious early existence, funded by donations and a one-time allotment of \$2500 by the state legislature. Blatchley passed away in 1877 and the school was taken over by the A.M.E. church, renaming the school Western University. It was not until 1899, however, that the school received regular funding from the state. By this time it had earned a reputation

⁹ *Wyandotte County and Kansas City, Kansas. Commemorating 100 Years of Progress 1859-1959*. For descriptions of urban renewal projects in Kansas City see Greenbaum, p. 103-5. For more thorough examples of urban renewal’s effects on other black communities see Arnold Hirsh, *Making the Second Ghetto: Race and Housing in Chicago, 1940-1960*. (New York, Cambridge University Press, 1983). Thomas Sugrue, *The Origins of the Urban Crisis*, (Princeton, NJ: The Princeton University Press, 1996).

¹⁰ H. Miles Moore. *Early History of Leavenworth City and County*. (Leavenworth: Sam’L Dodsworth Book Co., 1906), 199.

as a “Western Tuskegee,” with many Kansans of all races comparing it to the famous institute headed by Booker T. Washington.¹¹

A Board of Public schools was established as early as 1861, but it had few resources until the state legislature authorized the creation of an official Kansas City, Kansas School Board in 1867, one year after the cities of Wyandotte City, Kansas City, and Armourdale were consolidated to form Kansas City. Within three years several schools were built and over \$100,000 in bonds had been issued. On the county level, there were a total of fifteen districts organized. Unfortunately, these county schools also experienced severe shortages, with only six adequate classrooms in service among all of these districts.¹²

Local historian Emma Serl describes one of the more interesting schools that was built in the Kansas City area. “Open Air Schools” were constructed for those students who were underweight or suffered from health problems such as tuberculosis. These schools employed nurses for the children who were dressed in warm clothing next to windows that were kept open year-round.¹³

Despite such novel attempts at modernization, Kansas City accepted the system of racial segregation it inherited from Wyandotte, Kansas City and Armourdale. Out of ten school buildings operated by the new board of education, two were reserved for black students, the Armstrong School and the Sixth Street School,

¹¹ Connelly, 1040.

¹² A. Theodore Brown. *Frontier Community: Kansas City to 1870*. (Columbia: University of Missouri Press, 1963). Kansas State Historical Society, *Columbian History of Education in Kansas*. (Topeka: Hamilton Printing Co., 1893). Most of the citizens of Wyandotte county lived within the boundaries of Kansas City after the consolidation. According to an 1888 survey, 33,110 of the 46,231 in the county resided in Kansas City. Wyandotte County Kansas, *Statistical Tables*, (Kansas City: V.J. Lane and Co., 1888).

¹³ Emma Serl. *The Story of Kansas City*, Vol. 2, (Kansas City: Missouri Board of Education, 1924).

with the later consisting of nine rooms. Neighboring communities of Argentine and Rosedale also maintained separate schools.¹⁴

Records indicate that segregated public schools were established in Kansas as early as 1864 in Leavenworth, a town only miles from Kansas City.¹⁵ It appears that many of these schools were little more than the continuation of the freedman schools that were established by federal and private funds. Local historian Susan Greenbaum writes that these schools were often overcrowded and inaccessible, with many students having to walk over a mile on their trek to school. To make matters even more frustrating, black students often passed at least one white school on their way.¹⁶

Many Kansans opposed the establishment of separate schools for ideological reasons as well as economic ones. Even so, it is clear that for every advocate of integration there were several who were violently opposed to such an arrangement. The two sides waged a tremendous battle on this question throughout the late 1860s and 1870s, bringing a contest into the schools that resembled that of the slavery question a decade earlier:

The early settlers of this county were largely from states where the only schools were private schools, and they did not take readily to public education, and more especially to a public school that admitted a negro pupil. Several bitter fights were raised on this question, and at the annual school meetings the opposing factions rallied every voter possible, both male and female, to vote for or vote down the tax for the maintenance of the school. One or two schoolhouses were burned, while others were robbed of books. Some children were withdrawn

¹⁴ *Wyandotte Gazette*, December 31, 1886.

¹⁵ *Columbian History of Education in Kansas*.

¹⁶ Susan D. Greenbaum. *The Afro-American Community in Kansas City, Kansas*. Published by the City of Kansas City, Kansas, 1982. In conversations with several historians and archivists, reservations were expressed about the accuracy of specific claims in Greenbaum's work, although many studies of the black community in Kansas City have relied heavily upon it. Whenever possible, I have tried to validate Greenbaum's work with primary sources and the works of other historians.

from school on account of the negro children, and, in three districts separate schools were organized, and are still maintained.¹⁷

An editorial that appeared in an 1874 newspaper in nearby Atchison reveals that many Kansas City area residents may have opposed 'mixed' schools, not simply because of their own racial antipathies, but because they were concerned that the attitudes of others would result in parents removing their children from the public schools. The article predicted, "if races are mixed, the better classes will withdraw."¹⁸ A century later this prophesy of 'white flight' had been fulfilled in most urban areas throughout the nation.

Although separate schools were maintained prior to the establishment of the Kansas City Board of Education, segregation was not absolute until at least 1890. Black and white children were classmates at the Lincoln school on Sixth and State Avenue in the 1880s. This integration lasted only a few years as the decision was made in 1890 to close the school and send the black children to the segregated and already overcrowded Third Ward School. By 1904 the Third Ward School had expanded to twelve rooms when it was renamed the Douglass School in honor of the famous abolitionist.¹⁹

Even though black and white children were kept separate from each other, the board was careful to maintain the appearance of equality. The teacher's handbook of 1886-1887 makes only two references to race, one being a special committee that oversaw the 'colored' schools, and the other referring to the Armstrong and Sixth

¹⁷ *Columbian History of Education in Kansas*, 229.

¹⁸ *Atchison Patriot*, April 25, 1874.

¹⁹ William W. Boone. *A History of Black Education in Kansas City Kansas*. (Kansas City: Kansas City Kansas Community College, 1986).

Street schools as ‘colored’. Records also indicate that all students received the same educational training and were held to the same academic standards.²⁰

There is also no distinction of race in the personnel records of the Kansas City schools, a fact that makes it hard to determine if black teachers suffered wage discrimination. Although many of the first teachers in the black schools were white, by 1890 there were eighty-five black teachers in Kansas, many of whom taught in the black schools of the Kansas City area.²¹

Salaries of Teachers in Kansas City, Kansas in 1893²²

School	Cumulative Salary	Number of Teachers	Average Salary
Lincoln	\$4298	8	\$536
Douglass	\$3222	6	\$537
Long	\$6763	13	\$520
Everett	\$3904	7	\$557
Wood	\$3266	7	\$467
Riverview	\$3942	8	\$493
Armstrong	\$534	1	\$534
Central	\$6668	13	\$512
Reynolds	\$1474	3	\$491
Barnett	\$1574	3	\$525
McAlpine	\$963	2	\$482
Phillips	\$563	1	\$563
Armourdale	\$6462	13	\$497
Morse	\$4182	8	\$523

As the chart above clearly shows, salaries for teachers at the black schools of Lincoln, Douglass, and Phillips were the same, if not higher, than those received by

²⁰ Public Schools of Kansas City, Kansas, *Teacher’s Hand Book, Together With Rules and Regulations of the School Board 1886-1887*. (Kansas City Kansas: V.J. Lane & Company, 1886). A survey of future handbooks and annual reports of the Board of Education reveal that the committee system was changed in 1889 and the Committee on Colored Schools was eliminated at this time.

²¹ Leland George Smith, “Early Negroes in Kansas”, (M.A. Thesis, Wichita State University, 1932), 83-5.

²² Seventh Annual Report of the Board of Education of the City of Kansas City, Kansas, for the Year Ending June 30, 1904. Kansas City, Kansas Board of Education Minutes. July 3, 1893.

those at the white schools. According to the rules set by the board, Kansas City teachers were paid on the basis of tenure and the number of classes they taught, with no reference given to any other factor such as their gender or race or the race of their students. The minutes of the Kansas City, Kansas Board of Education reinforce this conclusion, listing the salaries of individual teachers with no indication that teachers at black schools received any less compensation than their white counterparts.²³

A review of the annual reports of the Kansas City Board of Education reveal that teachers at the black schools were more likely to teach several grades, which may account for the difference in pay. Black principals typically earned less than their white counterparts, but it is important to note that their schools were generally much smaller. By comparing the salaries of black principals with those of white principals at schools of the same size, it is apparent that principals' salaries were also based on tenure and the total number of students under their supervision. The fact that black teachers were paid the same amount as their white counterparts is especially significant when comparing the segregated schools of Kansas with those of the South, where black teachers typically received one-half of the salary of whites.²⁴

Black teachers were clearly discriminated against, however, when it came to being hired for teaching jobs outside of the segregated schools. The annual reports that were made to the State Superintendent of Education include the racial classifications of teachers at the grade school level. In each instance the number of black teachers is directly related to the number of black students in a particular

²³ Kansas City, Kansas Board of Education Minutes. July 3, 1893.

²⁴ Seventh Annual Report of the Board of Education of the City of Kansas City, Kansas, for the Year Ending June 30, 1904. Kansas City, Kansas Board of Education Financial Report, June 14, 1892. Kluger, 214.

district. While each of the forms that were provided to area high schools includes a place to record the number of students by race, there is no space provided to record such data when it comes to the race of the faculty. Such an omission indicates that it was expected that only whites would be hired to teach at the high school level. This type of discrimination is especially significant when one considers that high school teachers made significantly higher salaries, averaging \$87.83 per month while grade school teachers were averaging \$58.53 per month.²⁵

Three areas in which there is a clear record of discrimination against black students were unequal facilities, corporal punishment, and the percentage of students admitted to the high school in its first years of existence. Kansas City had no public high school until 1879 when the building of the Palmer Academy was purchased by the city. Although state law forbid segregation at the high school level, there was no law against selective admissions, and no black children were admitted in 1889.²⁶

Although many instances of corporal punishment went unreported, teacher's guides required that this type of discipline was to be used sparingly and was to be promptly reported to the county superintendent.²⁷ A report from 1887 reveals a clear pattern of racial discrimination. It is important to note that at this time many black students were being taught by white teachers and principals, even though segregated schools were firmly established by this time. In a single school year there were over

²⁵ Annual Reports of First Class Cities to the State Superintendent of Education, 1887-1910.

²⁶ Third Annual Report of the Board of Education of the City of Kansas City, Kansas, for the Year Ending June 30, 1889.

²⁷ Public Schools of Wyandotte County, Kansas, *Course of Study, Rules, Regulations, and Suggestions, Designated for the use of Teachers and School District Officers*. (Kansas City, Kansas: The Daily Gazette Printing Co., 1889), p.6. It is important to note that this guidebook provided no mention of race and it appears that all students received the same course of instruction. The syllabus included a geographical studies program that devoted an entire week to the study of Africa, the same length of time that was devoted to the study of Europe.

one hundred reported cases of black children receiving corporal punishment compared with 194 incidents involving whites. Considering that the school population of white children was over six times that of blacks, it is clear that whites were at least three times more likely to be ‘spared the rod.’²⁸

The most obvious form of discrimination dealt with the physical condition of the black schools. Most black schools prior to 1900 were either older white schools that had been abandoned for newer facilities or temporary facilities constructed as an afterthought in response to overcrowding. Every account of these schools exposes the crowded conditions, frequent transfer of students, and inferior condition of the schools. Rather than construct new schools for black children, the Kansas City Board of Education often enacted limited stopgaps, adding temporary facilities or transferring students to a less overcrowded school.²⁹

Attucks Elementary School was but one of many black schools that were operated in Kansas City, but its story is representative of the others in many ways. Attucks began as a one-room school for blacks in 1880, originally housing grades one through eight in that single room. The school later expanded and dropped some of the later grades, causing many black students to be separated from their younger siblings. It was not until 1939 when a modern eight-room school was constructed.³⁰

As blacks displaced whites in the downtown area, white schools were converted to black schools. In 1923 Everett Elementary School became Grant Elementary as the enrollment changed from white to black. While many of the white

²⁸ First Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Year Ending June 30, 1887.

²⁹ Kansas City Kansas Board of Education Minutes, October 1, 1900.

³⁰ Boone, 5-6.

students attended newer schools to the west, it was not until 1956 that a new school was constructed for the black students at Grant.³¹

Lincoln Elementary School is one of the most famous Jim Crow schools of Kansas City, serving the Argentine area for seventy-eight years. Prior to the annexation of Argentine in 1910, however, this school was known as the Bruce School. Until its closing in 1961, Lincoln Elementary was the oldest building in the entire school district. Many black students who lived outside of Argentine attended the Lincoln school, using busses to take black children to segregated schools long before the district bussed children away from them.³²

While conditions in the black schools were generally worse than their white counterparts, they were not the only substandard facilities in the school district at the turn of the century. The Mercantile Club of Kansas City conducted an independent inspection of the district schools, issuing indictments against half of them for being inadequate. Among those cited were four white schools, one of which was labeled “unsafe and unsanitary, while the Armourdale School was declared “entirely unfit for public use.” Three of the five black schools were inspected, with each one receiving failing grades. The condition of the Lincoln school was so appalling that the Mercantile Club recommended that it be closed.³³

Although the problem of overcrowding tended to be much worse in the schools reserved for black students, the rapid expansion of the schools and the number of students enrolled created major shortages throughout the system. In the

³¹ *Ibid.*, 6-7.

³² *Ibid.*, p. 4-5.

³³ Kansas City, Kansas Board of Education Minutes. February 24, 1903.

two years between 1882 and 1884, the total enrollment of the Kansas City schools expanded over twenty five percent, from 1,634 to 2,052.³⁴

Even with this rapid expansion of the school population, records clearly indicate that black schools were given last priority. Even so, there are occasional instances when conditions were worse in the white schools, albeit temporarily. For example, the school that was most overcrowded in 1884 was Central which was reserved for white children.

*Indications of Overcrowding in the Public Schools of Kansas City, 1884.*³⁵

School	Number of Rooms	Seating Capacity	Total Enrollment
Everett Street	6	300	405
Sixth Street (Black)	6	300	473
Central	9	450	850
Fifth Ward	2	120	70
Sixth Ward	2	120	152

Although growing numbers of black students were attending the high school, very few of these students were graduating or even reaching their senior years. In 1903 there were seventy-three black students enrolled at Kansas City, Kansas High School, but only three of these students were seniors. The following year there was still only nine seniors out of a total enrollment of seventy-four.³⁶

Despite the poor conditions of their schools, black parents tended to focus their complaints on the physical hardships endured by students who had to pass by white schools on their way to and from the Jim Crow schools. Early school board

³⁴ Department of Public Instruction, Wyandotte, Kansas, *15th Annual Report of the Board of Education for the Year Ending July 31, 1884*. (Wyandott Kansas: Herald Power Printing House, 1884).

³⁵ Annual Report of the Board of Education for the Year Ending July 31, 1884.

³⁶ Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Year Ending June 30, 1903. Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Year Ending June 30 1904.

minutes are full of such examples, with black parents coming before the board each year asking for the administration to at least cover the extra expenses incurred.

Although the board approved these expenses and reimbursed parents for carfares, the extra work required by black parents just to get their children to school and back was a clear example of discrimination.³⁷

One course of action these parents resorted to was an attempt to persuade the board to build more schools in their neighborhoods so that their children would not have to travel so far. These requests were generally denied, and in one instance the board decided to pay for the children to attend school in Missouri rather than construct a school in their neighborhood.³⁸

Considering the level of effort the board exerted in transporting black students to segregated schools, it should come as little surprise to find that the board strictly enforced the color line within the district after the turn of the century. In April of 1903, “a committee of Lady Patrons of the Barnett school” attended the board meeting to have two black students who had been ‘passing for white’ removed. Upon hearing the testimony of a member of the black community who stated that the mother of the two students was indeed black, the board moved to expel the students from the Barnett School or any other school that was reserved for whites.³⁹

Despite all of these obstacles, black students demonstrated their intense desire to obtain an education by overcoming whatever difficulties they were forced to endure. Attendance records of 1904 reveal that black elementary students who were enrolled in the Kansas City Schools maintained a seventy percent enrollment rate,

³⁷ Kansas City Kansas, Board of Education Minutes. November 13, 1899; September 17, 1900.

³⁸ Kansas City, Kansas Board of Education Minutes, April 10, 1903.

³⁹ *Ibid.*, November 6, 1893.

only four percent less than their white counterparts who often enjoyed tremendous advantages in terms of accessibility. Of the total number of students enrolled, however, it was clear that white students were twice as likely to attend Kansas City, Kansas High School.⁴⁰

Early Actions of Black and White Citizens in Response to Segregated Schools

Despite superficial attempts by school officials to make schools appear equal, black parents knew that segregation discriminated against their children. Besides the negative stigma associated with being barred from one's own neighborhood school and the substandard facilities that were all too familiar to those attending the Jim Crow schools, black children also experienced racial prejudice from white teachers and administrators. An editorial in the *Colored Citizen* complained of their children's lack of progress in Topeka, claiming that:

...The management of the Monroe Street School has been such that many children in it are just where they were 2-3 years ago, and it is our deliberate opinion that they are purposely kept back to prevent their entering a mixed school.⁴¹

Blacks in Kansas understood that segregated schools deprived them of their rights as citizens and denied their children equal educational opportunities. Blacks in Lawrence organized as early as 1866 to protest segregated schools as well as their lack of the ballot. Although their petitions to the state legislature were ignored, this

⁴⁰ These figures were taken by computing attendance records appearing in the following sources: 1904 Annual Report of the Kansas City, Kansas School District. Annual Reports of First Class Cities to the State Superintendent of Education. Kansas City School Year Ending June 30, 1904. These reports are located in the State Board of Education archives at the Kansas State Historical Society.

⁴¹ *The Colored Citizen*, June 21, 1879.

was only the first of many such meetings throughout the state.⁴² Three years later, the first State Convention of Colored People met in Leavenworth and passed resolutions encouraging all blacks to actively seek an education.⁴³

Another conclave was held in Lawrence in 1872, calling for the state legislators to retract all laws that distinguished citizens by race, nationality or color.⁴⁴ One of the largest meetings was held in 1882, with over 2,000 blacks attending the convention. Governor St. John addressed the group, praising the achievements of blacks in education and speaking out against racial bigotry. The convention passed several resolutions, including a declaration against discrimination in public schools sponsored by G. W. Lewis of Emporia.⁴⁵

Many letters were written to state and local officials describing the conditions within black schools. Others wrote powerful letters protesting the very idea of segregation. More importantly, many blacks took direct action beyond letter campaigns, withdrawing their children from segregated schools and planning collective action. One such letter to Governor St. John relates actions black citizens took when segregation was introduced in southeastern Kansas:

We the collered citizens of Independence Resol to inform you that whereas the school in which our children belong they have prepared a Room separated for the collored children on account of the collor and we carried the children to the school in which they belong and they was turn away on the account of they collor and we withheld our children (7) or (8) hundred yards out of the way and applied to you about it.⁴⁶

⁴² Thomas C. Cox. *Blacks in Topeka, Kansas 1865-1915: A Social History*. (Baton Rouge, Louisiana State Press, 1982).

⁴³ James Carothers Carper. "The Published Opinions of Kansans Concerning Education", (1854-1900. Ph.D. diss., Kansas State University, 1977), 69-70.

⁴⁴ *Kansas State Record*, March 27, 1872.

⁴⁵ *Topeka Daily Capital*, Aug. 5 1882.

⁴⁶ Athearn, 194.

These activists were not alone in their fight to open the schools of Kansas to all children. Emporian L.B. Kellogg argued against segregation, referring to it as “the last relic of the senseless prejudice against color which has disgraced the American people.” He praised Kansans for providing equal schools, calling for the state to take the next step of ending segregation.⁴⁷

Representative Alfred Fairfax, the state’s first African-American legislator, championed the fight to ban segregation in the state legislature. He hardly wasted any time, offering an amendment in February 1889, his first month in the House of Representatives, which would make the schools of the state free to all children “regardless of race, color, or previous condition of servitude.” When two of his colleagues who were unaware of the laws allowing for segregated schools responded by denying the need for such a provision, Representative Fairfax rose to make an eloquent and passionate speech on the subject.

“I have often asked myself why is this prejudice against the negro, and found this answer,” Fairfax said. “For two hundred years the white man, knowing that slavery was wrong, sought by every means, through the press, the pulpit and school house, to inculcate the impression that the negro was not a man.” Fairfax related the sacrifices of black soldiers and continued, “Is it fair to the men who fought to preserve this great union, to save your beloved country, have their children be pushed aside, to a destructive school?” Fairfax related the struggles of the descendants of black veterans who had to travel many miles on foot, past several schools and beyond the district they lived and where their parents paid taxes. With only slight

⁴⁷ *Kansas Educational Journal*, September 1870.

modification, omitting the phrase “previous condition of servitude,” Fairfax’s amendment was accepted and the Bill passed the House.⁴⁸

Unfortunately, Fairfax’s efforts did little to stem the tide of segregation. The bill never became law and segregation spread west as the black population expanded throughout the state. School segregation was always one of the main targets of black leaders whose grievances against the system can be seen in the actions of organizations throughout the state. In January 1891, a black convention was held in Topeka passing a resolution supporting the ‘abolition of official discrimination in the schools’ as one of its main goals. Similar meetings were held throughout this period, and all were outspoken against the maintenance of separate schools.⁴⁹

The black press echoed this sentiment, exposing the inequalities of the system and calling for its abolition. The *Topeka Plaindealer* was probably the most outspoken of these papers, challenging legislators to personally investigate the conditions created by the dual system:

...Compare the separate school buildings of Topeka from the first through the sixth grade and you will find those occupied by the colored people to be inferior... if the editor and governor doubt this statement, we will volunteer our services with a carriage and convey them to the several schools of this city and point out the difference to them.⁵⁰

These efforts by black leaders met hostile opposition. A letter to the *Wyandotte Herald* in 1891 expressed the sentiment of many Kansans:

The colored population, or some of them, are making an effort to get the law regarding schools in cities of the first class changed so as to admit colored children to the white schools. It is a very foolish effort

⁴⁸ *The Capital-Commonwealth*, February 2, 1889.

⁴⁹ Kirke Mechem, ed. *Annals of Kansas 1886-1925* Vol. 1, (Topeka: Kansas State Historical Society, 1954), 116.

⁵⁰ *Topeka Plaindealer*, March 10, 1905.

on their part and we hope they will fail in the effort. It would practically ruin both the white and colored schools of this community.⁵¹

When efforts to persuade legislators were ineffective, blacks also worked through the courts of Kansas. There were fourteen separate cases decided by the Kansas Supreme Court on the issue of school segregation prior to the *Brown* case in 1954. Although the court sided with the black plaintiffs in about half of the cases that were heard, their decisions were limited in each instance to apply only to that plaintiff, rather than segregated schools in general. For example, there were three nearly identical cases that dealt with the illegal segregation within cities of the second class. Each of these cases were filed after the *Tinnon* case had made it clear that only cities of the first class had the authority to maintain separate schools. Cases that attempted to expand or defeat segregation by complex legal arguments were always unsuccessful as the court ruled consistently that all school districts in cities of the first class had the authority to maintain separate schools, despite any inconsistencies on the part of the state legislature in framing the law.

Black plaintiffs were encouraged to take legal action against school districts by black organizations and businesses. Many of these cases were sponsored by private associations and were presented by attorneys of both races who agreed to work for minimal compensation. The black press also supported legal challenges to segregation as is demonstrated by this call for the black community of Columbus to rise in challenge to the practice of unlawful segregation in its schools:

If the prejudiced white man will continue to override the law and common decency by forcing separate schools in cities and towns of the

⁵¹ Reginald T. Buckner. "A History of Music Education in the Black Community of Kansas City, Kansas 1905-1954.", (Ph.D. diss., University of Minnesota, 1974), 5.

class Columbus is in, and which the law forbids, the colored patrons should demand that the law be enforced by bringing mandamus proceedings in the Supreme Court. There are some white men who think they can do as they please to the colored people without the colored people remonstrating, and there are some colored people who sit idly by and let the whites do as they please.⁵²

Although black plaintiffs frequently made the assertion that the schools provided for their children were inferior to those of whites, the court made no attempt to explore this contention. In 1903 the court had ruled that the outward appearances of a school gave no indication as to the quality of education that one might receive within its walls, a provision that gave carte blanche to those who would further discriminate against black children. The court argued that because there were always more white students than black students, the schools of the white students would naturally be larger and nicer, with more facilities and classes. The court ruled that even though white children were attending a much nicer school, this was merely “an incidental matter and necessarily unavoidable in the administration of any extended school system.” The court argued further that “schoolhouses cannot be identical in every respect” and that the principle of equality was not violated by the appearance of the school.⁵³

Efforts to end segregation continued after it was allowed to expand to the high schools of Kansas City. In 1919 another statewide meeting of black leaders was held in Topeka, once again passing a resolution against discrimination in the public

⁵² *Topeka Plaindealer*, September 8, 1905.

⁵³ *Reynolds v. Board of Education of Topeka*, 66 K. 672, (1903) 692.

schools. Despite the efforts of a number of representatives at that meeting, not a single member of the state legislature would agree to sponsor the measure.⁵⁴

Even within segregated schools taught by black teachers, students were exposed to racial prejudice. Early black educators had a difficult time finding resources that were not racially biased. An editorial in the *Kansas State Ledger* complained that textbooks “excite prejudice” claiming that “in many places things are said about our people that are untrue.”⁵⁵

Such a judgment could certainly be applied to the work of historians during this period. A good example of this ethnocentric perspective can be seen in the history of the Civil War and its aftermath. The scholarly study of Reconstruction began at the turn of the century with the work of Columbia professors John W. Burgess and William A. Dunning. Their explanation of Reconstruction lasted for many years in popular textbooks because it justified the tragic outcome that resulted in the disenfranchisement of Southern blacks. It explained that blacks were denied equal rights in the South because they had proven themselves incapable of exercising equal citizenship during the ‘blackout of honest government.’ Rather than celebrate the era in which blacks were most active politically, historians defended the actions of Southerners in denying blacks off their constitutional rights.⁵⁶

⁵⁴ Daniel G. Neuenswander. “A Legal History of Segregation in the Kansas Public Schools From Statehood to 1970.” (Ph.D. diss., University of Kansas, 1973), 39-40.

⁵⁵ *Kansas State Ledger*, March 13, 1896.

⁵⁶ For examples of the early accounts of reconstruction, see John W. Burgess, *Reconstitution and the Constitution 1866-1876*, (New York: Charles Scribner’s Sons, 1903)., William Archibald Dunning, *Reconstruction, Political and Economic 1865-1877*. (New York: Harper & Brothers Publishers, 1907)., *I’ll Take My Stand: By Twelve Southerners*. (New York: Harper & Brothers, 1930).

The Death of Roy Martin

Prior to April 1904, there were no indications that leaders of Kansas City would be provoked to close their high school in the wake of a large-scale racial protest. The total black school population was just over twelve percent, with 1,821 black children and 15,049 whites.⁵⁷ This percentage was even lower in the high school, which black and white children had attended together without incident since its founding in 1879. Behind this peaceable façade, however, was an apprehensive white population united in the fear that each year's increase in black students somehow threatened their way of life. This quiet desperation intensified until 1904, when a seemingly unrelated episode gave Kansas City whites a pretext for its expression.

Although it is impossible to determine exactly what happened at Kerr Park on the afternoon of April 12, 1904, the day when Roy Martin was killed by Louis Gregory, an analysis of each version of the story may lead to some reasonable conclusions. According to the story compiled by Orin Murray Sr. who was a young child living near the park where the incident took place, Louis Gregory was acting in self defense:

In the early Spring of 1904, a young Negro boy (18 years of age) went out to snag frogs in a pond that was located in the southwestern part of Kerr's park. That pond was near where the present parking lot of Wyandotte High School is now. The boy, Louis Gregory, carried a single shot .22 caliber with him. Nothing unusual in this, because nearly all men snagging bullfrogs then carried a rifle, so if a large bull should be seen on the banks he could be shot before he could jump back into the water.

So it was that young Gregory had a rifle with him while he was snagging bullfrogs. As he was walking slowly along the bank of the

⁵⁷ Kansas City, Kansas Board of Education Minutes. September 29, 1904.

pond, he was suddenly confronted by two white boys. These boys were members of the baseball team of the Kansas City, Kansas High School, which was then located at 9th and Minnesota Avenue. These two boys who had left their teammates, came over to have some fun and make Louis Gregory run off and leave his frogs (Louis Gregory reportedly was badly crippled, with one of his legs being several inches shorter than the other one). An argument followed, and one of the white boys started after Gregory with a ball bat. Gregory did run but he ran in the direction of his rifle. He reached the rifle, picked it up and fired it. One of the boys (William Martin) was hit, and that shot was fatal.⁵⁸

The *Kansas City Voice* repeated this version of events in its 1978 tribute to Sumner High. From this article it is revealed that much of the information used in formulating this version came from Lura Gregory, Louis Gregory's brother.⁵⁹

The *Kansas City Journal* published a very different story. The articles the paper ran beginning on April 13th left little doubt as to who was to blame for the killing. "IN COLD BLOOD" was the headline and underneath were several subheadings referring to Gregory as a "slayer" and the event as a "murder" of a local boy by a "negro." According to the paper, Martin's transgression was standing up to a gang of black youth who had gathered at the park prior to the baseball game and were verbally harassing his schoolmate, John McAlpine, as he ran around the track. After Martin politely asked the young men to stop harassing the sprinter, a voice in the group was heard to say, "shoot the d--- fool." At this point Gregory, who was armed with a revolver rather than a rifle, pulled out the weapon and fired intentionally into

⁵⁸ Greenbaum, p. 65. This account has been accepted by several historians and is used as evidence in the histories of Sumner High written by Scottie Davis, Dennis Lawrence, and the 1978 Special Edition to the *Kansas City Voice*.

⁵⁹ "The Yesterdays of Sumner," A Special Supplement to the *Kansas City Voice*, June 8-14, 1978.

Martin's chest at close range. "I'll fix him," the *Star* reported Gregory as saying, after which he fired another shot at Clarence Mook while making his escape.⁶⁰

The *Kansas City Star* ran a very similar story that same day, with the words "School Boy Shot Down in Cold Blood by Gregory, the Negro" appearing in bold text. The paper also reported that a group of young blacks were harassing John McAlpine when Roy Martin came to his rescue. After a short verbal exchange, Louis Gregory shot Martin. In this version it is revealed that Martin was the captain of the track team, which was having its afternoon practice. It is also significant to note that the post-mortem examination revealed a .38 caliber bullet lodged in the muscles behind Martin's ribs. According to the *Star*, the report showed the bullet passed through the heart and then through the lungs in an upward trajectory before coming to a rest⁶¹.

Both the *Star* and the *Journal* reprinted excerpts of Gregory's testimony, and the *Journal* reprinted the testimony of Undersheriff Cummins and Deputy Sheriff Textor who were the first to arrive. Upon searching Gregory's home his father disclosed that he was missing his revolver. This is consistent with the confession Gregory made to a *Star* reporter while in jail in which he claimed to have stolen his father's revolver for protection on his way to and from Swift's packinghouse where he was employed.⁶²

Day before yesterday while I was on my way to the packinghouse I was attacked by two men at Riverview. They beat me and one of them pointed a gun at me. Yesterday morning I stole my father's revolver to protect myself with when I went to work. I worked until noon and then came to Wyandotte. I stayed around the Lincoln school until about 2

⁶⁰ *Kansas City Journal*, April 13, 1904.

⁶¹ *Kansas City Star*, April 13, 1904.

⁶² *Kansas City Journal*, April 13, 1904. *Kansas City Star*, April 14, 1904.

o'clock when I went to Kerr's park where we expected to have a ball game with the Lincoln high school boys. I was with a crowd of boys watching a boy run around the track. The boy's face was covered with drops of sweat and his tongue was hanging out. He looked so funny that we laughed at him. Martin spoke up and said, 'If you had any sense you wouldn't laugh.' I says, 'You're not talking to me, are you?' He answered, 'I'm talking to all you niggers.' Then he put his hand on his pocket. I had the gun in my pocket and I drew it out with my left hand. I cocked the gun and stood there pointing it at Martin to see what he was going to do.

I didn't intend to shoot, but I had my hand on the trigger and I guess I got nervous and pulled it too hard. The other boy rushed at me with a ball bat and I tried to shoot him in the leg to keep him from catching me. Then I ran and after circling around went home. I went in and out two or three times but did not tell my folks of the trouble. Afterwards I went to the home of my brother at 840 Nebraska. My father found me and turned me over to the others. I did not know that I had killed Martin until last night. I had nothing against the boys for they had always treated me right. I didn't mean to kill him."⁶³

Given this evidence and Gregory's own testimony it seems that Gregory's actions were neither justified under the rubric of self-defense nor the calculated movements of a cold-blooded murderer. It also seems that Murray's version of events is little more than local folklore, the result of many years of repetition and alteration. Accepting that Martin and Gregory were the center of an argument, it seems that both boys were at fault, but that neither had murderous intent. Had Gregory intended to kill Martin he surely could have planned it so that there were fewer witnesses and a better escape route. Given the angle of the shot and its impact in the middle of his chest, (as well as the accuracy of revolvers at this time) it is also unlikely that Martin was addressing Gregory from a calm distance. Considering the fact that an audience of their peers surrounded both boys, it is likely that neither sensed that they were in particular danger while both felt the need to prove their manhood. From reading all

⁶³ *Kansas City Star*, April 14, 1904.

the accounts of the killing, it is clear that this was just another adolescent fight of little consequence to historians had not one of the boys been carrying his father's revolver.

Protecting Louis Gregory

Although there had never been a racially motivated lynching in Kansas City, members of the black community feared for the safety of young Gregory. Accounts of the measures taken to protect Gregory vary, but it is clear from all of these accounts that a group of black men armed themselves that evening and stood guard at the Wyandotte County Jail.

According to Susan Greenbaum, about fifteen black Spanish-American War veterans donned their old uniforms and readied their Springfield rifles, marching to the lead of Reverends George McNeal and Thomas Knapper. The scene she describes is reminiscent of the border wars of the 1850s, complete with a white mob that crossed the Missouri border with murderous intent. When the whites approached the jail, Reverend McNeal responded "The first man to cross this line is eating his breakfast in Hell in the morning." As the men behind McNeal readied their weapons, the mob dispersed.⁶⁴

Among the men taking part in the defense effort was Nat Singletary. In later years, as a tacit recognition of the justice and courage of their actions, Greenbaum reports that Singletary and several of these men were later hired as police officers. While Singletary may have later been hired by a law enforcement agency, his name

⁶⁴ Greenbaum, p. 65-6.

does not appear on the annual payrolls of city police that appear in the Kansas City Council minutes.⁶⁵

While the white press reported the scene outside the jail as a “race riot”⁶⁶, the *Plaindealer* explained that the local blacks who confronted whites outside the jail had no intentions of starting an uprising; in fact, it was their design to prevent one by assuring no white mob would harm Gregory while in police custody. According to the *Plaindealer* these men got their weapons and stood guard all night:

...Not allowing a white man to enter the jail yard; yet there were 150 or 200 whites about in gangs and there is no doubt but the same old rope burned at the stake as so many times before... would have been repeated had it not been for the bravery of the following men... Rev E.T. Green, William Alexander, Walter Guthere, M.L. Wilson, W.M. Nappier.⁶⁷

That these leaders of the men who protected Gregory voluntarily turned themselves over to authorities the next day would indicate that their design was to uphold the law rather than to take it into their own hands. Most of the men were held for over a week in jail before being released.

Louis Gregory was officially charged on April 14th for the crime of murder in the North Side City Court on April 14th. His court records have curiously disappeared from the Wyandotte County Courthouse and the District Attorney’s office⁶⁸, yet

⁶⁵ *Ibid.*, p. 66. Kansas City, City Council Minutes, 1905-1915.

⁶⁶ *Kansas City Star*, April 13, 14, 1904. *Kansas City Journal*, April 14, 1904.

⁶⁷ *Topeka Plaindealer*, May 6, 1904.

⁶⁸ The only record of Louis Gregory that exists at the Wyandotte County Courthouse is a logbook that lists case numbers. Gregory’s case was numbered 3188, yet the case disappeared prior to microfilming. So rare was this omission that special notice is given on the cover of the microfilm, an occurrence that is unique to Gregory’s case. In my search for the record I was assured by clerks at the Criminal Department and the District Attorney’s Office of Wyandotte County that all court records were required to be maintained by their respective offices, yet none of the staff at these places or at the court’s annex could recover any records pertaining to the case, nor could they offer any explanation of why these records would be missing. The special section of the *Kansas City Voice* that appeared in tribute to Sumner High in its June 8-14, 1978 edition claims that the Governor offered Gregory a

inmate logs at the State Penitentiary reveal that he was convicted of Murder in the First Degree on July 2, 1904. The record also states that Gregory was only seventeen years old when he arrived at the penitentiary.⁶⁹

Gregory had served nearly thirteen years of his prison term when he was conditionally discharged on April 4th, 1917. Although this may seem like a rather short sentence given the fact that he was clearly responsible for the death of Roy Martin, a survey of the discharge records during this time reveals that the average murder convict served less than ten years in the state penitentiary. One convict served just over three years for second degree murder, while several others served no more than nine or ten years for murder in the first degree. Commuted sentences were very common and only a handful of inmates who were released during the years of 1911 to 1918 served longer sentences than Gregory. One inmate who had been arrested for white slavery was actually released into the military after serving only two years of his sentence. Whatever became of Gregory after his release is unknown, but it is clear that he never returned to the prison. The *Kansas City Voice* reported that he passed away in 1964.⁷⁰

pardon in 1934, but state penitentiary records reveal that he was released prior to this time and there is no record of Gregory in the three boxes of pardon records in the state archives.

⁶⁹ Kansas State Penitentiary. Record of Prisoners Received In. Series II. P. 205.

⁷⁰ Kansas State Penitentiary. Discharge of Paroled Prisoners, 1911-1918. *Kansas City Voice*, June 8-14, 1978.

Chapter 3.

The Creation of Sumner High

Disturbance Spreads to the Schools

The first reports of Roy Martin's death warned of the possibility of a "race war" erupting at the high school. While anger was to be expected given the circumstances, this anger was not directed against Louis Gregory alone, but instead to all the members of his race. Within a few hours talk had spread of forcing the black students out of the school the following morning. Although these students were successful in keeping the black students out, causing enough of a disturbance to close school temporarily, these confrontations never turned violent and the only war that was waged was that of public opinion. While the black students had done nothing to deserve the aggression displayed by their white counterparts, a fact later admitted to by those who started the disturbance, the events of April 13th were less important than the racial attitudes held by Kansans in determining the outcome of this battle. The only thing that remained to be seen was how far the residents of Kansas City would take their prejudices in determining their response.¹

Newspaper accounts describe the reaction of the white students as a 'demonstration'. It is doubtful, however, that such understatement would have been employed had the black students organized to prevent the whites from attending school. The actions of the white students could be considered a demonstration in the same sense that the burning of black churches throughout the South during the 1960s were considered 'protests.' What really happened on April 13th was a crime

¹ *Kansas City Journal*, April 13, 1904.

committed by a mob using the threat of violence to deny a small group of American children their right to equal protection.²

The attendance records of the Kansas City High School show that seven hundred whites and eighty blacks were in regular attendance. None of the black students attended class on April 13th, however, because they were physically prevented from doing so by almost the entire white student body. Emotions ran high as the white boys formed a line across the schoolyard in front of the female students who guarded the entrance. Every window in the school was filled with female students, their very presence assuring that their male counterparts would not back down in enforcing the decision to keep the black students out. Convinced of the righteousness of the cause, the students refused to yield when officers arrived on the scene.

But the police did not attempt to break the line; instead, they formed their own column in front of the male students, as if reinforcing the students with a second rank. In the distance a crowd gathered, watching to see what would happen. Almost on cue, mayor T.B. Gilbert, principal W.C. McCrasky, and superintendent M.E. Pearson appeared and counseled moderation from a distance. Although there was a crowd of parents, police, teachers, and city and school officials, only one teacher made an attempt to enforce discipline. "A.A. Brooks, one of the oldest teachers of the school," the Star reported, "talked to the boys from the front steps about being more careful in their expressions of resentment and conduct towards the negro pupils who were innocent of any crime... This angered some of the hot headed youths and they wanted

² The following account was pieced together from the following sources: *Kansas City Journal*, April 13, 14, 19, 1904. *Kansas City Star*, April 13, 14, 15, 18, 1904. *Kansas City Times*, April 15, 1904. *Topeka Plaindealer*, April 22, 1904.

to pull Prof. Brooks from the steps.”³ The following year, upon the recommendation of superintendent Pearson, Brooks was replaced.⁴

At 8:30 AM the school bell rang, but none of the students moved from their positions. As time went on, a group of white senior boys only weeks from graduation decided they had had enough. As they started up the steps they were met by a line of girls who declared that the boys must stay outside and help them “drive the negroes away.” So adamant were these girls that the seniors were forced to use “football tactics” to overpower their barrier, being subjected to kicks and punches from the girls as they passed.

As the protest lost steam and the white students resigned themselves to their classrooms, school officials assured the students that they would see to it that no black students entered the building that day. The black students were also discouraged from entering the school by the statements made from the crowd of white parents and community members who had gathered outside. The students were advised to go home in order to avoid more trouble, and statements were made to the effect that if they did so the trouble would soon blow over.

The event was characterized as being highly emotional, with many of the white female students in tears despite the fact that the only hostile actions were entirely their own. The *Kansas City Journal* took a measure of pride in contributing to the emotional displays of the students, reporting that many of them were seen

³ *Kansas City Star*, April 13, 1904.

⁴ Kansas City, Kansas Board of Education Minutes, March 6, 1905.

reading *The Journal* while others had clipped the headline of the previous day that read “In Cold Blood” to the lapel of their coats.⁵

Numerous efforts were made by black leaders to ensure that the situation did not deteriorate. Preachers and lawyers met with the superintendent, and members of both races attended a meeting at Carnegie Library that evening. The meeting was presided by future Kansas City Mayor W.W. Rose and was attended by several members of the board of education, school officials, political leaders, and clergy of both races. Local historian Scottie Davis praised the tone of the meeting, declaring “all speakers who took part in the deliberations breathed the true spirit of brotherhood.”⁶

Regardless of the outward demeanors of the participants, it was clear from the beginning that the majority of the white participants favored segregation and saw this as an opportunity to launch a campaign for the construction of a separate school for black students. While condemning the unlawful actions of the white students and declaring once again that the death of Roy Martin was in no way related to recent events, the group nonetheless passed a resolution calling for separate schools over the opposition of many blacks in attendance.

Whereas, an unfortunate incident, having no bearing on the school system of Kansas City, Kansas, arousing the ire of a number of white patrons and white friends of the Kansas City, Kansas High School and caused them to use such incident as a pretext to eject abruptly all colored students from said high school, to bar the doors against them, and to deny them the privilege of attending said school, and whereas, said act is a gross violation of the school laws of the state of Kansas,

⁵ *Kansas City Journal*, April 14, 1905.

⁶ Scottie P. Davis, *The Story of Sumner High School*, (Kansas City, Kansas, 1935). *Kansas City Voice*, June 8-14, 1978. Accounts of this meeting vary slightly, with Susan Greenbaum writing that the meeting was actually chaired by Superintendent Peterson, a man she describes as being well known for his fairness and his progressive outlook.

and an infringement of the constitutional rights of the colored citizens of Kansas:

Be it resolved that

- (1) We condemn such act as unconstitutional
- (2) We recommend that the colored students be restored their rights or that in the name of justice the school be closed to both races until such laws are enacted by the state legislature, repealing the law providing for mixed high schools in Kansas City, Kansas, and enacting a law for separate high schools in Kansas City, Kansas.⁷

The Kansas City, Kansas Board of Education also called an emergency meeting in response to the disturbance at the high school, but records indicate that the board had no intention of taking a stand on the issue. Immediately after President Barnhart called the meeting to order, a motion was made that “the action of Supt. Pearson in closing the school until the next Monday be ratified.” The motion was ratified unanimously without any recorded discussion and the meeting was adjourned.⁸

Rather than confront the issue, the school board granted *carte blanche* to the Superintendent and principal to handle matters as they saw fit throughout the rest of the school year. The only other evidence of the school disturbance appears in the May 2nd meeting of the board, when the Superintendent’s motion to cancel the citywide eighth grade graduation was also unanimously accepted. The decision to have each school host its own graduation was justified on the basis of avoiding another disturbance, but it is clear that the administration had already decided for separate schools. A successful graduation ceremony involving white and black pupils walking

⁷ *Ibid.*

⁸ Kansas City, Kansas Board of Education Minutes, April 14, 1904.

across the same stage, after all, could make it more difficult to justify separating them once again in the fall.⁹

Even after these events at the school, local papers chose to focus on the ‘lawless’ actions of the group of blacks who armed themselves and guarded the jail. The *Star* reported that these actions caused the chief of police “to issue orders against allowing armed bands of negroes to congregate on the streets.” The paper also complained that these men insulted whites who were passing by the courthouse and county jail between the hours of two and four o’clock in the morning by demanding to know why they were out at that hour. The paper reported that “the negroes seemed to want trouble” but was curiously silent on the intent of the whites who were outside the jail before dawn.¹⁰

Funeral services seemed to bring a spirit of reconciliation to the city. A crowd of two thousand, most of whom were white, listened to the Reverend W.H. Comer pray for divine forgiveness for Louis Gregory on Sunday. That same day, religious leaders throughout the city held special services counseling kindness and brotherly love in response to the turmoil at the high school. Reverend Frank Fox delivered a sermon entitled “The Only Possible Solution to the Race Problem.” Echoing the contemporary sentiments of W.E.B. Dubois, Reverend Fox explained “The solution of the race problem is the biggest problem of that confronts humanity today.” Using biblical references he explained that racial conflicts confronted the prophet Paul wherever he went, even in Athens where “Paul declared to Greek and Jew that ‘God made of one every nation of men.’ The age long search of science,” the Reverend

⁹ Kansas City, Kansas Board of Education Minutes, May 2, 1904.

¹⁰ *Kansas City Star*, April 13, 1904.

continued, “confirms this claim of Scripture concerning the unity of race and its origin.”¹¹

The Reverend later hedged this equivocation of universal equality by espousing some of the more conventional views of blacks, accepting the popular dichotomy of the two races as well as the paternalistic view of blacks as children under white guardianship. “The negro race is here to stay,” the Reverend continued, “No human power can ever remove them from our midst. They are the nation’s care and the white man’s burden.”

If the Reverend failed to accept his own avowal of the brotherhood of mankind, he also refused to condone the actions of some of the members of his congregation during the preceding week. In an impassioned plea to prevent further agitation, the Reverend had this to say:

Our high school, the object of our public pride, was forced to close its doors against 800 pupils because of the intense feeling against four-score colored pupils. We can’t afford to be unjust. The rioting Russians in Kishineff cried: ‘Kill the Christ-killers!’ as they brained helpless mothers and innocent babes. How absurd to murder the Jews in the Twentieth century for the act of their ancestors nineteen centuries ago. It would be equally unjust to vent our vengeance on the eighty unoffending colored students in our high school, who deplore the crime as deeply as we do. The agitators for a separate high school should not seize this opportunity to widen the breach between the two races.¹²

While it may appear that Reverend Fox was going on record as an opponent of segregation, he soon made it clear that he too favored the maintenance of separate schools. His message was that of patience and orderliness rather than egalitarianism and brotherhood. “A separate high school,” the Reverend concluded after

¹¹ *Kansas City Times*, April 18, 1904.

¹² *Kansas City Times*, April 18, 1904.

admonishing the students to go back to school, “should be secured just as soon as legislative authority can be secured.” Even after delivering this articulate and impassioned plea to the members of his congregation, the Reverend could not release the prejudice in his own heart to follow his words to their only logical conclusion.¹³

While the clergy of Kansas City may have counseled against interracial education, their words appear to have had a calming effect on students and faculty. Even the black press was happy to report that school had resumed on Monday without much trouble, crediting both whites and blacks for “using good judgment.”¹⁴

No one knew how the students would respond that Monday morning until the bell rang and the students cautiously entered the school together, attending the same classes they had always attended without incident. Before the bell, however, groups of white and black students spent the early morning in small, segregated circles, looking apprehensively at one another and the large crowd that had gathered to witness the spectacle. Some of the white students resolved that they would not attend school that day if the black students entered, but there was no talk of preventing them from doing so with the exception of a local drunk who worked his way through the crowd. After the police confiscated his bottle, even he seemed resigned to accept the resumption of classes.¹⁵

The newspapers describe the mood of the day as “ominous,” with black and white children entering the building apprehensively, ignoring each other throughout the day. With only six more weeks of school remaining, the majority of the white

¹³ *Ibid.*

¹⁴ *Topeka Plaindealer*, April 22, 1904.

¹⁵ *Kansas City Journal*, April 19, 1904.

students and parents expressed the feeling that “as they had endured the negroes in high school for several years, they ought to stand them six weeks longer.”¹⁶

Although there were over fifty students who stayed home or refused to enter the school with their black classmates, many of the children were escorted by their parents to school that day and compelled to enter the building. This, more than any other factor, seems to account for the quiet resumption of classes on April 18th. One of the first parents to do so was a former adjutant general from Tennessee who had dropped out of West Point when a black student was admitted in 1883. According to the *Kansas City Journal*, his actions were representative of the majority of parents who demanded an end to the standoff, acting as responsible parents despite their own racial antipathies:

Many of the parents of the white high school students, some of them white Southerners who greatly deplore the law which compels white and black students to attend the same school, pursued the wise course and ordered their children to go back to school and make the best of it until the end of the term.¹⁷

Reaction of the Black Community

Black newspapers conveyed a different interpretation of the trouble at the high school, questioning the role of the parents and administrators who allowed the white students to take over the school and threaten their fellow students. The *Topeka Plaindealer* argued that the teachers should have insisted upon order and expelled the students who caused the disturbance. The paper also emphasized the tragic irony of the fact that those being barred from the school were Martin’s classmates. “We

¹⁶ *Kansas City Star*, April 18, 1904.

¹⁷ *Kansas City Journal*, April 19, 1904.

cannot see how they could connect the killing of a High School boy by a party who is not a pupil of any school at all,” the *Plaindealer* editorialized, “with the colored students of the High School who were in all probability a friend of the murdered boy.”¹⁸

The *Plaindealer*'s indictment of administrators was insipid compared to that of the *American Citizen*, a black newspaper published in Kansas City at this time. The editors referred to the events at the school as “the most vilest and contemptible dirty plot against the Negro members of the High School and the Negroes in general, as has ever been witnessed in Kansas City, Kansas.” The article made no attempt to defend Gregory, choosing instead to remind readers that the killing was the result of an individual who was completely unconnected to the school. The paper claimed that fewer than five of the black students even knew Gregory. The editors also spoke out against the racial bigotry, which had created a situation where the “better class of negroes” were forced to suffer for the actions of the worst of their race. “In the eyes of the white man,” the author said, “all coons look alike, act alike, and really are alike.”¹⁹

The *American Citizen* considered this event as the nadir of race relations in Kansas City, emphasizing the relative harmony of the two races prior to the actions of the white students. The paper editorialized that “the soul of John Brown has stopped marching in Kansas and above his [grave] the spirit of Ben Tillman and his Negro hating host are dancing.”²⁰

¹⁸ *Topeka Plaindealer*, April 15, 1904; April 22, 1904.

¹⁹ *The American Citizen*, February 17, 1905.

²⁰ *The American Citizen*, February 17, 1905.

The *Vindicator*, a new black newspaper based in Coffeyville, was also unambiguous in its interpretation of events. The editors called into question the assumption that the students were acting on their own behalf; arguing that parents and school officials were to blame:

The VINDICATOR wants to say right here, that the attempt to crystallize the sentiment... as being wholly inspired and engineered by themselves, is all bosh. Their action is directly in accord with the dictations of their lily white Republican and Populist parents, who have not the courage and Back-bone to openly identify themselves with this damnable movement. The action of the Superintendent of the city Schools of Kansas City has been far from that which produces peace and harmony. In fact he can rightfully be described as a wolf in sheep clothing; soft soap the negroes on one hand and continue to agitate the white children on the other.²¹

One of the main black newspapers in the state was curiously silent about the events in Kansas City. Despite their extensive coverage of racial discrimination throughout the South, The *Wichita Searchlight* made no specific mentions of the killing of Martin, the aftermath at the school, or the campaign to allow segregation in the high schools of Kansas. The closest the paper came to such a story was an editorial on April 23, 1904, which pointed out that when blacks commit crimes it is often interpreted as a reflection of the black race, yet when whites commit crimes the same does not hold true. Although the timing of the story would indicate that this column was in response to events in Kansas City, no specific reference was made.²²

This omission may have been related to the fact that black leaders were often pressured by whites to support the campaign for a separate school. The most well-

²¹ *The Vindicator*. February 17, 1905.

²² *Wichita Searchlight*, April 23, 1904. A survey of the *Searchlight* for nearly two years revealed no coverage of the events in Kansas City. Extensive coverage is maintained on the debate before the state legislature relating to key issues in Wichita and the rest of the state, with copious attention being dedicated to the state oil refinery bills, yet no mention is made of the action of the legislature regarding the expansion of segregated schools.

known and influential black educator in the state at this time was W. T. Vernon, president of Western University. White political and business leaders frequently misrepresented Vernon as supporting the campaign despite his public statements to the contrary. In fact, Vernon refused to support the campaign even when these leaders threatened him. "Pressure was made on him to line up for the bill," reported the *Kansas City Journal*. "Even threats were made that he might lose the appropriations for his school. Still he held out against it and stood by the negroes."²³

Most whites who counseled moderation hedged their remarks by advocating separation. Even as students resumed classes during the following weeks of the term it was clear that whites considered this a temporary solution until a separate facility could be secured for black pupils. The black community of Kansas City did not share these sentiments and actively campaigned to prevent their students from being forced out of the school. The *American Citizen* claimed that it was not just the stigma of separation that blacks were fighting, but also the denial of the educational opportunities inherent in a large high school:

It is not because the Negro desires social equality or is so infatuated with the white society that he is against the separation, but because a school with 500 or 600 pupils with a teacher for the different sciences, is to be desired, rather than a school of about 125 with a few teachers covering many sciences...²⁴

One of the greatest reasons blacks opposed the creation of a separate school was the well-founded suspicion that this school, like so many others in the city, would not be equal to the facility provided for white students. According to the editor of the *Vindicator*:

²³ *Kansas City Journal*, February 23, 1905.

²⁴ *The American Citizen*, February 17, 1905

If it were possible for the Negroes of Kansas City to secure equal facilities and advantages as the white children, not a single protest would be made to the end that the association of the Negro students with those over estimated proletariats should be continued. The negroes of Kansas City knows that the facilities and advantages will not be given them, hence they kick. This, and this only, is the kick.²⁵

In response to an article printed by the *Kansas City Star* which asserted that blacks were opposed to separate schools because of the superiority of white teachers, the *Vindicator* made it clear that this argument held “not the slightest resemblance of truth.” The Coffeyville paper also replied to the *Star*’s contention that blacks desired white classmates and teachers because “a higher degree of culture and refinement is attained by the negro boys and girls being associated in the same high school as whites.” The author used the example of local white adults who were verbally abusive to black children in his neighborhood as an index of that class and sophistication.²⁶

The Campaign For a Separate High School.

Those in favor of creating a separate high school had several barriers to overcome. As with any major new school project, funding would have to be approved by the taxpayers of the city. More importantly, it was clear that leaders within the black community did not favor the expansion of segregated schools, and this time the law was on their side. No changes had been made to the 1879 amendment to the school law outlining the powers of boards of education in cities of the first class. Section 6290 of the General Statutes of 1901 clearly outlawed segregation in the high schools of the state:

²⁵ *The Vindicator*, February 17, 1905.

²⁶ *Kansas City Star*, February 15, 1905. *The Vindicator*, February 17, 1905

The Board of Education shall have power to elect their own officers, make all necessary rules for the government of the schools of said city under its charge and control, and of said board, subject to the provisions of this act and laws of this state: to organize and maintain separate schools for the education of white and colored children, except in the high school, where no discrimination shall be made on account of color...²⁷

Members of the board of education and other school and community leaders were outspoken critics of this bill, and by late April it was clear that a campaign would be launched to attempt to change the law. 1904 was an election year, and candidates for office on both sides of the aisle made it clear that they would do whatever they could to assure passage of such an amendment. Republican candidates, who were dependant upon the black voters of the city, typically exercised caution but clearly stated that they would support such a bill if the people of Kansas City wished to have separate schools.

“In my opinion,” said Dr. S. S. Glasscock, Republican candidate for state representative, “there should be separate high schools for the two races.” After asserting that “the more intelligent class of negroes” also supported that position, he made it clear that despite his personal opinions he would support whatever the voters of Kansas City wanted. James Getty, Republican candidate for the state senate, tried to avoid the issue, but he also made it clear that he was willing to work for the passage of an amendment if elected.

I don't think it the proper time to discuss this matter while both sides are very much worked up over the situation. If I am fortunate enough to be elected to the state senate I shall try to do what the majority of the people want me to do. If they want a separate high school I shall do my utmost to secure the passage of a law to that effect.²⁸

²⁷ General Statutes of Kansas, 1901. p. 1258.

²⁸ *Kansas City Star*, April 15, 1904.

C.K. Robinett, who would later sponsor the bill in the house, also did his best to avoid taking a stand that might alienate voters:

If I am elected to the legislature and the people want such a bill passed I shall work for it with all the power at my command. I want to do what will be for the best interest of all concerned and what that is will have to be determined by the citizens themselves.²⁹

These political leaders spoke much differently when addressing their black constituents, leading many influential members of the black community to believe that they would oppose any attempt to segregate the high school, if not for ideological reasons than at least as a matter of economics. The editors of the *Plaindealer* wrote with confidence that Governor Hoch would veto a bill authorizing the expansion of segregated schools. The publishers of the *Vindicator* echoed that faith in Hoch and the members of the state legislature:

We have no fear for any such legislation, as we are personally acquainted with a number of legislative leaders and we know them to be men of too much practical judgment to allow an extra tax to be imposed upon the tax payers of this State, for the building, furnishing, with like facilities and maintaining separate High schools in Kansas City or any other city of the first class. The petition should be ignored and matters of more vital importance entertained.³⁰

C.K. Robinett, a newly elected state representative from Kansas City, introduced House Bill 890 on February 16th. The bill originally made no reference to Kansas City, rather it followed the trend of previous state laws in giving boards of education in larger cities the power to expand segregation. Robinett's bill amended section 6290 of the General statutes of 1901, allowing those boards of education in cities with populations over 50,000 the option of maintaining separate high schools.

²⁹ *Ibid.*

³⁰ *The Vindicator*. February, 17 1905.

Although Kansas City was the only community that met this criteria, it was understood that others would soon grow to that size.

Representative Robinett moved to suspend the rules in order for the bill to be read a second time and referred to the committee of the whole. During the evening session, the bill was read for the third time and passed by the vote of eighty in favor, one opposed, and forty-four absent or not voting. The only vote in opposition was recorded from a Mr. Stone, who had voted in opposition to every bill during the evening session. The large number of abstentions appears to be the result of a large number of absent members, with every bill prior to House Bill 890 passing by the same vote of 80-1-44. Immediately following the vote, however, a motion was made to reconsider the bill, which was approved by the vote of sixty-three in favor, nine opposed, and fifty-three absent or not voting.³¹

No records were kept of the proceedings of the House and Senate during this time other than the official journal, which recorded only the motions and the votes of congressional members. Although it can not be determined exactly what happened, it seems that the motion to reconsider was made as a result of the quick action on the bill, passing it along with a myriad of other, less significant legislation dealing with salaries of state employees and miscellaneous expenses that also came towards the end of the session. The fact that Representative Robinett was one of only nine men who voted in opposition to reconsidering the bill would indicate that many who had voted in favor had done so without fully recognizing the significance of their actions. The Topeka State Journal supports this interpretation, stating that the bill was deeply contested after it was ‘discovered’ by other state legislators:

³¹ 1905 House Journal, Kansas House of Representatives, 514, 552.

The passage of the separate school bill for Wyandotte county occasioned one of the fiercest fights during the recent legislative session. It was prepared and introduced in the Senate by Senator Getty and he made a desperate fight for its passage. It was once slipped through the House of Representatives by Representative Robinett of Wyandotte county in a bunch of unimportant local bills without many of the members knowing its import. When the nature of the bill was discovered the House reconsidered the vote by which the bill had been passed and an interesting debate preceded its second passage.³²

House Bill 890 appeared on third reading the following day. Despite the rare action of the House to reconsider the bill, it was once again approved, albeit by a much smaller margin. Sixty-five representatives voted in favor of the bill, with twenty-eight opposed and thirty-two absent or not voting. Due to the fact that so many abstentions were recorded, the vote was only three votes above a constitutional majority. Although it is difficult to determine how many votes were influenced by the unlawful actions of the students in preventing their classmates from entering the building, a petition that was collected by these same students that reportedly contained the signatures of 15,000 citizens may have made the difference between the bills passage and its defeat.³³

The *Kansas City Star* reported that there was no debate on the bill, yet over half of the members explained their votes.³⁴ These comments resulted in a clash between Robinett and W. A. Trigg of Anderson county who voted in opposition to the bill. The *Topeka Journal* reported that Robinett “addressed a profane remark to Trigg” after which Trigg protested and Robinett quickly apologized. The remark was made after Trigg explained his vote to the other members of the House:

³² *Kansas State Journal*, October 11, 1905.

³³ 1905 House Journal, Kansas House of Representatives, 562. *Topeka Journal*, February 17, 1905.

³⁴ *Kansas City Star*, February 17, 1905.

This is the entering wedge for a general separation of white and colored students. This whole thing grew out of a scrap which some colored and white boys had over a baseball game, in which, I have been told, the white boys by their domineering attitude drove the colored boys to defend themselves. In the fight that followed, a boy was, unfortunately killed. This is what started all of this trouble, and I shall have to vote no.³⁵

According to the story printed in the Topeka Journal, Robinett's quick apology may have saved his bill from being reconsidered a third time. Following Trigg's remarks, Robinett stepped back to Trigg and responded to him by saying "That was a --- cowardly trick of yours." Trigg immediately rose and addressed the floor, announcing, "the gentleman from Wyandotte has just addressed a remark to me which I do not care to repeat to this house because I do not use that kind of language." The Journal records the rest of the events as follows:

Mr. Simmons of Lane, who sits just behind Mr. Trigg, jumped up and said: "I am not afraid to tell what the gentleman from Wyandotte said. I heard it. He said it was a 'damned cowardly trick' and I consider it an insult that the gentleman should address such a remark to an old man like Mr. Trigg."

In a few minutes a number of the members gathered around Mr. Trigg and talked of reconsidering Robinett's bill and knocking it out. Mr. Robinett approached Mr. Trigg and offered him an apology. "You will have to make that apology publicly before this house," said Simmons to Robinett, "or I will bring it up in the form of a resolution."³⁶

The bill immediately went to the Senate where it was guided through by James Getty. The *Kansas City Journal* reported that Getty had a difficult time in making his speech in favor of the bill due to the fact that many blacks were present in the gallery and let their opinions be heard on the bill while Getty was trying to speak. After being threatened by the Sergeant-At-Arms, Getty was allowed to speak freely.

³⁵ *Topeka Journal*, February 17 1905.

³⁶ *Ibid.*

Following the defeat of the bill by the vote of twenty-four opposed and fifteen in favor, Getty motioned for a suspension of the rules once again.³⁷ This time Senator Getty asked that the vote not be declared, instead sending the bill to the Committee on Cities of the First Class, of which he was the chair. This motion was granted and the committee immediately returned the bill back to the floor of the Senate with the following report:

Mr. President: Your Committee on Cities of the First Class, to whom was referred House bill No. 890, An act relating to the government of schools in cities of the first class having a population of over 50,000, and to amend section 6290 of General Statutes of 1901, have had the same under consideration, and instruct me to report the bill back to the Senate with the recommendation that it be amended after the word "in," line 10, section 1, by striking out the words "cities having a population of over 50,000," and inserting in lieu thereof the words "Kansas City, Kan."³⁸

Following this amendment the rules were again suspended and the Senate approved the bill by the margin of twenty-one voting in favor, five opposed, and fourteen absent or not voting. Once again there was no debate on the floor of the Senate according to the *Kansas City Journal*.³⁹ Unlike the vote in the House, only two Senators were absent during this session. The change in votes after Senator Getty made the amendment clearly indicates that many of his colleagues would only withhold their objections to the bill if it were made to apply to Kansas City alone.⁴⁰

The *Topeka Plaindealer* reported a slightly different version of the proceedings in the Senate, emphasizing the peculiar nature of how the bill was resurrected even after it was defeated by a large majority prior to Getty's motion.

³⁷ *Kansas City Journal*, February 18, 1905.

³⁸ 1905 Senate Journal, 361.

³⁹ *Kansas City Journal*, February 18, 1905.

⁴⁰ Senate Journal, 1905, 360-3.

According to the *Plaindealer*, Senator Getty's bill was about to be defeated in the Senate when he presented a large petition that he claimed contained the signatures of fifteen thousand voters:

Bro. Getty seeing that he was still being worsted, ordered the galleries cleared. This the Senate refused to do, and then he had a call of the Senate made, and still they voted no. Defeat had then come to him and he unfurled about three hundred feet of signatures, some were forged while the others were composed of Democrats and children, with now and then a Kentucky Republican.

The vote on the bill stood twenty-four to fourteen. Lieutenant Governor Hanna seemed to be assisting Mr. Getty in his hour of defeat, failed to announce the result. This enabled Getty to move the referring of the bill to the committee on cities of the first-class, of which he [Getty] was chairman. In less than one hour he had made it a local bill and placed it upon its first reading...

If this is not rotten legislation, why was all of this wildcat railroading of a Jim Crow bill to disgrace the fair name of Kansas...?⁴¹

The amended version of the bill was sent back to the House that evening, where it was immediately passed by the vote of sixty-six in favor, twelve opposed, and forty seven absent or not voting.⁴² The large number not voting was primarily the result of absences, however many legislators simply choose not to take a stand on the issue of segregation. In contrast, every senator and representative from the Kansas City area voted in favor of the measure.

If any of their elected representatives would take a stand on the issue, the members of the black community were sure it would be Governor Hoch. Kansas City's black population had many reasons to share this faith in their governor who had actively sought their support in the previous year's election. Several groups of black leaders, including the Kansas Equal Rights Association, sent delegations to

⁴¹ *Topeka Plaindealer*, February 24, 1905.

⁴² House Journal, 1905, 577-8.

meet with the governor on the subject, the latter group returning with a promise that he would “do all in his power to prevent the passing of any law applying to any particular race—especially the colored people.”⁴³

White legislators from Kansas City were so concerned that the governor would veto their bill that they began to make threats in hopes of dissuading black protest. The *Kansas City Star* reported that the Wyandotte delegation promised to “knock out the appropriations” for Western University if the governor took action against their bill. The aggressive nature of this particular threat is practically unheard of in local or national politics. What the Wyandotte legislators were advocating was a spending cut that would reduce the funds being distributed to their own district as a means of retribution against a body of citizens who had voted them in office and were now peacefully expressing their opinions. To make matters worse, blacks had voted for the Republican ticket in higher percentages than any other group in the city.⁴⁴

Despite his promises to his black constituents, the new governor considered the bill for several days. It is clear that the governor did not agree with the measure, but he also wished to avoid taking a stand on the issue that might cost him politically. Citing overwhelming public opinion, the governor signed the amended separate school bill into law on February 22, 1905. In hopes of not alienating his black supporters, the governor included this apologetic explanation of his actions:

No question that has yet come to me in my official capacity has given me so much concern as House bill No. 890, providing for the separation of the whites and blacks in the high schools of Kansas City, Kan., and no problem has been more difficult for me to solve satisfactorily to myself than this one. It has seemed to me to be a question vastly more than local, and to involve great moral,

⁴³ *Topeka Plaindealer*, June 2, 1905.

⁴⁴ *Kansas City Star*, February 18, 1905.

educational, and racial principles, and incidentally some legal and financial considerations also.

My father, though living in the South before the war of rebellion, was an original and intense abolitionist, and I have believed from boyhood that the black people should have all the rights and privileges under the law enjoyed by the whites. I have watched with increasing admiration and pride the wonderful progress made by this people since the immortal Lincoln made them free. I am in hearty sympathy with them in their great struggle for higher and better things, and in perfect accord with the Roosevelt idea that every man should have a square deal, regardless of race or color.

This Kansas City proposition has seemed to me in its general aspects to be a step backward, a concession to the Southern ideas in such matters, with which I have no sympathy whatever; but the local conditions are peculiar, and I have all along believed that it were better for both races in Kansas City, Kan., that the separation proposed in this bill should be made.

Under the law in this state in cities of the first class such separation is optional with the boards of education in all grades up to the high school, and the whites and blacks have been separated in all the lower grades of Kansas City, Kan., for years. Without yielding an iota of my conviction in reference to the race problem, with all my sympathies going out toward these struggling people, and with no sympathy or patience with those who would put a straw in the way of their progress, I have simply come to the conclusion that, under present unfortunate local conditions, the permanent and best interest of whites and blacks alike, in Kansas City, Kan., will be best subserved by permitting this bill to become law, and in this opinion I seem to be sustained by an overwhelming majority of the people on the ground, as well as by a very large majority of the many able and conservative men with whom I have counseled from other parts of the state.

I have taken this action, further, upon the positive assurance upon the white people of Kansas City, Kan., that a high-school building costing not less than \$40,000, and equally well equipped as the present high-school building, will be furnished for the colored high-school students of the city.⁴⁵

⁴⁵ Message From the Governor, February 22, 1905. 1905 House Journal, .723.

White news reporters, many of whom predicted that Governor Hoch would veto the bill, responded to the governor's change of heart by praising his decision. Many papers choose to reprint at least a portion of his statement while every article surveyed emphasized the public support for the measure. The *Wichita Eagle* was the most generous in their support for the governor, echoing his claims as a "friend of the negroes" while other papers claimed that Hoch had acted as a "statesman rather than a politician."⁴⁶

While there are several references to the petitions and letters of whites, each of these articles neglect to mention the fact that a higher proportion of blacks participated in a similar campaign against the bill. Although each article mentions that blacks were generally opposed to the bill, the only sincere treatment of their opinions and efforts appear in black newspapers.

⁴⁶ *Wichita Eagle*, February 24, 1905. *Kansas City Journal*, February 23, 1905. *Kansas City Star*, February 22, 1905.

Chapter 4.

Reaction of the Black Community

Black Response to Passage of the Separate High School Bill

Kansas blacks voted for Governor Hoch and placed great faith in his leadership and character. Many saw him as a friend of their race and were confident that he would veto the school bill. Earlier that year William Vernon, the famous black educator and future Registrar of the United States Treasury, became the first African-American to address the Kansas Day Club. Governor Hoch was present and spoke highly of Vernon and also emphasized the importance of improving educational opportunities for blacks in the state. In response to the actions and the speech by Hoch, the *Topeka Plaindealer* was unsparing in its praise of the Governor. “We must undoubtedly say that Governor Hoch has no equal,” the *Plaindealer* stated, “and if the colored people should have to name the successor to President Roosevelt, Governor Hoch would be the man.”¹

Following the passage of the bill and the signature of the Governor, black leaders expressed shock and disappointment. Few of the black leaders who had met with the Governor expected him to sign the measure. “We discussed the bill with Governor Hoch Saturday,” reported Dr. Hudson of Atchison prior to the Governor’s

¹ *Topeka Plaindealer*, February 3, 1905. The *Plaindealer* frequently used humor to demonstrate the absurdity of racial prejudice. The headline that led this story is but one of many examples. It read: “The Kansas Day Banquet is Over and Prof. Vernon Hasn’t Turned White Nor Has Any Black Rubbed Off on the Participants!”

action, “and judging from his conversation, which almost assured us that the bill would be turned down, we felt perfectly at ease.”²

The black press expressed feelings of betrayal. Nick Chiles of *The Topeka Plaindealer* wrote several pages on the matter immediately following the passage of the bill. In addition to several articles written in late February, he made many references to the matter in other articles that appeared throughout the year. The *Vindicator* echoed these feelings about the governor and offered this keen indictment of the Kansas City delegation:

Representatives Getty, Glasscock and Robinett have fulfilled their pledge of last summer to their rebel constituents; and to those Negroes who labored incessantly hard during the last county election, that the above named Representatives might grace our legislative Hall, they have shown their cloven hoof.³

B.S. Smith, deputy county attorney for Kansas City, was one of many black leaders who spoke out strongly against the actions of the state legislature but expressed his faith in Governor Hoch. He referred to the bill as being “class legislation” a view that was echoed by several legislators who voted against the bill. He also stated that such a law expanding segregation was contrary to the history and traditions of the state, and was more in line with the “unholy prejudices of the former pro-slavery states.” In his conclusion he expressed faith in the “patriotism, loyalty, and Christianity” of Governor Hoch, trusting that he would veto the measure.⁴

T. A. McNeal, Governor Hoch’s private secretary, used his position as editor of *The Mail and Breeze* to defend the governor’s actions. According to McNeal, the Governor had little choice but to approve the bill as “telegrams and letters were

² *Topeka Plaindealer*, February 24, 1905.

³ *The Vindicator*, February, 24 1905.

⁴ *Topeka Journal*, February 17, 1905. *Kansas City Journal*, February 18, 1905.

pouring in on him from Kansas City, Kansas, urging him to sign the bill.” While McNeal admitted that many letters were also being received from black residents of the state asking the governor veto the bill, he claimed that the letters demonstrated that “the people of both races had become unduly excited and wrought up so that many even predicted violence unless the races in the high school were separated.” McNeal wrote that the governor was strongly opposed to the bill in principle, “but his judgment was that under the circumstances it was better for both races in Kansas City, Kansas that the bill become a law.”⁵

The *Plaindealer* responded to McNeal’s editorial in its next edition, denying his claims that the separation was in the interest of blacks as well as whites. The newspaper also denied his contention that maintaining segregated schools was necessary to avoid violence, reminding readers that the only violence that had transpired was that which was threatened by the white children. The *Plaindealer* called the entire campaign a “subterfuge” and suggested that those who did not want to go to a public school because of their feelings towards some of the public should have the burden of forming their own separate schools:

In speaking of the numerous letters and telegrams which poured in upon the governor asking him to sign the bill, he overlooks the fact that they were from a few prejudiced whites, and not the colored people... these letters claimed that race riots were inevitable and... [the] ‘only way to prevent bloodshed was to allow separate schools.’ The day the bill rushed through the house and senate, the children were at school getting along nicely together. The only contention of trouble in this high school matter was started by the superintendent, principal, and a few of the teachers who urged about two hundred white children to circulate a petition asking the legislature to empower them to issue bonds and build a separate high school for the colored children.⁶

⁵ *The Mail and Breeze*, (Topeka, Kansas) March 4, 1905.

⁶ *Topeka Plaindealer*, March 10, 1905.

McNeal waited until the conclusion of his commentary as the Governor's apologist to interject his personal feelings on the subject. His words lack the caution expressed by the Governor's official statement, revealing the attitudes that led to the bill's passage in the state legislature:

It must also be said that the colored people of the state have done something to strengthen the sentiment in favor of separate education by coming before the legislature and asking for large appropriations to sustain institutions intended exclusively for the education of colored youths of the state.

The negro race must build itself up by its own efforts. The best and surest way to gain the respect of the white race is for the colored race to demonstrate its capacity to take care of itself. ...Let the colored people of Kansas City demonstrate that they can run a high school, taught by their own people, as successfully and turn out graduates as competent as the students of the white high school and the time will come when the whites themselves will be willing to allow the schools to be united.⁷

The *Plaindealer* also denied the contention that blacks favored the bill. Every white proponent of segregation repeated this argument, yet it is clear from the actions of black leaders and the record of the black press that this was not the case. "The statement that the colored people have strengthened the sentiment of separate education," the black weekly asserted, "is another of those false and lame excuses for the governor in signing this bill."⁸

"Prejudice," McNeal wrote, "can only be eradicated by education and not by law." The irony of this statement, of course, was that it was McNeal and others who sought to sustain their prejudices and deny educational opportunities to black children by changing the laws. Such a statement would be more consistent in justifying the

⁷ *The Mail and Breeze*, March 4, 1905.

⁸ *Topeka Plaindealer*, March 10, 1905.

maintenance of segregation laws rather than their expansion. In later years, of course, this sentiment would be expressed by many Southerners to this end, expressing the false assurances that race relations would somehow improve sooner if only left to local leaders to act as public opinion dictated.⁹

Although the black press spoke out strongly against the actions of the Wyandotte legislators, they reserved their harshest criticism for Governor Hoch, calling attention to his hypocritical stand on the race issue, boasting of his abolitionist pedigree while signing a bill that would expand segregation. The *Plaindealer* ran a full-paged attack on the Governor, with the heading “Hoch Enslaves Kansas Blacks” appearing beside a large picture of the Governor. The article left no question that the editors of the paper felt that the maintenance of separate schools was intended to create a second-class citizenship for blacks. “The enactment of separate laws for white and black people in this country,” the paper declared, “is no more nor less than partial slavery.”¹⁰

Nick Chiles of the *Topeka Plaindealer* often used biblical language to express his opinions. One of his best metaphors compares the South to the Old Testament cities of Sodom and Gomorrah, arguing that the Kentucky-born Hoch was unable to shake the influences of his southern heritage:

Abraham Lincoln was born in Kentucky, but he left when he was a mere child, thereby not imbibing the Southern hatred for the Negro. If Governor Hoch’s parents had left Kentucky, as Joseph and Mary did when they were warned to take the Child and flee into Egypt, he would have vetoed that bill, but, no, like the wife of Lot, he became a pillar of hatred looking back to Kentucky for too long for the Negro’s good. We wish he had stayed in Kentucky.¹¹

⁹ *The Mail and Breeze*, March 4, 1905.

¹⁰ *Topeka Plaindealer*, March 3, 1905.

¹¹ *Topeka Plaindealer*, February 24, 1905.

Chiles also called for whites to join them in their quest for justice, praying for God to send the black community a leader just as He sent Moses to lead the his people out of the “wilderness of oppression.” He concludes his article by comparing Hoch’s acquiescence to that of another governor two thousand years prior:

...We are forcibly carried in our mind’s eye back to the days of Pontius Pilate, when he said: ‘I find no fault in this innocent man. Take him and do unto him according to your custom. I wish to wash my hands of any blame,’ and still knowing the Negro to be blameless, Gov. Hoch knuckles to the clamor of a few of the dominant race and turns the victim over into the hands of the corrupt to be crucified on a cross of prejudice and hatred. Amen!¹²

Not every black newspaper expressed shock at the passage of the bill. The *American Citizen* was relatively quiet on the matter after Governor Hoch signed the bill, with only two paragraphs on the subject appearing in its first edition following passage. From the tone of the article it is clear that members of the editorial board felt strongly about the issue but regarded the passing of the new law as inevitable.¹³

That the black press would issue such an indictment against these Republican political leaders had significant political ramifications. Although blacks comprised less than six percent of the state population, they routinely comprised between fifteen and twenty percent of the votes in Wyandotte county prior to 1900. Although a higher percentage of the black population voted in elections when compared with the general population, perhaps owing to their recent enfranchisement, it is apparent that the Republican party simply took these voters for granted.¹⁴

¹² *Topeka Plaindealer*, February 24, 1905.

¹³ *The American Citizen*, February 24, 1905.

¹⁴ Randall B. Woods, “Integration, Exclusion, or Segregation? The ‘Color Line’ in Kansas, 1878-1900.”, *Western Historical Quarterly*, April 1983, 186.

Several black organizations did more than curse their politicians; they organized a challenge to the law. The Kansas Equal Rights Association, a black civil rights organization that was chartered on Dec 7, 1904, soon became one of the leading critics of the segregation bill. On May 30th a meeting was held in which over a hundred and fifty black leaders attended from all over the state. One of the main focuses of the group was the segregation of the Kansas City High School. In response to its passage, the group unanimously passed resolutions condemning Governor Hoch and the 1905 legislature for passing the bill expanding segregation: ¹⁵

That we condemn Gov. E.W. Hoch, the chief executive of Kansas for breaking faith with this League, and not keeping the promise made to a committee appointed by this body, and to whom he promised that he would do all in his power to prevent the passing of any law applying to any particular race-especially the colored race. He failed to keep his promise a second time and signed a measure which is causing untold trouble between the races in Kansas City, Kas. We condemn him in the severest terms and ask those who love fair play to forever oppose such men as him for public officials.¹⁶

Although the *Plaindealer* was generally critical of “leading colored men,” the paper spoke highly of this meeting, stating that the black people of the state “should trust these men.” Although the group focused much of its attention to the recent events in Kansas City, its leaders were also concerned with the condition of black education throughout the state, pledging financial and legal support to those battling segregation in several cities.¹⁷

Even if the leaders of the state were cowed by public opinion, it was hoped that the courts would fulfill their intended role as impartial administrators of justice.

¹⁵ Kirke Mechem, ed. *The Annals of Kansas 1886-1925* Vol. 1. (Topeka: Kansas State Historical Society, 1954), 420. *Topeka Daily Capital*, May 31, 1905. *Topeka Plaindealer*, May 26, 1905.

¹⁶ *Topeka Plaindealer*, June 2, 1905.

¹⁷ *Ibid.*

Utilizing an existing organization of black leaders known as The Citizen's Forum, D.W. White chaired a committee tasked with challenging the constitutionality of the new law. This organization would later support a legal challenge that postponed the construction of the new school until it was finally heard by the Kansas Supreme Court.¹⁸

The Petition

According to the Kansas City delegates and the Governor, the decision to support the segregation bill was based on what they believed to be a manifestation of overwhelming public support. Most of their references to this effect dealt with a petition that was circulated by the students, reportedly containing the signatures of between 10,000 and 15,000 persons. It was further alleged that all who signed the petition were voters of Kansas City who supported the creation of a separate high school. Newspaper reports of this petition varied, with the total number of signatures reported to be as high as 25,000.¹⁹

Although there are a few discrepancies, the *Kansas City Star*, *Kansas City Journal*, and *Topeka Capital* all relate similar accounts of how this petition was secured. The following narrative was constructed from these accounts.²⁰

A public meeting was called for the evening of February 13, 1905 to promote the separate high school movement. When few citizens showed up to this meeting, white students responded on their own by having their own mass meeting at the high

¹⁸ *The Vindicator*, February, 24 1905.

¹⁹ *Topeka Journal*, January 6, 1906.

²⁰ *Kansas City Star*, February 14, 15, 16. *Kansas City Journal*, February 15. *Topeka Capital*, February 15.

school the next day while they were supposed to be in class. Black students and a few white females remained in class during the day, taking no part of the meeting or the movement.

The principal allowed the meeting to continue, counseling moderation in dealing with the situation. A group of teachers insisted that the students return to their classrooms and pursue the matter after school hours, but these teachers were ignored and the meeting continued without further interruption. Several students gave speeches supporting the movement, and after hearing these students superintendent M.E. Peterson counseled the students to refrain from violence. The superintendent seemed sympathetic to the students' campaign, advising them that any act of violence would only injure the cause for which they were working so diligently.

After listening to the administrators, the students calmed themselves and decided to create a petition supporting a bill to allow the creation of a separate high school in Kansas City. At 11:30 approximately six hundred students left the school to obtain signatures, returning at 1:30 to turn them in to the committee that had been elected to receive and arrange them. Students also collected money to send two of their peers to lobby the members of the state legislature in favor of the bill.²¹

Within just two hours, the students returned with 7,500 signatures of residents and taxpayers, which were combined, with 2,500 that had already been secured. A handful of blacks signed the petition and a few even assisted in gathering signatures, yet the vast majority of blacks were opposed to the bill. With the assistance of one of

²¹ The first story released by the *Star* on February 14th claimed that there were only 200 students who left school to obtain signatures. All of the other accounts, including the column that appeared in the *Star* the following day, accept the higher estimate of 600.

the teachers, the petitions were organized and pasted together on muslin cloth, creating a roll of paper over one hundred yards long.

The massive petition accompanied the two students who were appointed to go to Topeka to urge legislators to pass the bill on February 15th, the last day that bills could be introduced into the legislature. Many other supporters made the trip to Topeka, and by the time the bill was introduced many business and community leaders had lobbied for the bills' passage. Representative Robinett and Senator Getty both used the petition as evidence of the urgent need to segregate the high school, but there is no indication that any of their peers took the time to analyze the document's validity prior to approving the segregation bill.

The *Topeka Plaindealer* reported a similar story of how the petition was gathered, although its interpretation of events was certainly less favorable. According to this source, the petition was secured by the actions of the school administrators who called the students to the auditorium and asked them to secure signatures for them. According to the *Plaindealer* only two hundred students participated in the campaign:

The petition was circulated by pupils of the High School who had the support of a prejudiced school board, principal and teachers, who called them in to the assembly room and asked that all who wished to circulate a petition to keep the Negroes out of the High School. About two hundred children out of the eight hundred whites volunteered and took petitions. This was done in the face of about one hundred and fifty poor, defenseless colored children, who were looking on as a lamb being led to a slaughter. Not a murmur was heard from them, they were seeking an education, their parents having been robbed of the opportunity for more than two hundred years by the fathers and mothers of the rebellious crowd that volunteered to circulate the petition.²²

²² *Topeka Plaindealer*, February 24, 1905.

That the governor was highly influenced by this petition is supported by the fact that it remains in his personal archives. The petition survives in its original form, pieced together and glued onto muslin cloth, although it had been cut into sections for easier storage. Although most of the sheets that were used to collect signatures do not have the official statement of the petition printed on them, several of the sections have the following resolution printed just before the signatures:

We the undersigned citizens of Kansas City, Kas., petition and respectfully urge upon J.F. Getty, E.K. Robinett, S.S. Glasscock, and Charles D. Dail, senator and representatives from Kansas City, Kas., and Wyandotte county, that they introduce and give unremitting effort to have enacted into law the following needed legislation:

First- A law authorizing and instructing the board of education in cities having a population of 60,000 inhabitants and over to maintain separate high schools for white and colored pupils.

Second-A law authorizing the board of education of Kansas City, Kas., to issue bonds not to exceed \$40,000 for the erection and equipment of a suitable Manual Training high school for colored pupils.²³

That the high school students would choose this course entirely on their own is fairly astonishing. It is also hard to believe that between two hundred and six hundred students secured the signatures of 7,500 taxpayers in two hours by canvassing Kansas City neighborhoods. April 14th was a school day, and it is reasonable to assume that many people were not at home during the middle of the day. It is also reasonable to assume that many of the white students who walked out of class to circulate the petitions were not entirely dedicated to the cause and even fewer were very excited about the prospect of going door-to-door. Peer pressure may have caused many students to return a petition filled with bogus signatures, while other students may have simply added names as part of their zealotry or as a response

²³ Petition to the Governor. Archives of Governor Hoch, Kansas State Historical Society.

to informal contests that may have been waged to see who could obtain the most signatures.

A thorough analysis of the petition supports this interpretation. Many of the signatures appear to have been forged, with many names bearing the exact same handwriting as the ones before and after it. There is an overwhelming tendency for signatures of husbands, wives, and children to appear next to each other in identical handwriting. Many signatures are all but completely unrecognizable, and most lack any indication of whether that individual was taxpayer or even a resident of the city at all. Furthermore, a handful of the “signatures” are actually the stamps of a certain business or organizations rather than the name of a voter. Even with all of these disqualifications, however, given the length of the petition, which contains approximately 8,700 signatures, it is clear that many residents of Kansas City supported the students in their campaign for a separate school.²⁴

The white students of the Kansas City High School were not the only ones who sent a petition to Topeka in regards to the segregation bill. Black citizens also circulated a petition to the Governor, urging him to veto the proposal. The petition was put together by splicing many individual sheets of paper, but unlike the one urging legislators to support the bill, these sheets were never attached to one another. The cover page of the petition clearly states that its signers were opposed to expanding segregation:

To the Hon. E.W. Hoch, Governor of the State of Kansas;

We the undersigned citizens, of the City of Kansas City, Wyandotte Co. Kansas, the city of sixty thousand population, do most respectfully request and petition your excellency to veto the bill passed by the

²⁴ Petition to the Governor. Archives of Governor Hoch, Kansas State Historical Society.

legislature of the state of Kansas, separating the high school of the city, of Kansas City Kans. now awaiting your signature to become a law.²⁵

This petition was also preserved in Governor Hoch's archives and is very similar to the one that was assembled by the students, containing the signatures of approximately 3,370 persons. Many of the signatures in this petition are equally questionable, with virtually every page containing several signatures with identical handwriting. Even so, it is clear from the volume of signatures that there was a significant movement in opposition to the bill. Furthermore, it is clear that the Governor was aware that many of the residents of Kansas City opposed the bill.²⁶

In addition to both of these petitions, many individual letters, telegrams, and petitions were sent to the governor by those on both sides of the issue. Although it is impossible to determine how many of these items have been lost, the Governor's archives appear to contain virtually every letter received during his only term in office. The archives contain hundreds of boxes of his records and correspondences ranging from applications for government jobs to letters of individuals requesting the governor's presence at meetings as well as hundreds of letters from constituents in regards to specific issues.²⁷

Contrary to the statement of T.A. McNeal, in which he claims telegrams and letters were 'pouring in' on the governor urging the bill's passage, it appears as though these letters formed little more than a trickle. Only twenty-two letters and less

²⁵ Petition of Citizens Urging Veto of HB 890. Archives of Governor Hoch, Kansas State Historical Society.

²⁶ *Ibid.*

²⁷ Archives of Governor Hoch, Kansas State Historical Society, Topeka, Kansas.

than thirty-five telegrams appear in the archives. Of these correspondences, eight letters and five telegrams were from citizens opposing the bill.²⁸

Even though relatively few letters and telegrams appear in Governor Hoch's archives, the repeated emphasis that was made in regards to these documents by the proponents of the segregation bill led the editors of the *Vindicator* to explore their legitimacy. The paper later reported that these correspondences were part of a conspiracy to exaggerate the public support for the bill:

... We are reliably informed that nine tenths of the telegrams sent to the Governor, requesting that he sign the bill, were paid from a general fund supported by those behind the movement, and that fictitious names were used that Governor Hoch would be snowed under with telegrams.²⁹

It is possible that some of the telegrams were sent under false names as most of the telegrams contain very little information due to the expense involved. One exception to this rule was the verbose telegram sent by the Kansas City Board of Education. The telegram was sent by the board's clerk and contained a statement approved by the board urging the governor to sign the bill:

Our present high school was built to provide for 600 pupils present enrollment is over 900 new building necessary public is demanding separate high school for negro pupils. I am authorized by a majority of the members of the board of education to inform you that in the event of your signing the negro high school bill and giving them an opportunity to do so they will provide ample high and manual training facilities for the education of the negro children of this city commensurate with their needs said school shall have equal consideration and shall be administered without prejudice. F.G, Horseman, Clerk of the Board of Education.³⁰

²⁸ Correspondence of the Governor. Archives of Governor Hoch, Kansas State Historical Society. Topeka, Kansas.

²⁹ *The Vindicator*, February 24, 1905.

³⁰ Telegram of F.G. Horseman, Clerk of the Board of Education to Governor Hoch, February 18, 1905. Archives of Governor Hoch, Kansas State Historical Society. Topeka, Kansas.

Although most of the telegrams contained very little information, it is highly unlikely that the letters which survive in the archives were forged. The majority of the letters in favor of the bill that have been preserved were written on letterheads of prominent Kansas City residents such as the Chancellor of Kansas City University, leading bankers, judges, and attorneys. The Mercantile Club, which had conducted the inspection of the schools and had firsthand knowledge of the poor condition of those institutions that were reserved for black pupils, sent the Governor a notice of a resolution passed unanimously by its members in favor of the bill. J.W. Breidenthal, one of Kansas City's leading bankers, claimed that the Governor "will never have a better opportunity to help Kansas City than by signing the act..." while the school principal, W.C. McCroskey, created a false sense of urgency in claiming that the "extremity of situation demands passage of [the] high school bill."³¹

Although these letters seldom considered the opinions of the black community, it is clear that most whites understood that blacks opposed the measure. While L. Morgan stated that the Governor could not "find one white person out of a hundred" who would not want the governor to sign the bill, he also understood that "the larger part of the negro element" opposed the measure.³²

Few citizens were thoughtful enough to offer a reason why the students should be separated outside of public opinion. Morgan claimed that public sentiment was so strongly opposed to the integrated high school that its very existence discouraged successful whites from moving to the city. "Our best citizens are

³¹ Letter of J.W. Breidenthal to Governor Hoch, February 18, 1905. Telegram of W.C. McCroskey to Governor Hoch, February 19, 1905.. Kansas State Historical Society. Topeka, Kansas.

³² Letter of L. Morgan to Governor Hoch. February 19, 1905. Kansas State Historical Society. Topeka, Kansas.

agreed,” Morgan wrote, “that a large number of people move away from here and others decide not to come here on account of our mixed high school.”³³

The governor received over a dozen letters and telegrams opposing the bill, with some coming as far away as Springfield, Illinois and Columbus, Ohio. Both of these telegrams informed the Governor that these cities did not allow segregation at the high school level and begged the governor to prevent Kansas City from setting this precedent. The Leavenworth Forum, a black civil rights organization, also sent the Governor a small petition opposing the bill. The organization was unsparing in its condemnation of the bill, writing that they felt the measure was “decidedly malicious, unfair, and constructed on a foundation of prejudice and race hatred.”³⁴

Blacks were one of the GOP’s largest support groups in the state, but they were sensitive about the fact that their votes were often taken for granted. Letters appeared under the auspices of various Colored Republican Leagues, reminding Hoch of the support he had enjoyed in the previous election. Dr. J.M. Moates of Leavenworth wrote a separate letter to the Governor, emphasizing the political ramifications that could occur if the Republican administration passed the bill.

We, the colored people of the State of Kansas, would not expect any more from a Democratic Legislature or a Democratic Governor...

I feel that our destiny lays in the hands of such men as yourself... and the signing of the bill will only add to other trouble that will arise between the two races; and I believe, Gov. Hoch, that the time is coming when the Republican Party will need the Negro Vote.³⁵

³³ *Ibid.*

³⁴ Petition of The Leavenworth Forum to Governor Hoch. February 20, 1905. Kansas State Historical Society, Topeka Kansas.

³⁵ Letter of J.M. Moates to Governor Hoch. February 21, 1905. Kansas State Historical Society, Topeka Kansas.

An extremely high percentage of the black community engaged in some sort of protest to the segregation bill, either by signing petitions, attending conferences, writing letters, meeting with local and state leaders, and later attempting to enroll in the 'white' section of the school. Although Governor Hoch choose to ignore these efforts in his statement, he also refused to cite the opinions of school leaders who were incessant in their demand for the bill. Hoch could have justified his decision by the fact that those authorities closest to the issue—school administrators and board members—urged the passage of the bill as a matter of public safety. That he did not do so appears to be the result of his own awareness that these officials had acted contrary to the best interests of the school in actively promoting the campaign, abusing their positions of authority to tacitly agitate the issue. This contention is strengthened by a letter to Hoch from Principal W.C. McCroskey in response to a meeting in which he felt slighted by the governor:

My conference with you Friday in reference to the Kansas City, Kansas, High School bill was very unsatisfactory—humiliating in fact.

...After the first few moments conference with you, I found that the delegation preceding me had prejudiced you against me, that you had received the impression that I am responsible for the movement, that 'young America' had been enlisted by me for the agitation and that it should be chastised.

... There has been much bitter feeling on the question for years and the Martin murder of last year only served to unite the people, young and old, in the demonstration when the white students as a body refused to permit the colored pupils to enter the building. By the almost Herculean efforts of those in authority, school was finally opened after two days of enforced vacation. For several hours of the night following the murder, armed negroes patrolled the streets of this town. Wild rumors were afloat. Nothing but the vigor of the Mayor, the morning following he murder, averted a race conflict.

...By the most vigorous appeals to my students, I managed to persuade the return to school of almost the entire student body.

Now Mr. Governor, the line of argument used by influential citizens to persuade the white children of this city to return to school was largely of this manner” ‘Go back to school and leave this to the legislature’. ‘I promise you that there will be but one more year of this. ‘The situation is almost intolerable, I know, boys; but wait for the legislature and something will be done for you.’³⁶

In the conclusion of his letter the principal seems to be threatening the Governor, warning of an immanent backlash that would occur if the Governor vetoed the bill that the principal and others had all but promised the students a year prior. Although McCroskey wrote as part of an effort to defend his actions during the last disturbance, his true feelings are apparent in this section, writing in tacit support of such an outbreak. “I assure you,” wrote McCroskey, “I believe in obedience to law, but it is a difficult thing to successfully maintain obedience to a law which the body of people believe wrong.”³⁷

Although McCroskey and other school officials claimed that they were in no way responsible the campaign for a separate school, their reaction to its passage was revealing. “Good news! Good news!” exclaimed board of education president Alfred Weston upon learning of the bill’s passage, “I am certainly glad to hear it. Now the thing to do is to immediately take up the matter of voting bonds for the erection of a suitable school for the negroes.”³⁸

³⁶ Letter of W.C. McCroskey to Governor Hoch, February 20, 1904. Kansas State Historical Society, Topeka, Kansas.

³⁷ *Ibid.*

³⁸ *Kansas City Journal*, February 23, 1905.

The Kansas City Bond Election

Prior to the passage of the separate school bill, the only reference made to the issue in the minutes of the Kansas City, Kansas Board of Education appears when Superintendent Peterson “presented the problem of taking care of the colored pupils next year” during a January meeting. No action was taken at that time, and it is likely that school administrators believed that any discussion of the matter should wait until a decision was made by the state legislature.³⁹

After the Governor signed the bill, however, preparations had to be made for the election authorizing the bonds that would finance the new school. The board ironically passed a resolution against gender discrimination in the hiring of school principals just minutes before unanimously adopting a resolution for the construction of the new segregated high school. Perhaps in recognition of the incongruity of their actions, the resolution avoided any mention of race, instead relying on the assertion that “the present manual training high school facilities of Kansas City, Kansas are wholly inadequate,” and that a new manual training school was demanded by “the pupils of this city.”⁴⁰

The student publications of the Kansas City Kansas, High School were equally delicate in reporting the matter, with the only mention of the entire affair appearing in the very back of the yearbook between a description of the school play and a listing of student officers of the yearbook staff. No mention was made to the killing of Roy Martin and none of the students wrote a single word of tribute to his memory. Instead, what appeared was an advertisement for the coming election of

³⁹ Kansas City, Kansas School Board Minutes. March 6, 1905.

⁴⁰ Kansas City, Kansas Board of Education Minutes. March 6, 1905.

school bonds, emphasizing the “great benefit” the school would provide for their black classmates.

The separate high school proposition will be decided June 6, when the special bond election will be held. This election was delayed over a month by the failure of the last city administration to call the election as had been promised. If the bonds carry as they probably will, the negroes will be provided with a fine Manual Training High School, modern and up-to-date in every respect. There is no doubt that this will be a great benefit to the negroes as it will give them a chance to branch out and will promote industry among them. It will also provide a higher place for the negro teachers and will naturally make them strive harder to become teachers in the high school.⁴¹

The *Kansas City Star* correctly predicted that the bond issue would pass immediately following the Governor’s signature in February of 1905.⁴² Rather than placing the question on the ballot of the general city election which was scheduled for April 4th, a special election was held on June 6th to decide the issue. Despite the fact that the vast majority of the black community opposed the measure, many felt that voting against the bonds would simply cheat the students out of a decent facility. After all, the state legislature had already approved the concept of segregation at the high school level and it was unlikely that an unsuccessful bond election would result in the re-integration of the high school.⁴³

Few whites understood the opinions of the black community enough to know that blacks were unlikely to oppose the bond election, even though they opposed the concept of expanding segregation. White high school students took no chances in seeing their efforts thwarted by a neutral election, however, and as many as seven hundred were on hand at the polls to encourage voters and offer buggy transportation.

⁴¹ 1905 Jayhawker Senior Annual. (Kansas City, Kansas: Lane Printing Co., May 1905).

⁴² *Kansas City Star*, February 22, 1905.

⁴³ *Kansas City Star*, June 5, 1905.

Even with such an unprecedented interest on the part of students in the bond election, the vote was extremely light with only 3,352 of the 18,000 who had voted in the spring elections reporting to the polls.⁴⁴

The low vote count mattered little as the bonds carried in every ward of the city. On June 9, 1905, the city council reviewed and approved the election results. It reported the final vote as 2,789 in favor with 554 opposed. Although the black community did not mobilize in opposition to the bond election, plans were already being discussed to mount a challenge to the new law in the courts.⁴⁵

⁴⁴ *Kansas City Star*, June 7, 1905.

⁴⁵ Minutes of the Kansas City, Kansas City Council. Regular Election Session, Friday June 9, 1905.

Chapter 5.

Manual Training High School

Despite their professions to the contrary, the actions of the school board were less concerned with the welfare of black students and more concerned with the opinions of white parents who formed the bulk of their constituency. Even so, the board was cautious to maintain at least the appearance of equality in the high schools by providing facilities that were roughly equivalent to one another.

There can be no question of the equality of facilities during the school year of 1905, as both whites and blacks attended Kansas City, Kansas High School, albeit at separate times. White students attended class in the morning between the hours of 8:00 am and 1:00 pm, while black students occupied the building between 1:15 pm and 5:00 pm. This afternoon session was referred to as “Manual Training High School” by many in the white community, reflecting the prejudices many had about the necessity of providing secondary education to black students.¹

School records give no indication of any disturbances during the year, and it is likely that the black and white students simply ignored one another during the interval between the morning and afternoon sessions. The *Jayhawker Senior Annual*, the school’s yearbook, published the picture of two black seniors, James Cooper and Emma Mitchell, at the very end of the senior pictures, but neither of these students were allowed to graduate with their former classmates. That year black graduates

¹ John A Hodge, *Some Facts About Sumner High School*. Part of the Sumner Collection in Spencer Library of the University of Kansas.

attended a separate graduation ceremony reserved for members of their race who attended the afternoon session.²

On the first day of school, twenty-two black pupils attempted to enroll in the morning session and were refused on the account of their race. Resolving to challenge the law in the courts, most of these students returned for the afternoon session. In the end, all but a few of the seventy-five pupils whom the board anticipated would appear for enrollment reported to class that first day.³

The enrollment of the afternoon session began with seventy pupils, a number that would increase within the first few weeks. Three teachers were employed, including principal J.E. Patterson, but an increase in enrollment led to the hire of one additional teacher in that same year. The increase in enrollment was largely due to the cessation of hostilities on the part of white students and the decision of black parents against keeping their children out of the schools despite their feelings about segregation. John Hodge, who was the principal of Sumner High from 1916 until 1951, claims that segregation actually encouraged many students to attend the high school, "because many pupils who had hesitated to go to the mixed school did not hesitate to go to their own teachers."⁴

The Richardson Case

As previously mentioned, twenty-two black students attempted to be enrolled in the morning session of Kansas City, Kansas High School. Principal W.C. McCroskey informed the students that he could not enroll them and told them that

² 1904 Jayhawker Senior Annual. (Kansas City, Kansas: Lane Printing Co., May 1904).

³ *Topeka Daily Capital*, September 12, 1905.

⁴ Hodge.

they were to report back at 1:00 p.m. to be enrolled by Professor Patterson who had been appointed principal of the separate afternoon session reserved for black students. The *Topeka Daily Capital* reported that one of the black students replied, “Then you refuse to enroll us.” After the principal responded by saying that he had no authority to enroll the students they quietly left the building, satisfied that they now had the evidence needed to test the legality of the new law.⁵

The case was brought under the name of Mamie Richardson, an eighteen-year-old student at the high school, and reached the Kansas Supreme Court on October 11, 1905. B.P. Waggener of Atchison served as lead plaintiff, arguing that the statute which was amended to allow Kansas City to segregate its high schools was a general law providing for the maintenance of all high schools of cities of the first class and therefore could not be amended in such a way to apply to only one city.

Despite the technicality of this argument, Waggener and the other attorneys who represented Richardson and the black community of Kansas City made it clear that they were also questioning the legality of segregated schools in general. Their suit specifically stated that segregation itself was a violation of equal protection and was an attempt to abridge the privileges and immunities of the black citizens of Kansas City.⁶

The actions of the black students challenged the opinions of many whites who had convinced themselves that blacks accepted and favored the arrangement. The *Capital* calmed its readers by reporting that “only a few of the leading negro citizens of Kansas City, Kansas appeared to know anything of a movement to test the key

⁵ *Topeka Daily Capital*, September 12, 1905.

⁶ *Topeka State Journal*, October, 11, 1905.

high school law.” The paper also reported that these individuals “expressed themselves as being satisfied with the plans of the board of education to build for the negro pupils a manual training high school.” Not surprisingly the paper never revealed which “leading blacks” were surveyed.⁷

Had the *Capital*'s readers also been subscribers to black newspapers, they would have not been startled by the reaction of the black community. The black press was united in its condemnation of the actions of state leaders, with the *Topeka Plaindealer* referring to the opening of “Governor Hoch’s School” in its story praising the students who were attempting to fight the school board’s new policy of segregation. In a later edition, the black weekly gave one of its most stinging indictments of the governor, speaking for its constituents in denouncing his very presence in the state. “We are sorry,” the paper stated, “that this man Hoch ever came to Kansas.”⁸

The school board tacitly acknowledged the significance of the Richardson lawsuit by holding a special meeting on October 25th to discuss the case and devise a strategy. Fifty dollars was set aside for additional legal fees beyond those services of the school’s legal counsel. The board also voted to delay the issue of bonds and the construction of the school until after the case was decided by the Kansas Supreme Court. These delays and the inaction of the board resulted in the school being incomplete when it opened in September, with students attending classes alongside carpenters and other craftsmen who worked to finish the building.⁹

⁷ *Topeka Daily Capital*, September 12, 1905.

⁸ *Topeka Plaindealer*, September 8, 15, 1905.

⁹ Kansas City, Kansas Board of Education Minutes, October 25, 1905. *Sumner Courier*, March 16, 1940.

Many experts questioned the legality of the separate school bill long before the black community challenged it in the courts. Even as C.F. Hutchings, chairman of the white citizens group that was most active in pushing for the school bill was rallying his supporters to lobby the Governor in support of the bill, many legal experts were involved in a debate about the constitutionality of the measure.¹⁰

Senator Getty and other sponsors of the bill had originally framed the amendment to apply generally to all cities with populations over 50,000 for this very reason. The *Kansas City Star* reported that the change was made only out of dire necessity after the measure had been defeated in the Senate in its original form. Even the sponsors of the bill were concerned about its constitutionality after it was amended to apply specifically to Kansas City:

The original bill was general in its nature and applied to all 'cities of over 50,000.' Kansas City, Kas., is the only city of that size now, but some others expect to be that big later on, and their representatives would not vote for it in that form. Senator Getty championed it so as to apply to Kansas City, Kas., and it went through in that shape. This may render it unconstitutional, but it was all Getty could get and he will take his chance in the courts.¹¹

While the school board and area attorneys were uncertain about the outcome of the pending Supreme Court challenge to the segregation law, the black press was confident that the facts were on their side. "The Goddess of Justice does not show any special favors," the *Topeka Plaindealer* wrote, "and we have confidence that the judges of the courts will be guided by the spirit that should guide all men."¹²

Despite the dubious legal status of the amendment in question, the Kansas Supreme Court once again refused to counter the actions of the legislature in regards

¹⁰ *Kansas City Star*, February 8, 1905.

¹¹ *Kansas City Journal*, February 18, 1905.

¹² *Topeka Plaindealer*, October 13, 1905.

to school segregation in the state. With only one dissent, the court defended the validity of the law, choosing to ignore the larger question of whether separate schools violated the guarantee of equal protection provided by the Fourteenth Amendment. The solitary dissent came from Justice Burch who did not provide his opinion but did offer a brief explanation to a reporter from the Topeka Journal. It is clear from Burch's comments that he voted with Richardson not because he opposed segregation, but because he felt the legal question presented by Waggener had not been adequately explored:

Justice Burch dissented without stating his grounds. He says that in order to do so it would be necessary for him to review the whole question of general and special legislation as determined by a long line of the decisions of this court with which he is not in sympathy: that the other court work has been so great that it deprived him of the time for stating his reasons.¹³

Once again, the reaction of the black community was one of outrage, with the black press leading the indictments of the legal community. The *Plaindealer* referred to the Richardson case as “the most infamous decision ever passed by the Supreme court of Kansas or by any court in the United States since the Dred Scott decision...” while the *Vindicator* questioned the moral courage of the men on the bench. The *Plaindealer* went so far as to directly threaten these men with the headline “Hoch and His Prejudiced Supreme Court Will Soon Be Numbered Among the Dead.” The paper also questioned whether this decision opened the possibility of other specific laws relating to the operation of schools, such as one in which poor whites were separated from upper and middle class students. In conclusion, the black weekly resorted to its favorite image, that of the martyred corpse of John Brown. “So absurd and

¹³ *Topeka Journal*, January 6, 1906.

contemptible was the decision,” wrote Nick Chiles, “that it aroused the body of old John Brown, who turned over in his grave, and Kansas experienced an earthquake on Sunday.”¹⁴

Analysis of the Board’s Actions

The *Topeka Plaindealer* expressed disappointment in the conduct of both parents and faculty, reporting that the teachers could have insisted upon order and expelled those students who refused to obey. The paper also blamed the event on the parents for teaching their children race prejudice.¹⁵ Despite a myriad of references to previous movements for a separate high school, there is no record of such a movement nor is there even a discussion of the issue in the minutes of the Kansas City Board of Education prior to the death of Roy Martin. According to an article describing the action of the students in the *Kansas City Star*, this was the first real trouble between the races.¹⁶ Susan Greenbaum found only one instance of racial antagonism, this being a minor instance in 1890 when a white student refused to sit next to a black student during commencement exercises.¹⁷

Other local histories confirm that there was no real trouble between white and black students prior to 1904. One of the most thorough and accurate of these accounts was written by Scottie P. Davis, a teacher at Sumner High. According to her account, which was written with the help of her students, there was “very little friction

¹⁴ *Topeka Plaindealer*, January, 12, 26, 1905.

¹⁵ *Topeka Plaindealer*, April 22, 1904.

¹⁶ *Kansas City Star*, April 13, 1904.

¹⁷ Susan D. Greenbaum. *The Afro-American Community in Kansas City, Kansas*. Published by the City of Kansas City, Kansas. 1982, 64-5.

between the white and Negro students” and the killing was simply a “pretext to launch an agitation of the races in the high school.”¹⁸

Local historian William W. Boone agrees with this analysis, giving no indication of any specific trouble between the races. Boone does report, however, that even without a specific incident, it was clear that there was “a growing dissatisfaction with having Black students and White students in the same school at the same time.”¹⁹

Whatever the cause of this dissatisfaction, it is clear that there was no organized movement for a separate high school prior to 1904. A survey of the minutes of the Kansas City, Kansas, City Council between the years of 1900-1904 and the minutes of boards of education of the Kansas City, Argentine, and Rosedale school districts from their inception until 1904 contain no mention of expanding segregation to the high schools nor do they carry any indication of racial problems in any of the schools of the greater Kansas City area.²⁰

A review of student publications from the Kansas City, Kansas High School also fails to reveal a single mention of racial discord prior to the action of the white students in April of 1904. Although the names and pictures of white students dominated the stories appearing in both student newspapers and yearbooks, several black students were pictured among each senior class. The school newspaper also

¹⁸ S. P. Davis, *The Story of Sumner High School Kansas City, Kansas*, May 1935. Located in the Sumner Collection of the Spencer Library, University of Kansas.

¹⁹ William W. Boone. *A History of Black Education in Kansas City Kansas*. (Kansas City: Kansas City Kansas Community College, 1986).

²⁰ Minutes of the Kansas City, Kansas, City Council. Minutes of the Boards of Education of Kansas City, Kansas, Rosedale Kansas, and Argentine Kansas.

included the names and personal statements of those black students who graduated from the grammar schools together with those of whites.²¹

Both the *Plaindealer* and the *American Citizen* emphasized the relative racial harmony of Kansas City prior to the events of April 1904.²² Following the news of Governor Hoch's signature of the segregation bill in which he cited "local conditions" as the justification for expanding segregation, the *Plaindealer* challenged anyone to elucidate exactly what these local conditions were that would lead one to conclude that whites and blacks could no longer attend the same high school:

He [Governor Hoch] speaks of local conditions between whites and blacks in Kansas City influencing him in his actions, but if he or any of those who fathered this infamous bill can prove that such conditions exist between the races in Kansas City as Mr. Hoch refers to we will suspend the publication of THE PLAINDEALER and turn it over to the governor or anyone else whom he may suggest.²³

When asked to comment on the disturbance, Superintendent M.E. Peterson referred to the 'demonstration' of the students as inevitable, claiming that such actions were to be expected so long as a mixed high school was maintained. He defended his idleness as an administrator, claiming that any effort to break up the meeting would have been futile.²⁴

Despite the Superintendent's protestations to the contrary, a careful reading of the various accounts of the disturbance at the school reveals that he and other administrators were actively promoting the idea of expanding segregation. One important detail revealed by an article in the *Kansas City Journal* is that the majority

²¹ *1904 Jayhawker Senior Annual*. (Kansas City, Kansas: Lane Printing Co., 1904), *1905 Jayhawker Senior Annual*. (Kansas City, Kansas: Lane Printing Co., 1905), *1906 Jayhawker Senior Annual*. (Kansas City, Kansas: Lane Printing Co., 1906), *The High School Record*, (Kansas City, Kansas: Kansas City, Kansas High School Vols. 1-4 1899-1903).

²² *The American Citizen*, February 17, 1905. *Topeka Plaindealer*, February 24, 1905.

²³ *Topeka Plaindealer*, February 24, 1905.

²⁴ *Kansa City Star*, April 14, 1905. *Kansas City Journal*, April 15, 1905.

of the board members favored the measure and had been working behind the scenes for its passage. Although there were no references to any such measure in the minutes of the Kansas City Board of Education, after the movement was taken up by the students with the support of their parents President Alfred Weston revealed that he had always been in favor of maintaining separate schools:

I've been urging this thing for several years, but it seems impossible to get a representative to fight for it in the legislature. Different members of the legislature have promised faithfully that if elected they would fight for such a bill, but after they get to Topeka we hear no more of it. They offer some trivial excuse or none at all. If this thing does not pass this year, I think that when we elect representatives from this county again, a large number of voters will insist that candidates face the issue squarely and say what they will do about it, and that the people will expect them to keep any promise made in regard to it.²⁵

As the first graduating class of the new white high school prepared to receive their diplomas, Salutatorian Helen Glasscock addressed her peers from the podium. "The tendency of education," she said, "has always been to make people as similar as possible." It is doubtful whether she or any of her peers grasped the tragic irony of this statement. Rather than working towards bridging the gap between themselves and their black classmates, the white students used the educational system to prevent integration because of the imagined differences they had constructed in their own minds.²⁶

As the black population of the high school increased, the movement towards creating a separate school gained momentum. It is clear that the real impetus towards separate high schools was the increase in black enrollment rather than the killing of Roy Martin. Prior to the 1904 school year, the highest number of blacks enrolled was

²⁵ *Kansas City Journal*. February 15, 1905.

²⁶ *1906 Jayhawker Senior Annual*, (Kansas City, Kansas: Lane Printing Co., 1906).

between fifty and sixty students. By 1906 that number had more than doubled to 112.²⁷ Following the pattern of school segregation in the state, as soon as the number of black students reached the point where a separate high school could be justified and maintained in Kansas City, the legislature amended state law to allow the expansion of segregation within those boundaries.²⁸

Despite these demographic changes, parents, teachers, school officials, and other community leaders had an opportunity to minimize the disturbance and preserve the system of racially integrated high schools that had always existed in the state. The decision to prevent the black students from entering the school was made by young people who were unsure of how to handle the death of one of their classmates and who were unprepared to handle the emotions they were experiencing. After such a tragedy it is only natural for one to want to take some kind of action, and according to the newspaper accounts the entire city knew that the students were planning to prevent their black peers from entering the building long before the school bell rang the next morning.²⁹

Rather than attempt to intervene and enforce discipline, parents, teachers, and community members encouraged the children to create a situation that would serve as a pretense for expanding segregation. Those who caused the disturbance were rewarded with the encouragement of their peers and the attention of their elders.

Rather than disciplining their students for their action in violation of the law, the

²⁷ 'Sumner High School.' Handwritten manuscript, Sumner File, Kansas City, Kansas Board of Education Archives. John A. Hodge, *Some Facts About Sumner High School*. Located in the Sumner Collection of Spencer Library, University of Kansas, 39.

²⁸ Although most proponents of the segregation bill preferred not to reflect on the question of why separate schools were not maintained in the past, those who did so invariably pointed to the fact that few blacks were enrolled in the school prior to the turn of the century. For example see T.A. McNeal, private secretary to Governor Hoch, writing in *The Mail and Breeze*, March 4, 1905.

²⁹ *Kansas City Journal*, April 13, 1904. *Kansas City Star*, April 13, 1904.

students were encouraged to further agitate the issue by initiating an organized campaign for separate schools. Teachers and administrators released students from their classes so that they might circulate petitions, with at least one teacher volunteering her services to help the students organize those petitions. To add to the injustice of the situation, M.E. Peterson, who occupied the position of Superintendent during this period that saw racial segregation established and solidified, was rewarded for his service by having a new elementary school named after him.³⁰

Racial Attitudes of Kansas City

In his autobiographical novel, *The Learning Tree*, Gordon Parks provided a concise and poignant summation of the black experience in the Free State. “Here, for the black man,” Parks wrote, “freedom loosed one hand while custom restrained the other.” While blacks in Kansas City were spared many of the worst abuses of the South and urban North, they experienced a wide range of discrimination that limited their opportunities and discouraged them from seeking educational opportunities.³¹

A letter printed in the *Kansas State Ledger* echoed the attitudes of many frustrated blacks who were struggling with the harsh realities of a society that permitted such obvious distinctions based on race. “Why do we send our children to high schools and academies,” the writer asked, only “to earn \$1.50/day cleaning the sewers?”³²

³⁰ *Kansas City, Kansan*, August 6, 1975.

³¹ As quoted in William Tuttle. *Black Newspapers in Kansas: Keys to a Rich but Neglected Past*. Working copy of his manuscript with notations in the archives of the Kansas State Historical Society.

³² *Kansas State Ledger*, May 25, 1894.

Despite the pervasiveness of racial injustice, only a handful of the citizens of Kansas City were actively engaged in the campaign to expand segregated education. Considering the national attitudes concerning race during this era it would be unfair to characterize the city as a center of racial bigotry. With the exception of the school system there was no legally sanctioned segregation in the city, and signs reading “whites only” were extremely rare. There are only a handful of examples of racial violence, and even fewer instances of anything that could have been considered a hate crime. In an era when there were as many as 231 reported lynchings per year nationwide, the fact that none of these murders ever occurred in Kansas City is significant.³³

Given these facts, why was segregation allowed to exist in the schools? And why was it not given legal sanction in other places? The most reasonable answer to these questions is that despite their protestations to the contrary, Kansans shared the racial attitudes of the nation. Like most white Southerners, white Kansans were uncomfortable with the idea of being in the presence of blacks. They differed from Southerners, however in that they shared Northern reservations about enacting legislation that specifically restricted the freedoms of their fellow citizens.

These ambivalent attitudes led many to acquiesce completely whenever race relations were discussed, leaving it to those who were less timid about the issue to take action. In the absence of any organized campaign by adults, it is clear that many parents simply placed the burden on the shoulders of their children who obediently expressed the feelings their parents dared not articulate themselves. Whatever the

³³ Richard Kluger, *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality*. (New York: Alfred A. Knopf, 1976).

opinions of the parents, it is clear that few of them discouraged their students from participating in the campaign for separate schools.

The racial attitudes of most Kansas City whites led them to accept the conclusions of social, business, and intellectual leaders who asserted that blacks and whites were fundamentally different. By contending that blacks were innately subservient, these elites justified the results of years of oppression and perpetuated a dichotomy in which they themselves had benefited.

Historians were seldom above these stale ideologies, explaining the history of the nation in ways that also justified the results. For example, Wallace Miller of Columbia University explained the great migration of blacks to the state of Kansas as that of a servant behind its master:

Further, the negroes followed the westward moving whites only afar off, since the pioneers in the first few years of their occupancy had little need of the personal service the negro could render. The white pioneers were people of simple tastes that needed little ministering to, their occupations were such as depended upon personal exertion for success, the people themselves had been reared to work and toil even at the most arduous tasks, they believed in the lowliest labor, and were commonly possessed of too small surplus to warrant expenditures for wages to negro servants and their hired laborers.

Later, however, with the increase of wealth, the passing of the pioneer period, and the diversification of occupations the opportunities to enter personal service are increased and result in an inflow of negroes from all parts of the country. This usually takes place in about ten years after the first settlement by the whites.³⁴

One of the most important factors in understanding the laws of any community are the attitudes and beliefs of the wealthy and elite. Charters of the leading Kansas City social clubs never restricted their membership by race, yet photographs and caricatures reveal these groups as being the exclusive domain of

³⁴ Wallace Elden Miller, "The Peopling of Kansas.", (Ph.D. Diss., Columbia University, 1906), 68-9.

whites. Perhaps the best explanation of why segregation laws stopped at the schoolhouse door is that the schools were the only place where such laws were necessary, with older blacks and whites needing no such statutes to segregate themselves.³⁵

If blacks were invisible to many of the leading members of Kansas City society, they were equally nonexistent to early historians. William E. Connelly's five-volume history of Kansas includes no mention of black leaders in the state with the exception of Pap Singleton. In fact, the only discussion of black experiences and contributions to the state are a few pages dedicated to black Civil War soldiers and a short description of Western University.³⁶

Most Kansans expressed some level of concern for black students even as they advocated removing them from the existing public schools. A typical expression of this duplicity can be found in a letter to the editor that appeared in the Topeka Daily Capital. In supporting segregation, the author of the letter expressed his paternalistic empathy for black students while presenting the actions of the black community as naïvely counterproductive.

Any teacher will tell you that a mixed school is the hardest of all to manage. There are always some white children who will 'kick on' the negroes, and under the best of circumstances the latter are subjected to

³⁵ Howard G Bartling. *Kansas City in Caricature*. (Kansas City: Grant Printing & Mfg. Co. 1912). Ten separate artists from the Star, Journal and Post drew 279 caricatures of business and community leaders. Despite the fact that there were many men of wealth and prominence in the black community, all the leaders profiled were white. The Kansas City Club, *Articles of Incorporation.*, (Kansas City: P.H. Tiernan, Printer, 1888). The Kansas City Club, *Articles of Incorporation.*, (Kansas City: Tiernan-Havens Printing Co. 1899). Fred N. Tufts, et al., *The Book of the Knife and Fork Club, Covering the Period from December 1898, to December, 1905.*, (Kansas City: F.P. Burnap Stationary & Printing Co.) The only restrictions of membership for all these organizations were based on age, gender, and character. A review of the photos of their members, however, reveals that only whites were associated with the organization.

³⁶ William E. Connelley, *A Standard History of Kansas and Kansans*. (Chicago: Lewis Publishing Co., 1918).

numerous slights if not insults. But as soon as separate schools are proposed the negroes are up in arms. It makes no difference if their schools are exactly as good as the one for the whites; they are determined to have 'their rights.' And after all is said it would seem as though what they consider their rights is the privilege of going to school with the white children.

A sensible and self respecting person will avoid going, whenever possible, where his company is undesired or unwelcome. If a negro finds the white people draw the color line, he should show them that he can draw it too. He should depend upon himself and strive to elevate his own race, so that he may not be ashamed, but proud, to call himself a negro.³⁷

Most whites subscribed to a similar viewpoint, adopting the perspective that the black community was dependent on whites who better understood the needs of black families than they did themselves. Although few whites would actually make such a direct statement, most echoed the sentiment of the previous quotation, calling on blacks to depend upon themselves rather than "charitable" whites. Why blacks would be kept in a state of dependency if not separated from whites is unclear, but it was only through this line of reasoning that so many whites could disregard the opinions and actions of the black community while still considering their own estimations and exploits as those of principled and progressive beings.

Craig Miner, author of the most recent history of the state, concludes that Kansas has an ambiguous record on race. While the state avoided making laws regarding race, it also hesitated to enforce the guarantees of equal protection and turned its head at illegal discrimination in schools and public accommodations. Although Kansas was the only state to prohibit the showing of *Birth of a Nation*, a racist film depicting the Ku Klux Klan as a band of heroic crusaders, Miner points out

³⁷ *Topeka Daily Capital*, September, 1906.

that the picture later set attendance records in Topeka when a federal court ordered the ban lifted.³⁸

Miner's interpretation of the state as having a mixed record in race relations is hardly new. Many authors have expressed this same conclusion for several decades, and most scholars have joined in the consensus that the Kansans were generally willing to allow blacks access to essential facilities and services but were concerned that integration in the schools might lead to racial mixing and social equality. George Frederickson labeled this view as the doctrine of parallel development, a model typified by white assurances that black citizens would be allowed to progress simultaneously, albeit separately from whites.³⁹

Contemporary writings about the history of the city also reveal a great deal about the racial perspectives of Kansas City residents. Most accounts of black education during this time reveal paternalistic attitudes, as authors praise the efforts of black educators while assuming certain limitations and expressing racial stereotypes. One such assumption was that blacks should be provided with vocational training. Although Western University offered both manual training and college preparation, white authors choose to espouse the virtues of the former, emphasizing discipline and order rather than academic achievement:

The scholars are orderly and more quiet, not only in the halls of the building, but about the grounds as well; possibly more so than the average lot of white college students...

³⁸ Craig Miner, *Kansas: A History of the Sunflower State, 1854-2000*. (Lawrence, University Press of Kansas, 2002), 253-8.

³⁹ Randall B. Woods, "Integration, Exclusion, or Segregation? The 'Color Line' in Kansas, 1878-1900.", *The Western Historical Quarterly*, April 1983, 182-3.

The teachers have at least given their charges a spirit of earnestness that is not evident in many manual training schools and is particularly surprising when found among the light-hearted Africans.⁴⁰

Paternalism and outright racism were as much a part of Kansas City as fountains and barbeque. As part of the official celebration of the city's 100th birthday in 1950, two performances were scheduled to represent the African-American population of the city. Both were minstrel shows. The official program of the centennial fair prepared younger generations for the performance by paying tribute to the rich history of minstrelsy. "No phase of show business is richer in tradition than the minstrel troupe, and now, fifty years later," the program explained, "the blackface artists will perform again, bringing back the nostalgia and melodies of the early Nineteen Hundreds." The performance was to feature "the familiar 'Mr. Bones' jokes... only slightly streamlined to suit modern day humor." Also scheduled to take the stage was a performance by 'Mr. Interlocutor' "and of course, the favorite of all minstrel men, 'Old Black Joe.'"⁴¹

T.A. McNeal gave a typical expression of the racial attitudes of the state, ironically, in a statement denying his own bigotry. "The prejudice against the negro" McNeal wrote, "is ...unjust and unreasonable; it draws on the line on color instead of merit; it makes no distinction between the clean, honest, industrious and capable negro and the worthless idle odoriferous crap-shooter..." The duplicity apparent in this statement was repeated by many Kansans during this time period and beyond.⁴²

⁴⁰ Perl W. Morgan, *History of Wyandotte County Kansas and its People*. (Chicago: Lewis Publishing Co., 1911), 407.

⁴¹ Kansas City Centennial Association, *Kansas City Centennial, 1850-1950; Souvenir Program*. Printed in 1950. Housed in the Kansas Collection, Spencer Library, University of Kansas.

⁴² *The Mail and Breeze*, March 4, 1905.

Experiences of Other Cities

Kansas City was not the only municipality that considered expanding segregation to the high schools, nor was it the only city in which the white students disrupted the schools as part of a campaign to expand segregation. In order to determine the significance of the creation of Sumner High, it is important to investigate the question of why other Kansas cities did not follow the path of Kansas City in segregating their high schools while exploring race relations in other major cities of the state.

While black and white students attended classes together for the first time in the Kansas City, Kansas High School prior to the creation of Sumner High, white and black students were mixed for the first time in Topeka in the seventh grade. This sudden introduction of members of another race led white students in the Topeka junior high schools to attempt a similar movement in September of 1908. Within two days the entire white student body of the seventh and eighth grades of the Lincoln School were picketing their own institution, declaring that they would not return to class until their black classmates were removed to a separate school. Some of the students constructed signs out of cardboard while others used chalk or simply shouted their intentions to those passing by.⁴³

White middle school students in Topeka may have found inspiration in the actions of the Kansas City students. The seventh and eighth grade students at Lincoln School in Topeka began a strike within the first few days of the fall semester of 1908, refusing to attend classes allegedly due to their sudden revulsion to their black classmates and their desire to have them removed to a separate school. The *Topeka*

⁴³ *Topeka Journal*, September 24, 1908. *Topeka Daily Capital*, September 26, 1908.

Daily Capital questioned this motive, reporting instead that the students simply wanted an excuse to get out of class. Considering that the white students of Kansas City were rewarded by having their school closed for several days and their next school term shortened by several hours each day, one can understand why the students would make such an attempt.⁴⁴

Although the Topeka strike lacked the drama of the events in Kansas City, it is likely that events could have escalated beyond control had authorities acted in sympathy with the students as they did in Kansas City. Instead, school administrators refused to acknowledge the students' action and order was quickly restored. The Topeka press also refused to condone the movement, relegating the story to its back pages and strongly condemning the white students for their insubordination, calling on the parents to take control of their children. The *Topeka Plaindealer* also gave little attention to the disturbance, praising authorities for not giving too much attention to the 'strike' and for enforcing discipline.⁴⁵

The attitude and actions of the Topeka school officials were considerably different from those of M.E. Pearson and W.C. McCroskey of Kansas City. While principal McCroskey aided the students by allowing them to use the school auditorium as a meeting place, Principal Magaw of the Lincoln School persuaded the students to end their demonstration and return to class. Rather than convince the students to organize a formal movement, Superintendent Whittermore disciplined the students and held the parents liable for their children's' actions. Whittermore publicly denounced the strike, issuing the following statement:

⁴⁴ *Ibid.*

⁴⁵ *Topeka Plaindealer*, October 2, 1908.

I have little fear of the outcome of this alleged strike. Of course I regret that it has happened but we are not going out into the streets to beg the children to return to school. It is up to their parents and if they do not see fit to make their children return to school and resume their studies they are suffering the consequences of the strike, not us. When the children do return, they will be required to bring a letter of explanation from their parents before they will be accepted. The classes are going right ahead without the children who are striking and the result of the whole business will be that the children will be inconvenienced by the fact that they will be behind their classes when they return to school...⁴⁶

While the actions of these administrators and the responsible journalism of the Topeka papers can be credited for ending the strike, one of the most important reasons that the city did not support the student's movement may have been the low numbers of black students. In fact, at this time there were only thirty-two black students in the seventh and eight grades of the Lincoln School.⁴⁷ The *Topeka Plaindealer* reminded its readers that the real reason the middle schools remained integrated was the infeasibility of creating a separate school for these few students. "But the more potent point in the case at hand," the black weekly reminded its readers, "is that there are hardly a sufficient number of colored children attending the upper grades in the Topeka schools to warrant their segregation."⁴⁸

While the drama of expanding segregation to the high school was being acted out in Kansas City, a similar campaign was being waged in southeastern Kansas. The city of Parsons had just finished construction on a new high school, and many white parents were desirous to see that their children were the only ones allowed to attend. Aritha A. Dorsey, a teacher in the Parsons school district, wrote to the *Topeka Plaindealer* describing the situation, claiming that the movement was being aided by

⁴⁶ *Topeka Daily Capital*, September 26, 1908.

⁴⁷ *Topeka Journal*, September 24, 1908.

⁴⁸ *Topeka Plaindealer*, October 2, 1908.

a misrepresentation of facts by biased local leaders. These men claimed that blacks demanded separate schools as well, yet their only proof of such a claim was a statement allegedly made by Reverend Fairfax, a black church leader in Parsons. A letter by Fairfax himself appeared in the *Plaindealer*, his words clearly demonstrating that he had been misrepresented. “Let the children of all races be educated together,” Fairfax wrote to the *Plaindealer*, “and they will better understand each other.”⁴⁹

That Fairfax’s statement and Dorsey’s complaint appear in the Topeka-based black weekly rather than the *Parsons Daily Sun* is telling of the racial climate in the area. A movement to expand segregation was not considered newsworthy to most residents of Parsons, with the only mention of the entire affair appearing in the “Local Gossip” column of the *Daily Sun*:

I see there is a whole lot of discussion about separate schools for colored children, said a prominent business man today, and while I do not wish to butt in on the proposition or be quoted, it seems to me that the real benefits of separate schools would be all on the side of the colored people.⁵⁰

Having taught in both segregated and mixed schools, Dorsey wrote that the latter were in much better condition, pointing out that existing black schools were in disrepair, with faculty who were teaching double course loads and students who had to travel long distances. In a later editorial, Dorsey exposed the hypocrisy of many whites who claimed to favor separate high schools as a means to provide better educational opportunities for black students. “After all these years of mixed schools,”

⁴⁹ *Topeka Plaindealer*, May 20, 1904.

⁵⁰ *Parsons Daily Sun*, May 10, 1904.

Dorsey wrote, “what is it which has caused the white people of late years to become so VERY much interested in the welfare of the colored children...?”⁵¹

Bonner Springs experienced a similar disturbance in its schools at the same time that Kansas City students were being divided into morning and afternoon sessions. In early September fifty black students and their mothers left the school grounds when they were informed that the school was to be segregated. Although the efforts of the black students and parents did not prevent the district from maintaining separate schools, the actions of school officials in assuring that no demonstrations were made by students of either race at least assured order. Rather than allow white students and parents to gather outside the following day to prevent blacks from entering, members of the board met individually with parents of both races and disciplined students who did not comply with their instructions.⁵²

The establishment of separate schools was often justified as a panacea whenever race relations were discussed. Although these disturbances were always instigated by white students, it was widely accepted that the only way to prevent trouble was to remove black children from the school. In writing about a new manual training school for blacks in Coffeyville, the *Topeka Daily Capital* endorsed the separation of the races as a natural solution to a problem that existed only in the minds of prejudiced whites. “Those who have the matter in charge,” the paper reported, “feel that the industrial school movement will solve the race problem.”⁵³

⁵¹ *Topeka Plaindealer*, June 24, 1904.

⁵² *Topeka Daily Capital*, September 12, 1905.

⁵³ *Topeka Daily Capital*, September 25, 1908.

Wichita Kansas

Wichita is the largest urban section in the state next to the Kansas City metropolitan area, and no comparative study would be complete without an analysis of its demographics. The black population of Wichita never approached that of Kansas City during the time period in question. There were very few blacks in Sedgwick county prior to the arrival of the Exodusters, with only sixty-two in the entire city in 1875. A decade later this number had only increased to 246, with blacks still representing a tiny minority of the total population. In fact, the black community would represent less than five per cent of all Wichita residents until after World War II.⁵⁴

Wichita opened its first public school in 1870. The Board of Education discussed segregation and considered building separate schools, yet the small black population that was spread throughout the city all but prohibited such a practice. As segregation intensified throughout Kansas, members of the black community became concerned and persuaded their state Senator, O.A. Bentley, to sponsor a law in 1889 specifically prohibiting the practice in Wichita. This official ban of segregation lasted until 1906, when the Board of Education unanimously passed a resolution calling for the organization of separate schools:

Whereas, we believe that the organization and maintenance of the public schools of the city of Wichita so that provision for the separate education of the white and colored children is more in keeping with the ideals and wishes of a majority of patrons. Therefore be it resolved by the Board of Education of the City of Wichita that we favor the early organization of our schools on that line.⁵⁵

⁵⁴ Gretchen Cassel Eick, *Dissent in Wichita: The Civil Rights Movement in the Midwest, 1954-72*. (Chicago: University of Illinois Press, 2001), 17.

⁵⁵ Sondra Van Meeter, "Black Resistance to Segregation in the Wichita Public Schools, 1870-1912.", *The Midwest Quarterly*, 64-71.

Unlike the Kansas City Board of Education, Wichita's school leaders did not wait for the state legislature to reverse its law prohibiting the city of Wichita from maintaining separate schools. Instead, they set aside the west wing of the Park school for black children in September of 1906. Black parents challenged the legality of this separation and won their case in the Kansas Supreme Court, but the victory was short lived as the Board of Education circulated a petition containing the signatures of over five thousand names in favor of segregation. In response to this campaign, an amendment was passed in the next session of the state legislature overturning the 1889 law.⁵⁶

Two years later, bonds were voted and a pair of Jim Crow schools were built in Wichita within predominantly black neighborhoods. As in Kansas City, blacks from other neighborhoods were bussed to these schools, resulting in a complete separation of white and black students. The high school remained integrated at this time, however, as only one percent of its student body was black in 1905.⁵⁷ No attempt was made to segregate the high school until 1929, an occurrence that is certainly related to the fact that prior to 1912 there were only thirteen black students in the school out of a total of 1,011.⁵⁸

⁵⁶ Robert Leon Lane, "A Historical Study of the Development of School Desegregation in the Wichita Public Schools, 1966-1975.", (Ph.D. diss., University of Kansas, 1976), 49-52. Van Meeter. p. 72-4.

⁵⁷ Miner, 253.

⁵⁸ O.H. Bentley, *History of Wichita and Sedgwick County Kansas*. (Chicago, C.F. Cooper and Co., 1910). Daniel G. Neuenswander. "A Legal History of Segregation in the Kansas Public Schools From Statehood to 1970.", (Ph.D. diss., University of Kansas, 1973), 42-3. Van Meeter, 74-6.

Statewide Attempts to Expand or Reduce Segregation

Chanute was the host of the annual meeting of the Kansas Association of Cities of the First and Second Class in 1904. During this conference, a committee was established to draft a law enabling school segregation to be expanded to cities of the second class and to increase the amount contributed to schools by the state fund. This latter provision may have been the reason such a law was not accepted by the state legislature. Although records of the debate on this issue were not preserved, the legislative trend supports the conclusion that most legislators only viewed segregation as a necessary measure when there was more than a few black children in each grade.⁵⁹

The separate school bill that was passed by the legislature in 1905 was not the only piece of legislation on the docket that sought to expand segregation. Even as the *Plaindealer* was issuing its indictment of the Governor and the legislature, it praised the action of two representatives for their efforts in defeating a bill that would have effectively legalized segregation in every place where there were more than a handful of black families:

Much credit is due the Hon Cyrus Leland and Hon. W.A.S. Bird, members of the legislature who caused to be stricken from the house calendar, the bill introduced for the separating of white and colored children in cities of the third class. ...Senator B.P. Waggoner of Atchison, who always looks after the interest of the down-trodden colored man, succeeded in striking from the calendar, last Tuesday, a bill, no. 235, introduced to enjoin all boards of education to separate white and colored children in the public schools.⁶⁰

In 1911, an effort was made to extend segregation beyond the high schools of Kansas City. Representative W.B. Thomas submitted an act to amend the 1905 law to

⁵⁹ *Topeka Plaindealer*, September 2, 1904.

⁶⁰ *Topeka Plaindealer*, March 3, 1905.

include all high schools of first class cities. The bill passed the house by a vote of one hundred and nineteen to zero with six abstentions but died in committee within the Senate. Six years later Representative O.W. Sparks attempted to reverse the 1905 law, sponsoring a bill guaranteeing equal facilities and disallowing segregation at the high school level. This bill also received strong opposition within its committee and never made it to the floor for a vote.⁶¹

Several other attempts were made to expand or limit separate schools during the 1920s. In 1923, Representative Minnie Grinstead sponsored a civil rights bill prohibiting discrimination in schools and public places such as hotels and restaurants. What made this bill unique was that it contained provisions for monetary fines. The bill passed the Committee on Public Welfare with the recommendation of passage and the inclusion of public conveyances, but once again the bill failed to make it on the docket and was never debated outside of the committee.⁶²

In 1929 John W. Blood of Sedgwick county worked for the passage of a bill allowing boards of education the power to maintain separate high schools, this time for those cities with populations over 95,000. Although this bill would only affect Sedgwick county, similar to the 1905 segregation bill that was advocated by the representatives of Wyandotte county, this bill was never made it out of its committee. Finally, in 1941 an attempt was made to extend the authority to segregate to cities of the second class. Despite the fact that many cities of this size were operating separate

⁶¹ Neuenswander, 39-41.

⁶² *Ibid.*, 41-42.

schools at this time, the legislature refused to publicly endorse this fact and the bill never reached the floor for a vote.⁶³

⁶³ *Ibid.* 42-3.

Chapter 6

Sumner High School 1906-1978

Sumner High School was the most visible symbol of segregation in Kansas City, Kansas, but it also served as the nucleus of a strong black community. Despite the tragic events that led to its creation, Sumner rose from its own past and became one of the best high schools in the state. Although the school board denied the possibility of racial integration at any level in the public schools, this same action allowed black students and teachers to create an institution unfettered by the racial oppression that existed in other schools.

The new school opened its doors in September 1906 as Manual Training High School until a group of black citizens demanded a name change. They were determined that their children would not be limited to trade courses and wanted it known that their high school could prepare students for college just as well or better than any other institution. This conflict was a reflection of the debate being carried out between Booker T. Washington and W.E.B. DuBois concerning the value of vocational training versus college preparation for young black men and women. It is clear from the direction that the school took that members of the black community in Kansas City favored the vision of DuBois. After several names were considered, black leaders choose to name the school after the well-educated advocate of equal rights, Charles Sumner.¹

¹ *Sumner Courier*, January 1959. John A. Hodge, *Some Facts About Sumner High School.*, Sumner Collection, Spencer Library, University of Kansas. See also the account of the name change in Scottie Davis' work. Consequently, the first black high school in Kansas shared its name with the first black

Sumner's enrollment was one hundred and twelve students in 1906, a major increase from the previous black enrollment of seventy-four in the afternoon session of Kansas City, Kansas High School. Future enrollment continued to rise, causing major overcrowding within the first few years of the school's existence. In 1908 enrollment jumped to one hundred and seventy-eight, an increase of nearly two hundred and fifty percent in just five years. Former Sumner principal John Hodge attributed this increase to an increase in population, but also acknowledged that the quality of education offered at Sumner was also responsible for the increase.²

Sumner High provided educational opportunities for working children and adults with the organization of a night school in 1911. Tuition for adults was set at \$1 per month and the courses were filled by large numbers of blacks and recent immigrants of various ethnic backgrounds who were eager to obtain an education. In its first year the night school enrolled 133 pupils, over half of the enrollment of the regular student body of Sumner which was 228.³

The Kansas City Board of Education justified the maintenance of separate high schools under the rubric of 'separate but equal.' Unlike many of their eastern and most of their southern counterparts, it seems that the board lived up to this pledge as the 20th century progressed. The salaries of teachers at Sumner High for the school year of 1907-1908 were just under those of their white counterparts, a fact that is attributable to the lack of tenure of Sumner's faculty. None of the seven instructors

high school established in Missouri. Sumner High was erected in St. Louis in 1859. Claude A. Phillips, *A History of Education in Missouri*. (Jefferson City, Missouri: Hugh Stephens Printing Co., 1911), 226-230.

² Hodge, 2-39.

³ Perl W. Morgan, *History of Wyandotte County Kansas and its People*. (Chicago: Lewis Publishing Co., 1911), 386. Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Year Ending June 30, 1910.

had taught prior to the creation of the school, yet the group still received a total of \$5,715 in salaries, or \$816 per teacher. The salaries of the thirty-seven teachers at Kansas City, Kansas High School during the same year added up to \$33,258, or \$899 per teacher.⁴

The school board also saw that funds were distributed equitably to each high school for daily operations. The average cost per pupil during the school year of 1910-1911 was actually higher at Sumner than the other schools, conceivably due to the economies of scale achieved at the larger schools. The average cost per student at Sumner that year was \$84.91, over ten percent higher than the \$75.35 being spent at Kansas City, Kansas High School or the \$71.21 at Argentine High. A difference in the curriculum at the school during this time period may have also caused the difference. When asked why his pupils were receiving more funding than other students in the district, Sumner principal J.M. Marques replied that the schools emphasis on manual training might have been the reason.⁵

The dynamics of racism created a situation where black teachers were in little demand outside of the segregated schools, an injustice to black educators but a benefit to the students of Sumner. In fact, over forty percent of the Sumner faculty in 1930 held Masters degrees making Sumner's staff among the best educated in the entire nation.⁶ Despite the fact that Sumner's faculty were generally better educated than their white counterparts across town, Hodge and his faculty found that the nature of

⁴ Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Years Ending June 30 1906, Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Years Ending June 30 1907, Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Years Ending June 30 1908.

⁵ Annual Report of the Board of Education of the City of Kansas City, Kansas, For the Years Ending June 30, 1911, 21.

⁶ Hodge. *Kansas City Star*, November 2, 1996.

segregation made it nearly impossible to shake the image of Sumner as a manual training school. Many advanced courses were added to the Sumner curriculum, and although a majority of students chose general education or vocational fields, every student was given college preparatory training. The Sumner Enrollment Guide explained the school's emphasis on college preparation:

Although not more than a third of Sumner graduates go to college, it was planned so that all courses of study lead to college if the graduate so desires. The following are the reasons:

Very few pupils know whether they will want to go to college after graduation.

Many see the need later in life for a college education. Hence, whatever course they take should make it possible for them to enter the best schools of higher learning.

It is found that the best training that fits one for life happens to be the training that fits one for further study in college.⁷

The determination of the Sumner faculty soon paid off as eighty-three of Sumner's graduating class of two hundred and thirteen went on to higher education in 1944. Similar percentages of Sumner alumni attended college in 1945 and 1946.⁸ Although Sumner graduates were just as likely to attend college as their white counterparts, such individuals were often seen as "exceptional members of their race". Although the following statement issued by Governor Payne Ratner in 1940 was meant to praise the accomplishments of Sumner High, it is clear that he shared these assumptions:

No one can say how profound will be the effects of training boys and girls receive at this school, for much depends on the individual. We can only offer opportunity. But we do know that many of the Negro

⁷ 1921-1922 Sumner High School Enrollment Guide. Sumner Collection, Spencer Library, University of Kansas.

⁸ "Special Report on Criterion." Sumner Collection, Spencer Library, University of Kansas.

race who have been given a chance to develop their talents have contributed distinguished service to Kansas and the nation.⁹

Sumner's reputation for excellence was established in its early years, when it was accredited by the North Central Association of Secondary Schools and Colleges shortly after its creation. This certification was difficult to obtain, and many high schools in the state were denied the honor. That a segregated institution could receive such a rating is an indication of the level of education provided by Sumner High. Area colleges and universities were equally impressed, and Sumner graduates often had little difficulty being accepted into their classes.¹⁰

One of the greatest obstacles for school administrators was to provide teachers and facilities to accommodate the incredible growth of the student body. At the start of the 1923-1924 school year, the district converted its high schools to include grades ten through twelve, dropping the ninth grade to the middle schools. With the exception of this year, student enrollment increased steadily until the 1933-1934 school year when enrollment reached eight hundred students.¹¹

A survey of the commencement speeches and valedictorian addresses that were given at Sumner High reveal few mentions of race. Instead, it is clear that Sumner's graduates shared the same feelings of excitement and enthusiasm that typifies all such ceremonies. Speakers congratulated their audience and spoke of a

⁹ *Kansas City Kansan*, January 9, 1940.

¹⁰ Davis. *Kansas City Voice*, June 8-14, 1978.

¹¹ "Sumner High School Data." Unpublished chart in the Sumner File of the Kansas City, Kansas Board of Education Archives.

promising future through education, citizenship, character, sound judgment, and hard work.¹²

One of the most important benefits of public schools is the opportunity to participate in extracurricular activities. Prior to the creation of Sumner High School these opportunities were extremely limited for African-Americans in Kansas City. The importance the students placed on the opportunity to participate in activities and athletics can be seen by the enthusiasm displayed by the students who funded their own organizations and teams until formal ones could be established.

Intramural sports were some of the first activities. In its first year Sumner had four different girls basketball teams. The members paid weekly fees to rent a hall and purchase equipment. In 1907, a more formal girls team was organized and played Sumner's first competitive games against neighboring Western University and a team from Edwardsville, Kansas, twenty miles east of Kansas City.¹³

In that same year the first football team was organized. Like their female counterparts, these young men had to purchase their own equipment. They practiced after school in vacant lots, parks, and alleys. Football teams were continually organized on a year-by-year basis until the student body raised money to purchase equipment in 1923. These teams continued to struggle until an official coach was hired and an athletic field was built in 1932. Prior to that time teachers with no training volunteered their time and games were played at rented parks.¹⁴

¹² Copies of the valedictorian and salutatorian's remarks are available for most of the 1930s and beyond in the Sumner Collection at the University of Kansas. In none of these speeches is race mentioned as an obstacle to prevent achievement. Instead, the students are reminded of the strength of their community and their obligation to live up to the sacrifices and expectations of those around them.

¹³ Davis.

¹⁴ Sumner High School and Junior College, *Official Program of Homecoming and Dedication of the Sumner Athletic Field.*, (Kansas City, Kansas: Sumner High School, October 28, 1932).

Even with its own stadium, the unwillingness of area high schools to play against a 'colored' team prevented Sumner from scheduling many games. In its inaugural season, Sumner Athletic Field only hosted two games, one of which was against Western University. Sumner's homecoming was its only home game that pitted them against another high school team. In this contest Sumner competed against cross-town rival Lincoln High, a segregated school in Kansas City, Missouri. Sumner defeated Lincoln for the first time ever by a score of 25-7.¹⁵ The team scheduled only two road games that year, both of which required overnight travel to St. Louis and Gary, Indiana.¹⁶

The Men's Basketball team had similar humble beginnings. In 1922 the team was only able to schedule six games. Scheduling problems would continue until the Board of Education agreed to finance the construction of a gymnasium in 1925, about the same time as Sumner was able to organize a league for area black schools. Although Sumner teams were without a facility for many years, it is important to note that the Kansas City, Kansas High School was also without a gym until 1924.¹⁷

Although the budget of Kansas City, Kansas High School permitted competitive sports to exist a few years sooner than at Sumner High, these opportunities were still extremely limited in its early years. During the 1905-1906 school year, there were only a handful of games played by the men's basketball and football teams. The girls basketball team only managed to schedule a few informal scrimmages against squads from Central High. The baseball season was also limited,

¹⁵ *Kansas City Kansan*, October 29, 1932.

¹⁶ "Athletic Schedule, 1932." Sumner Collection, Spencer Library, University of Kansas.

¹⁷ Hodge.

with each of the four teams in the metropolitan area playing one home and one away game against each other.¹⁸

Despite its lack of facilities and funding, Sumner assembled one of the finest basketball teams in the region. Between the years of 1923-1932, Sumner claimed eight divisional championships under coach A.T. Edwards.¹⁹ Kenneth Hill, Edwards' successor, would continue this tradition of success with his team winning the 1942 Negro National Basketball Championship by defeating a team from Charleston, West Virginia by the score of 31-26. The victorious Spartans were welcomed home by their parents and community members with the team leading a parade down Minnesota Avenue that March.²⁰

Track was one of the few events in which Sumner athletes were allowed to compete against local whites. Perhaps this helps to explain why it was one of the most popular activities at Sumner, with over fifty students trying out for the team in 1926. This enthusiasm led Sumner to many individual and team titles, and in 1934 the team placed fourth at the prestigious University of Kansas Relays, better than any other team in the Kansas City area.²¹

Music education was another avenue of expression for Sumner students. In 1916, an instrumental music class was added to the curriculum of Sumner, the same year it was provided for white students at Rosedale High. The Sumner band gained

¹⁸ *Jayhawker Senior Annual*, May 25, 1906. *The High School Record*, Vol. 2 no. 6, March-April 1900.

¹⁹ Davis.

²⁰ *Kansas City Kansan*, March 23, 1942. *Kansas City Times*, May 29, 1978.

²¹ Davis.

international notoriety during the last years of the school's existence, being featured at the 1970 Sugar Bowl and the 1972 Paris Jazz Festival.²²

Sumner enjoyed similar success in other extracurricular activities. Sumner yearbooks and catalogs are packed with pictures and descriptions of various activities and organizations that were open to the students. Among the activities offered were debate, student council, theatre, spirit clubs, service organizations, future teachers' clubs, art and music, and virtually every other type of organization one would find in any school of its size throughout the nation.

The act of segregating the school had a cataclysmic effect on race relations in Kansas City. The separation gave official sanction to racist opinions and prevented future generations from challenging these ideas through daily interaction. Although the act of separation can never be justified or defended, Sumner did provide a temporary haven for black students to develop their talents away from the racial oppression that surrounded them on a daily basis. Extracurricular activities, for example, were generally unavailable to black secondary students in Kansas City prior to the creation of Sumner High School. W.C. McCroskey, principal of the Kansas City, Kansas High School in 1904, wrote that black students were excluded from such extracurricular activities at his school. "The colored child," wrote McCroskey, "has no part in any high school event, has no chance to belong to any high school club."

²² Reginald T. Buckner. "A History of Music Education in the Black Community of Kansas City, Kansas 1905-1954.", (Ph.D. diss., University of Minnesota, 1974), 154. Suzzane H. Elliott, "The History of the Music Program in the Public Schools of the Rosedale District of Kansas City, Kansas, 1872-1973.", (M.A. Thesis, University of Kansas, 1990). *Kansas City Voice*, June 8-14, 1978.

“They have no part, whatever,” he continued, “in high school life, aside from that of class-room.”²³

These opportunities were seldom available to other black students in Kansas. A survey of the records from neighboring Topeka High, one of the largest schools in the state, reveals that a strict color line was maintained in extracurricular activities. Although there were no requirements for segregated athletics and activities, black and white students seemed to understand that they were expected to divide themselves according to race. Even the YMCA and YWCA sanctioned the division, sponsoring both a “Hi-Y” and a “Colored Hi-Y” club. Pictures of student organizations such as debate, theatre, and athletics reveal that only whites participated in these extracurricular activities.²⁴

Black children at ‘mixed’ schools such as Topeka High were also limited in their ability to participate in academic and professional organizations. While Sumner was home to many organizations for those interested in areas such as journalism, debate, business, and art, these associations were all but closed to black students in other schools. Despite the injustice of segregation, students at Sumner were simply more likely to enjoy the activities and organizations that give meaning to the lives of high school students. Unfortunately, these benefits were short-lived as students left Sumner only to find that the racial attitudes that created the school resulted only in greater discrimination.

²³ Letter of W.C. McCroskey to Governor Hoch, February 20, 1904. Kansas State Historical Society, Topeka, Kansas.

²⁴ Publications Department, Topeka High School, *Sixty-Two Years of History in the Topeka High School*. (Topeka, Kansas: The College Press, 1932). Located in the Archives of the Topeka Board of Education.

Although the frequent praise of Sumner's academic and athletic programs spoke well for the students and faculty of the school, the apprehension with which it was delivered by whites illustrates the kind of assumptions about the inferiority of a segregated school that would prevent its graduates from experiencing the same opportunities as their white peers. No matter how many advanced courses were offered at Sumner, the ignorance of others still proved the greatest obstacle.

Sumner provided many of its students the opportunity to attend college, not simply by preparing them for their freshman year, but also through the Sumner Division of the Kansas City, Kansas Junior College established in 1923. The junior college allowed students to continue classes at the Sumner campus, with graduates receiving a degree that was identical to the certificate awarded to white students at the main campus. In 1949 the Board of Education decided to integrate the two branches, closing the Sumner division and admitting black students to the main campus. This was not the result of any court order, as principal Hodge asserts, but rather the choice of school leaders acting on their own accord. School records indicate that both branches were suffering declines in their enrollment, however, and this action might have been undertaken primarily as a means of lowering costs.²⁵

Kansas City's dedication to the principle of 'separate but equal' is evident in the quality of educational facilities and opportunities at Sumner. In 1937 a new building was constructed for white students of Wyandotte High after that school was destroyed by fire. Because plans to build a new building for Sumner were being considered, many within the black community suspected arson, a speculation that is

²⁵ "Sumner Junior College." Unpublished memo in the Sumner File of the Kansas City, Kansas Board of Education Archives.

supported by the fact that many residents of the city verbally expressed their opposition to the idea of the black student body having a newer school than whites.²⁶

Regardless of these opinions, white students attended classes in whatever spaces could be found within the grammar schools while their new building was being constructed. During this year black students enjoyed the superior facilities of their modern, yet overcrowded building. The construction of a new school to replace the one that was burned down only temporarily derailed plans to build a new facility for black students. The new Sumner High was completed only three years later, and an analysis of the two buildings reveals no indication of discrimination. The same architect designed both buildings, with Wyandotte High being superior only in size.²⁷

The new Wyandotte High housed 2,650 students and one hundred faculty at a cost of \$2.5 million. The new Sumner High School was opened in January of 1940 and housed eight hundred students, twenty-seven faculty, and cost a total of \$850,000. This meant that the teacher to student ratio was 29:1 at Sumner and 26:1 at Wyandotte High. The costs of the buildings when compared to the total number of students in attendance were \$943 per student at Wyandotte High and \$1062.50 per student at Sumner.²⁸

Prior to the completion of the new building, black students had been taking classes in partitioned sections of the auditorium across the street at Douglass Elementary due to the severe overcrowding at Sumner. The new Sumner High was

²⁶ Lawrence, 156.

²⁷ Harriet Bingham, *A Gift to the Future: Kansas City, Kansas Architecture*. (Kansas City, Kansas: Ashcroft Printing Co., 1988).

²⁸ These figures are taken from information appearing in the following sources: *Kansas Teacher*, September 1937, p. 6. *Kansas City Kansan*, January 9, 1940. John A. Hodge, *Some Facts About Sumner High School*. Sumner Collection, Spencer Library, University of Kansas.

worth the wait, however, and the new building featured four science labs, three commercial rooms, five homemaking rooms, five industrial arts shops, two music rooms, a theatre and speech room, a gymnasium, library, and an auditorium with seating for over a thousand. The school was also one of the first in the Midwest to have an indoor swimming pool. With all of its features and its modern design, *Kansas Teacher* remarked that the school was “a splendid expression of the faith of the citizens in their public schools.”²⁹ The students and teachers of Sumner expressed their own commitment that winter, doing much of the work of moving furniture and supplies themselves.³⁰

This physical equality of facilities was matched by the junior high schools that were built as feeders to the two high schools. In 1924 Northeast Junior High was opened for black students and Northwest Junior High was opened for white students. Dennis Lawrence writes that both buildings were almost identical to each other due to the conscious efforts of administrators who wanted to assure that the buildings were equally equipped and maintained:

The same architect was hired to design both schools and was instructed that the facilities must be the same at both schools. The board was equally scrupulous that the same money be spent to equip the new schools. In one allotment of money for equipment, the board noted that the discrepancy between the \$1535 given to Northwest and the \$1,395 given to Northeast was due to fifteen tables already being at Northeast.³¹

²⁹ *Kansas Teacher*, February 1940, 12.

³⁰ ‘School History’ Unpublished manuscript, Sumner File, Kansas City, Kansas Board of Education Archives.

³¹ Dennis Lawrence, “The Impact of Local, State and Federal Government Decisions on the Segregation and Subsequent Integration of Sumner High School in Kansas City, Kansas.” (Ph.D. diss., The University of Kansas, 1997), 8.

Despite this attention to the building and its furnishings, the school grounds at the middle schools were far from identical. The Northwest campus covered almost four city blocks, including a baseball field and track. There was virtually no outside recreation area provided for the students of Northeast, however, with the entire campus occupying only one city block.

The creation of Northeast Junior High School consolidated and solidified the city's dual system of education. While the white junior and senior high schools throughout the city listed geographical boundaries, Sumner and Northeast were simply designated by the word "colored." By 1940 Kansas City had nine black elementary schools, one junior high school, and one senior high. This dual system would remain largely intact for the next three decades.³²

One of the greatest reasons for Sumner's success was its leadership. J.M. Marquess presided over the school during most of its early years. In recognition of his efforts at Sumner he was offered the Presidency of Langston University in 1916. In that year he was succeeded by John A. Hodge who led the school until his retirement thirty-five years later. Solomon Henry Thompson, principal of Sumner from 1951-1972, praised his predecessor saying that "Mr. Hodge was a scientist of the first degree... and the universe was his laboratory."³³

The position of importance that Sumner High occupied in the black community is demonstrated by the pride of its alumni. Large files in the archives of the Kansas City, Kansas Board of Education and the Sumner Collection at the University of Kansas have been maintained by its alumni who take considerable pride

³² Report to Governor, January 5, 1940, State Archives, Kansas State Historical Society, Topeka, Kansas.

³³ Unpublished letter, Sumner File, Kansas City Board of Education Archives.

in their alma mater. Sumner alumni associations have been established throughout the region, with frequent reunions being hosted and newsletters distributed. One of the most recent of these reunions brought together over five hundred Sumner alumni from around the nation for a weeklong conference and celebration.³⁴

The claim that Sumner prepared its students well is also supported by the success of many of its graduates. Famous Sumner alumni include Dr. Walter Maddox, possibly the first black pediatrician in the United States, William H. Towers, the second African-American to ever be elected to the Kansas legislature, and William Thomas, the first black graduate of Oxford University. As a segregated institution, however, Sumner graduates typically experienced great difficulties in acquiring positions when competing against white applicants with similar credentials. Those who experienced successful careers were often limited to professionals and merchants who provided goods and services to members of the black community of Kansas City, or like Maddox and Thomas, moved to another location.³⁵

By 1954 school segregation was in a state of permanent retreat in the state of Kansas. Even so, segregation was still practiced in Kansas City, Coffeyville, Fort Scott, Leavenworth, Parsons, Salina, Lawrence, Atchison, Topeka, Manhattan, Baxter Springs, Bonner Springs, Chetopa, Olathe, Oswego, Paola, and Elwood.³⁶

Despite the existence of Jim Crow schools in most of the major cities of the state, it is important to note that many Kansans were preparing for the end of segregated schools long before the Brown case was ever argued before the Supreme

³⁴ *Sumner in the City: Commemorating the 90th Anniversary of the Founding of Sumner High School 1905-1978*. Located in the Kansas Collection of the Spencer Library, University of Kansas.

³⁵ Boone, 9. Hodge. *Kansas City Times*, May 29, 1978.

³⁶ Nettie Lee Collins Hart, "African American Community Perspectives on Brown V. Board of Education of Topeka, 1954", (Ph.D. Diss., University of Kansas, 1995), 54-5.

Court. Sumner Principal John A. Hodge describes the openness of his white colleagues to the prospect of integration during a meeting of principals well before Brown:

Quite a while before the recent Supreme Court decision was announced about the illegality of segregation in the schools, high school principals of this city, in a meeting called by Superintendent Schlagle, [were told] that the integration of colored pupil with white was coming sooner or later and each high school principal there agreed that his school would, in time, be made ready for such integration. One high school principal even asked me if I had any good football material in Sumner that he might find living in his part of the city. He was ready to put them on the team.³⁷

Although the Brown decision outlawed the deliberate segregation of public schools, it would be many years before the case was interpreted as a call to actively pursue integrated schools in neighborhoods that were predominantly black. This apparent goodwill on the part of principals and board members did little to alleviate the de facto segregation of neighborhoods such as northeastern Kansas City. The insistence on maintaining ‘neighborhood schools’ meant that Sumner would have student body that was entirely black until the school was forced to close by the federal government nearly two decades after the Brown decision.

The 1905 law allowing Kansas City to maintain a segregated high school would remain on the books until Senate Bill No. 337 repealed it in on April 1, 1957.³⁸ The act repealed Section 72-1724 of the General Statutes of 1949, which read as follows:

The board of education shall have power to elect their own officers, make all necessary rules for the government of the schools of such city under its charge and control and of the board, subject to the provisions of this act and the laws of this state; to organize and maintain separate

³⁷ Hodge.

³⁸ 1957 Session Laws, State of Kansas, 847.

schools for the education of white and colored children, including the high schools of Kansas City, Kan., no discrimination on account of color shall be made in high schools, except as provided herein; to exercise the sole control over the public schools and school property of such city; and shall have the power to establish a high school or high schools in connection with manual training and instruction or otherwise, and to maintain the same as a part of the public-school system of said city.³⁹

There is little indication that Sumner students regretted the absence of white peers at their school. Local historians record a general feeling of sadness expressed by many of the students and alumni when the school was ordered to close. Despite the fact that the school remained segregated contrary to the intent of federal law, a 1969 report revealed high morale among the faculty and student body:

Among its unique qualities that are definite assets are the generally high morale on the part of the staff and the very strong feeling of school spirit and loyalty on the part of the students. The integrated staff and acceptance of the white teachers by their colleagues and by the all-negro student body is a commendable factor. Many faculty members, both white and Negro, expressed the feeling that they would not wish to teach anywhere other than at Sumner.⁴⁰

Oral histories of the first black students to be bussed to 'white' schools reveal why black students and parents were hesitant to abandon the system of segregated schools. Although members of the black community opposed the concept of segregation that created the dual system in the Kansas City metropolitan area, few wished to be the first to attend the schools that were previously reserved for white students. Former Congressman Lloyd Daniel explained in a recent interview that these students were often the target of racial violence and were treated poorly by white teachers. When Daniel was bussed to a white school he experienced all of these

³⁹ General Statutes of Kansas Annotated, 1949, 2229.

⁴⁰ North Central Association and Kansas Department of Education. *Evaluation Report of Sumner High School*, March 1969, 38.

factors, attending classes among whites in a school that was far from integrated. Teachers in these schools were “generally white,” Daniels said, adding that the teachers in his previous school “were always black.” These teachers, Daniels states, “understood us better, cared more about us, and we made much more progress.” The difference was such that Daniels concluded, “the absence of black teachers retarded all of our development.”⁴¹

End of Sumner High

Friday at 10:30 AM, Sumner High School ceased to exist for the same reason it was conceived 73 years ago: segregation.⁴²

Although the Kansas City Schools are still struggling to live up to the meaning of the Brown decision, the district has taken constructive steps to reduce the problem of de facto segregation. This decision did not come on its own, however, as it took the actions of the federal government to force the integration of the Kansas City schools. In 1973 the Justice Department determined that the district had intentionally drawn its boundaries in such a way as to perpetuate segregation while engaging in other practices that discriminated against its minority students and faculty. Based on the fact sixty percent of black students still attended schools in which they were the racial majority, the Department of Justice filed a lawsuit against the board later that year charging the board with intentionally perpetuating segregation. The suit was amended the next year with specific mention made to Sumner with its one hundred percent African-American student body.⁴³

⁴¹ Carol Mickett, *History Speaks, Visions and Voices of Kansas City's Past*, October 22, 2002.

⁴² *Kansas City Times*, May 29, 1978.

⁴³ Lawrence, 77-9.

These allegations were hardly new for the Kansas City, Kansas Board of Education, which was charged with racial gerrymandering on a nearly annual basis beginning in 1962.⁴⁴ Piecemeal plans such as voluntary transfers had done little to change the racial composition of the schools. Only thirty students took advantage of such transfers in 1974 while only fifteen had applied by July 30th of the following year.⁴⁵

It took several years for the case to work its way through the courts, but following the court's decision in February of 1977, plans were quickly made to integrate Sumner and other Kansas City schools. The Federal judge ruled that the city must "immediately dismantle 'root and branch' the dual system which continues to exist at Sumner..." giving the district until April to formulate a plan.⁴⁶

Given the racial demographics of the city, it was clear that the concept of 'neighborhood schools' would have to be amended. By this time housing patterns had created a situation where the segregated schools and segregated neighborhoods were inexorably bound together. Given the recent experiences of cities such as Boston in implementing two-way busing, a scheme was adopted to allow voluntary busing of whites into Sumner and mandatory busing of blacks away from their northeast neighborhood. The crucial point then, was to find a way to convince whites to attend Sumner. A lesser concern of the board was to appease blacks whose children would

⁴⁴ *Topeka Capital*, February 1, 1962; O.L. Plucker, *Schools in Kansas City, Kansas in Years of Change, 1962-1986*. (Kansas City, Kansas Board of Education, 1988).

⁴⁵ *Kansas City Kansan*, July 30, 1975.

⁴⁶ *Kansas City Times*, February 15, 1977.

now be forced to attend schools far away from their neighborhoods while whites were given the option of being bussed to Sumner.⁴⁷

Despite the unfairness of the proposal that placed much of the burden of desegregation on blacks, the Northeast community gradually accepted the plan to create a magnet school for exceptional students at Sumner. Parents and young people of the entire city bought into the idea, with over a thousand students and one hundred and fifty teachers applying to the Sumner Academy of Arts and Sciences in its first year. Of this number only 660 students and thirty-three faculty applications were accepted. The student body was fifty-eight percent white, a ratio that was nearly identical to the district average.⁴⁸

In its first year, the students and faculty of Sumner Academy reported a new sense of optimism due to the level of preparedness and dedication of both the students and faculty who were selected. The only reported complaint of the school was the lack of varsity sports due to the lack of transfers by upperclassmen. Librarians were elated to describe an unprecedented demand for non-fiction and teachers were amazed at the attentiveness and effort displayed by their students. It was not long before Sumner had earned a reputation as the flagship of the Kansas City, Kansas public school system.⁴⁹ Sumner had always been an exceptional school, however, and principal S.H. Thompson was quick to point this out when the 'new' school opened in 1978:

⁴⁷ Ronald Formisano, *Boston Against Busing: Race, Class, and Ethnicity in the 1960s and 1970s*, (Chapel Hill: University of North Carolina Press, 1991). For a description of the desegregation strategies of the greater Kansas City metropolitan area, see Gary Orfield, Susan Eaton and The Harvard Project on School Desegregation, *Dismantling Desegregation: The Quiet Reversal of Brown v. Board of Education*. (New York; The New Press, 1996).

⁴⁸ *Kansas City Times*, May 29, 1978.

⁴⁹ *Kansas City Kansan*, October 3, 1978.

They're calling it a magnet school but the concept is the same one under which we've operated over the years. I've always called Sumner a 'citadel of learning' because that's what it was. We had the best teachers, the very best available, because the school board saw to that. And our teachers were dedicated. Our young people were there to work and the teachers saw to it that they achieved. We got the best because on the high school level, Negro teachers didn't have that many opportunities at that time. These were people who went out and worked hard. And they knew they had to be better than just good because if it came down to a choice between a mediocre white and a well-qualified Negro, the white would probably get the job.⁵⁰

Conclusion—The Legacy of Sumner

Sumner is a child not of our own volition but rather an offspring of the race antipathy of a bygone period. It was a veritable blessing in disguise—a flower of which we may proudly say, 'The bud had a bitter taste, but sweet indeed is the flower.'⁵¹

Sumner High School was a unifying force for the black community of Kansas City. The school became the heart of a broad network of students, parents, teachers, alumni, and civic leaders throughout the metropolitan area. While many of the black grammar schools served as foundations of individual black neighborhoods, Sumner brought each of these neighborhoods together, including those black families from the surrounding areas of Wyandotte and Johnson counties.

Despite the regretful circumstances which surrounded its inception, the newly created Sumner High quickly became one of the best schools in the state. Although Kansas was one of four non-southern states which still practiced segregation in its public schools when the 1954 *Brown* case was decided, Kansas school leaders typically followed the doctrine of separate but equal, providing roughly equivalent funding and facilities. Sumner was no exception to this trend, providing its students

⁵⁰ *Kansas City Times*, May 29, 1978.

⁵¹ Scottie P. Davis, *The Story of Sumner High School, Kansas City, Kansas*. (Kansas City: Sumner High School, 1935).

with an education that was “better than fifty per cent of the schools of [the] state” according to a white educator who expressed his willingness to make such a claim despite the fact that he feared such a statement might endanger his professional reputation. Although this endorsement of Sumner spoke well for the students and faculty of the school, this man’s apprehension illustrates the kind of assumptions about the inferiority of a segregated school that would prevent its graduates from experiencing the same opportunities of their white peers, regardless of the fact that they were often better prepared academically. No matter how many advanced courses were offered at Sumner, these prejudices could only be overcome by educating the citizens of Kansas City.⁵²

Sumner High was not only the most visible symbol of segregation, it was also a center of strength in the black community. Although it certainly provided new opportunities for thousands of black students and united the black community of Kansas City, it also prevented hundreds of thousands of young people from challenging the prejudices of their parents by interacting on some level with members of another race. It solidified segregation throughout the city and endorsed the idea that blacks and whites must live separate from one another.

For all of these mixed consequences, it is clear that Kansas City’s experience in segregating its schools was not unique. It was the result of an era of increased racial bigotry coupled with a time of extraordinary growth of the city and progress in the educational system. What made Kansas City unique was not the death of Roy Martin nor was it the racial attitudes of its citizens, but rather it was the simple fact that its number of black secondary students reached the point where separate high

⁵² Greenbaum, 69.

schools could reasonably be maintained sooner than any other community in Kansas. Other cities would not reach this point until decades later, long after the nadir of race relations had already passed.

Appendix A.

The Original Sumner Song.¹

Verse I.

In the northwest part of old Wyandotte
Stands a building that's tall and wide.
It received its name from a famous man,
This building, Sumner High.
Sumner was a man, despised in the land
For his Kindness toward the blacks,
And for this same cause without fear or laws
He while unarmed was attacked.

CHORUS

Oh dear Sumner High! Dear old Sumner High!
How we love the name of Sumner High!
We will always sing, as the birds in the spring,
Praises to our dear old Sumner High.
And we must gain fame to add to the name
Of Sumner which we love,
Men will sing its worth throughout the earth
The name of Sumner, dear old Sumner,
Sing the name of Sumner High.

Verse II.

Now the school's nam'd for this grand good man
Can't be other than good and great.
And we're sure 'twill be just as fine as he,
The idol of this whole state.
Now the mem'ry of this school shall be,
Uppermost in our minds and hearts,
When we leave her walls, ans'ring duty's call
We'll be trained to do our part.

¹ "Sumner Song" Undated Letter. Sumner File. Kansas City Board of Education Archives, Kansas City, Kansas.

Appendix B.

The New Sumner Song. (1954)²

Verse I.

In the northwest part of old Wyandotte
Stands a building that's tall and wide.
It received its name from a famous man,
This building is Sumner High.
Sumner was a man, renowned in the land
For his fight to make men free.
We will show the world, freedom's strength unfurled,
As we march to victory.

CHORUS

Oh dear Sumner High! Dear old Sumner High!
How we love the name of Sumner High!
We will always sing, and we'll always bring
Praises to our dear old Sumner High.
And we will gain fame to add to the name
Of Sumner which we love.
Men will sing its worth throughout the earth,
The name of Sumner, dear old Sumner,
Sing the name of Sumner High.

Verse II.

Now the school named for this grand good man
Can't be other than good and great.
And we're sure 'Twill be just as fine as he,
The idol of this whole state.
Now the mem'ry of this school shall be,
Uppermost in our minds and hearts.
When we leave her walls, ans'ring duty's call
We'll be trained to do our part.

² "Sumner Song," by Christine Sears. Letter dated 1954. Sumner File. Kansas City Board of Education Archives, Kansas City, Kansas.

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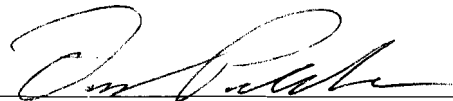
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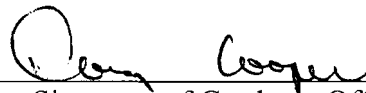
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