

ELIZABETH JENNINGS

From "Early African New York," Columbia University
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A black woman refused to give up her seat on a bus. She was brutally attacked and thrown off...and she took the case to court.

Rosa Parks? No. Her name was Elizabeth Jennings. It happened in New York City, downtown on the corner Pearl and Chatham Streets.

At least that's where it started. It was on a Sunday, July 16, 1854. Elizabeth Jennings lived 100 years before Rosa Parks. She was a 24-year-old schoolteacher on her way to the First Colored Congregational Church on Sixth Street and Second Avenue where she was to perform as the organist.

Most people don't realize how long buses have been around. The first route began on 4th Avenue in 1831. In the early years, there were two ways to travel--omnibuses and railroad cars. Both were pulled by horses. The omnibuses were cheaper. The railroad cars, larger and heavier, had more entrances and exits, moved on fixed tracks, and were more comfortable.

In the 1830s, New York City barely reached 14th Street, but it was growing. By the 1850s, Manhattan stretched to 59th Street and there were car tracks on most the major avenues, from First to Eighth.

This created a dilemma for African American New Yorkers. In the 1830s and early 1840s, African Americans didn't use public transportation. The driver decided if you could ride or not, and African Americans weren't welcome. With the motto "walk," community leaders suggested using other means.

Bucking the segregated system was also dangerous. Drivers carried whips and used them to keep African Americans off. Threats of legal retaliation were laughed at.

By the late 1840s, there were special public buses on which African Americans could ride. They had large "Colored Persons Allowed" signs on the back or in a side window. But these vehicles ran infrequently, irregularly, and often not at all.

Just as Rosa Parks was involved in the civil rights movement of her day, Elizabeth Jennings was part of a movement in her day too. Such notable black New Yorkers as her father Thomas Jennings, the Rev. J.W.C. Pennington, the Rev. Henry Highland Garnet, the Rev. Peter S. Ewell, Peter Porter, and a host of others were in the movement to end this discrimination. Like Rosa Parks, Elizabeth Jennings won a landmark local judicial decision.

Here's how the *New York Tribune* reported the Jennings incident in a February 1855 article: "She got upon one of the Company's cars last summer, on the Sabbath, to ride to church. The conductor undertook to get her off, first alleging the car was full; when that was shown to be false, he pretended the other passengers were displeased at her presence; but (when) she insisted on her rights, he took hold of her by force to expel her. She resisted. The conductor got her down on the platform, jammed her bonnet, soiled her dress and injured her person. Quite a crowd gathered, but she effectually resisted. Finally, after the car had gone on further, with the aid of a policeman they succeeded in removing her."

The African American community was outraged, and the following day there was a rally at Jennings' church. A letter she had written telling her account of the incident was read aloud: "Sarah E. Adams & myself walked down to the corner of Pearl & Chatham Sts. to take the 3rd Ave cars," she wrote. She described how the conductor, thought to be one Edwin Moss, and the driver had attacked her. "I told him [Moss] I was a respectable person, born and raised in this city, that I did not know where he was from and that he was a good for nothing impudent fellow for insulting decent persons while on their way to church."

"Then," Jennings continued, "the (police) officer without listening to anything I had to say thrust me out and tauntingly told me to get redress if I could. I would have come up [to the rally] myself but I'm quite sore & stiff from the treatment I received from those monsters."

Jennings sued the company, the driver, and the conductor. Messrs. Culver, Parker, and Arthur represented her. Arthur was Chester A. Arthur, then a novice 21-year-old lawyer and future President of the United States. This law firm was hired because it had demonstrated some talent in the area of civil rights the year before.

Jennings was well off and well connected. Her father, Thomas Jennings, was an important businessman and community leader who had associations with Abyssinian and St. Phillips, two major African American churches. As a tailor, he held a patent on a method for renovating garments and maintained a shop on Church Street.

He and others who had been involved in the fight to end transit discrimination helped raise money for Jennings' lawsuit. News of the trial reached all the way to San Francisco, where an African American group called the Young Men's Association passed a resolution condemning Jennings' treatment.

In 1855, Judge Rockwell of the Brooklyn Circuit Court ruled in Jennings' favor, stating that: "Colored persons if sober, well behaved and free from disease, had the same rights as others and could neither be excluded by any rules of the Company, nor by force or violence."

Elizabeth Jennings claimed \$500 worth of damage. The majority of the jury wanted to give her the full amount, but, as the *Tribune* put it, "Some jury members had peculiar notions as to colored people's rights." They eventually agreed to give her \$225, and the court added 10 percent plus her expenses.

Within a month of the Jennings decision, an African American named Peter Porter was barred from an Eighth Avenue rail car. He too sued and the company settled out of court. From then on, African Americans were allowed to ride on rail cars on an equal basis.

The Rev. J.W.C. Pennington was an important force in the New York movement for equality in public transportation, although he suffered one of the few anti-discrimination losses after Jennings' breakthrough when he brought suit against the Sixth Avenue Rail Company. However, by 1860 Pennington was able to advise the community that the First, Second, Third, possibly the Fourth, and certainly the Eighth and Ninth Avenue lines were open to all. At the outbreak of the civil war, this discriminatory practice had finally ended.

"I feel like this is an issue for young people. History is something they should carry with them," says Sue Ortega, who directs a small art school and presently has a "Harmony in the Community" mural at 91st & Columbus. "It's important for them to know that real, everyday people had a lot to do with the struggle to make life in this city better."

Elizabeth Jennings taught in the city's African American schools in the 1850s and 1860s, probably in African Free School #5 and then in the New York City public school system. As Mrs. Elizabeth Graham, she once again made a mark on our history, this time as the result of a tragedy.

In July 1863, a resolution was passed allowing wealthier New Yorkers to buy their way out of the Civil War draft. An angry white mob rioted over a four-day period. More than 70 blacks were lynched. Many were killed, including Jennings' young son.

As the riot continued to swirl around them, Elizabeth Graham and her husband, helped by a bold white undertaker, fearlessly managed to get their boy to Greenwood Cemetery in Brooklyn for a proper burial. The Rev. Morgan Dix of Wall Street's Trinity Church read the burial service.