MITH Assignment for Feb 20th

This is the first part in a series tracing the history of the Negro at the University, The history of the Negro at the Univer­ sity unfolds with awesome slowness. It evolves over a 20-year period In which court suits, financial strains and public opinion gradually open the campus gates to black Americans. The first Negro to attend the University was Donald Gaines Murray. A graduate of Amherst, Murray applied to the Uni­ versity Law School in 1935. By 1936 ht was accepted. The year’s delay in Mur­ ray’s acceptance was due to a detour his application took —a detour through the state Attorney General’s office and the Circuit Court of Appeals. In 1935, Murray was initially refused admission to the University but offered a scholarship to Howard University in Washington, D.C., if he were accepted there. Murray declined the scholarship offer, and instead sued the Board of Re­ gents for denying him admission“be­ cause of his color.\* In court, the University conceded that Murray was denied admission because of his race. Education in the state had fol­ lowed a separate but equal, bi-racial policy. Provisions for members of the Negro race to be sent by scholarship to professional schools outside the state were made. The University President H. C. Byrd further added that a “finan­ cial risk\* would be Involved in accepting Negroes, for if Negroes were admitted to the state university, it was projected that many students would withdraw.

Defendant Murray, however, contended that a law education received at Howard would not be equal nor comparable to a law education gained at the University. Murray intended to practice law in Bal­ timore City, and the University legal curriculum Included special courses in Maryland law. If he attended Howard, Murray felt he would be at a disadvan­ tage when competing in a Baltimore court with white lawyers schooled in the state. On the grounds that Murray had been denied admission to the University due only to the color of his skin, a violation of the Fourteenth Amendment was de­ clared by the Court. Murray was ad­ mitted to the University's Law School in fall, 1936. Three Negroes by 1936 Murray’s bold and successful court fight signalled the start of other Negro advances to the gates of the University. The law school began receiving—and accepting—other Negro applications, and by 1939 there were three Negroes at­ tending law classes in Baltimore. Although the law school now had an Integrated admissions policy, for the next 15 years all other branches of the Uni­ versity remained segregated. In 1946 and again in 1949, the School of Pharmacy denied admission to Negro applicants. Several Negroes applying to under­ graduate classes in College Park were also refused enrollment. The University’s admissions policy was clearly bi-racial: Negro profes­

sional and graduate students were re­ ferred to out-of-state Institutions on scholarship; and undergraduate ap­ plicants were rejected and steered to­ ward Morgan State and Princejs Anne Colleges. Princess Anne embodied Morgan and Princess Anne were two state-owned Negro institutions. Morgan operates apart from the University. Princess Ann was incorporated into the University in 1935 to comply with a sec­ tion on Negro education in the Land Grant College. (The Morrill Act.) This statute required that a share of land-grant allocations go to Negroes. By both annexing and recognizing Prin­ cess Anne as a land-grant college for colored students, the University could continue to receive Federal funds granted under the act. Negro institution ignored With Princess Anne a port of the Uni­ versity, a special fiscal policy was de­ vised for the Eastern Shore college. Money was to be distributed proportion­ ately, on the basis of state population, between the white and Negro branches of the school. Initially, $210,000 was poured into Princess Anne. Over the next decade however, the Negro institution was more or less ignored. In 1947 an investigation of Princess Anne was released by the Marbury Com­ mission. In its final report, the Com

mission described the institution as a •Jim-Crow school.\* Plumbing was de­ ficient, dormitories inadequate and many buildings were of “indefinite origin.\* Academically, the institution was only a shadow of a college; it was unaccredited, its faculty was small, its enrollment had never surpassed 159 and half of the stu­ dent body came from out of state. The Commission concluded that Prin­ cess Anne had proved unsuccessful as a Negro institution. It was recommended that Morgan State College, the accredited Negro school in Baltimore, assume con­ trol of Princess Anne. Morgan State, the Commission felt, had greater resources and its location would attract more Negro undergraduates than the Somerset County school had. Byrd opposed to change This recommendation was received like a bomb by University President Byrd. A two-year fight began between Byrd, the State Legislature and the com­ munity. Byrd wanted to keep Princess Anne in his domain. He made sweeping promises to the Negro populace concern­ ing the potential of Princess Anne. He proposed to the legislature a four million doUar appropriation to rebuild and re­ vitalize the Eastern Shore facilities. At hearings, Byrd’s opponents noted that the University had incorporated Princess Anne in 1936 but had “failed to perform its duty.\* A Baltimore Sun

editorial called Princess Anne \*a kind of Cinderella to the Univer­ sity.\* Byrd's effort to sustain the institution, stated the Sun, was an effort to stop “a threat to part of his domain,\* not a sin­ cere effort for the welfare of the Negro community. Furthermore, Byrd’s move to pour four million dollars into the college was a plan to “so deeply\* commit the State “to the development of prin­ cess Anne, that there could be no withdrawal.\* Despite oratory, petitions, hearings and editorials in op­ position to Byrd, the president’s wheeling and dealing in Annapo­ lis brought victory to his propos­ al. In 1949 the Legislature appro­ priated $300,000 to the Negro institution, indicating con­ fidence in Byrd’s continued administration of Princess Anne. With this and subsequent appro­ priations, Byrd slowly augmented f j II I ■.l ■■■■!! I.

Princess Anne's faculty and fa­ cilities. While the Princess Anne issue was debated, the University's “separate but equal,\* bi-raclal philosophy pervaded its dealings. In 1947, a Negro Air Force veteran, Major Wilmore B. Leonard, had registered for graduate study in College Park. At first he was “provisionally\* accepted. Later, through, he was rejected. Rejected due to grades Protesting, the veteran was told that the University was re­ jecting all students accepted “provisionally\* that year. (Pro­ visional status indicated that oth­ er applicants had better academic records.) Due to overcrowding in the school, students accepted on provisional bases were, at later dates, all rejected. Racial Issues at the graduate

level lay dormant for some time after Leonard’s inquiry. The following summer, however, found Byrd facing NAACP picket lines in the newspapers. Summer courses offered In an effort to keep College Park white, the University was offering summer courses for Negro teachers at Douglas High School in Baltimore. The NAACP, angered that the Univer­ sity was equating Douglas’s fa­ cilities with those at College Park, organized a picket line on registration day. Only two students dared to cross the line drawn by hundreds of placard-carrying marchers. The students, both Negro teach­ ers, registered and took summer courses. All summer long a verbal bat- i tie was waged between the NAACP the Afro-American Newspaper and Byrd. The Afro-American— which parenthetically noted that Dr. Byrd’s title referred to an honorary doctorate degree in philosophy—maintained that the Douglas classes were “ludi­ crous." For two students, the University was employing three teachers and one librarian. 'Controlled segregation’ Unabashed, Byrd replied by emphasizing that the State of Maryland’s education policy was one of “controlled segregation." Following the hectic summer session, the NAACP found itself defending Martin B. Booth, a Negro applicant to the Maryland School of Pharmacy. Booth had applied to the school in May of 1948 and had been rejected on the grounds that “the school has filled its quota." However, on August 14 of that same year, Booth reapplied for admission the next, or any succeeding se­ mester.

This time the University re­ fused to pass on the Negro’s ap­ plication. Demanding some ac­ tion, Booth went to court, claiming that the original "rejection was based not on the time of his ap­ plication, but because of his race or color." In newspaper statements, Byrd responded to Booth’s accusation. “We haven't turned down anybody in any school on the basis of his being a Negro," he said, explain­ ing that the University refers Negroes to Negro institutions. Lost in litigation Booth’s case was apparently lost somewhere on the litigation ladder. The only further public record on the matter is a nota­ tion in the Board of Regents minutes of Sept. 24, 1948. It was stated that "future actions" on Booth’s application would be "on the advice of the (State’s) attorney general. • The summer of 1949 abounded In suits brought against the Uni­ versity by Negro applicants. One applicant to the School of Phar­ macy and two for the School of Dentistry alleged that race was the sole reason for their rejec­ tions. A home economics student and an engineering undergraduate were refused admission to under­ graduate studies at College Park. A total of six suits were brought against the University, and the Board of Regents replied to them by stating that the University had a “general policy of segregation. Separate but equal facilities” were provided for Negro appli­ cants who were state citizens. Out-of-state scholarships In reply to the court order of mandamus, the University of­ fered the six Negroes admis­ sion into Morgan State or Prin­ cess Anne, or scholarships to out-of-state schools. Provisions for out-of-state scholarships were arranged by the University In conjunction with the Southern Regional Compact. This compact was composed of 14 Southern states which pooled their educational facilities. When certain programs were lacking in one state, resources from another state could be used. Up until 194 y, the Regional Contracts had been, in total, awarded to 18 Negroes and 217 whites. The Compact was not viewed as a means for thwarting integration. In 1949, however, local groups in Maryland charged that the Uni­ versity’ by settling mandamus suits with out-of-state scholar­ ship offers’ was using the region­ al compact to evade equal educa­ tion statutes. Scholarship refused Eighteen year old Esther Mc- Cready, who had applied to the Maryland School of Nursing, re­ fused a scholarship to MeHarry Medical College in Nashville, Tenn. Miss McCready claimed that she could not be required to go out of her state to receive education available at home. Ask­ ing her to leave -the state due to her race was denying her con­ stitutional rights under the Four­ teenth Amendment. The University, however, felt it had "discharged its constitu­ tional obligation to afford equal

education opportunities\* by of­ fering the applicant a scholarship to MeHarry. In court itwaseven brought out that MeHarry was a school whose facilities were “su­ perior\* to Maryland’s. A lower court upheld the con­ tention of the University. But the Maryland Circuit Courtof Ap­ peals reversed this decision. Miss McCready’s rights had in­ deed been denied. Referring to State of Missouri ex-rel. Gaines v. Canada, the Court held that a scholarship to MeHarry “did not relieve the state of its responsibility to pro­ vide equal opportunities for Ne­ groes within the boundaries of the State. By no rational means could the State extend Its boun­ daries to Nashville, Tenn.\* Court orders admission The Court further held that the “regional compact cannot be used to maintain a segregated system of higher education.\* Miss Mc- Cready’s admission to the Mary­ land School of Nursing was or­ dered. Still fighting for Its segregation policy, the University appealed this decision to the Supreme Court. The High Court, however, denied certiorl, and the issue was settled. Miss McCready became the first Negro to attend the Nursing School. The implications of the case were clear. The University would have to make its Negro Institu­ tions parallel to its white insti­ tutions or begin admlttlngNe­ groes to College Park and to all Baltimore professional schools. Byrd and the Legislature sup­ ported the former alternative, i.e. a “dual school system\* over an Integrated one. For several years, new programs were in­ stituted and more funds were poured Into Princess Anne. How­ ever, court litigations' were now travelling at a pace faster than the State's educational budget. College Park tested In 1951 Hiram T. Whittle, a 20 year old Negro who wished to transfer from Morgan State Into the College Park engineering program, received a writ of mandamus admitting him to the University. The State’s attorney general advised the Board of Re­ gents to accept Whittle since College Park housed the only state supported engineering fa­ cilities In Maryland. Whittle thereby set several precedents. He was the first Negro admitted to the University without a court battle—though he did follow In the wake of the Mc- Cready storm. He was also the first Negro to attend classes in the College Park campus and to live in a white dormitory. At this same time, another Negro student was pushing his way through the Courts. Parren J. Mitchell, a graduate student in sociology, had applied to the University in August of 1950. Mitchell was accepted with the tacit understanding that he attend classes in Baltimore--not In Col­ lege Park.