

Elizabeth Jennings: New York City's Nineteenth Century Rosa Parks

These lesson materials were developed as part of the "Gateway to the City" project, a collaboration between the offices of Brooklyn and Manhattan High Schools, District 5 and 17, the New York City Board of Education Office of Multiculturalism/Social Studies, the Brooklyn Historical Society and Hofstra University.

On July 14, 1854, Elizabeth Jennings and her friend, Sarah Adams, walked to the corner of Pearl and Chatham streets in lower Manhattan. They planned to take a horse-drawn street car along Third Avenue to church. Instead, they entered into the pages of history.

Elizabeth was a young African American woman who taught black children in New York City's racially segregated public schools. Her father Thomas L. Jennings was a leading local abolitionist.

An account of what happened to Elizabeth was presented on July 17 at a protest meeting at the First Colored Congregational Church in New York City. Elizabeth wrote the statement but did not speak because she was recovering from injuries. Peter Ewell, the meeting's secretary, read Elizabeth's testimony to the audience. We do not know how many people attended the meeting. We do know that the group passed resolutions protesting what happened to Elizabeth and sent copies to the *New York Tribune* and *Frederick Douglass' Paper*. Both newspapers printed Elizabeth's account and the resolutions of protest. Edited versions are included here.

A. *New York Tribune*, "Outrage Upon Colored Persons," July 19, 1854, 7:2. (edited)

I (Elizabeth Jennings) held up my hand to the driver and he stopped the cars. We got on the platform, when the conductor told us to wait for the next car. I told him I could not wait, as I was in a hurry to go to church. He then told me that the other car had my people in it, that it was appropriated (intended) for that purpose. I then told him I wished to go to church, as I had been going for the last six months, and I did not wish to be detained.

He insisted upon my getting off the car, but I did not get off. He waited some few minutes, when the driver, becoming impatient, said to me, "Well, you may go in, but remember, if the passengers raise any objections you shall go out, whether or no, or I'll put you out."

I told him I was a respectable person, born and raised in New York, that I had never been insulted before while going to church, and that he was a good for nothing impudent (rude) fellow for insulting decent persons while on their way to church. He then said he would put me out.

I told him not to lay his hands on me. I took hold of the window sash and held on. He pulled me until he broke my grasp and I took hold of his coat and held onto that. He ordered the driver to fasten his horses, which he did, and come and help him put me out of the car. They then both seized hold of me by the arms and pulled and dragged me flat down on the bottom of the platform, so that my feet hung one way and my head the other, nearly on the ground. I screamed murder with all my voice, and my companion screamed out "you'll kill her. Don't kill her."

The driver then let go of me and went to his horses. I went again in the car, and the conductor said you shall sweat for this; then told the driver to drive as fast as he could and not to take another passenger in the car; to drive until he saw an officer or a Station House.

They got an officer on the corner of Walker and Bowery, whom the conductor told that his orders from the agent were to admit colored persons if the passengers did not object, but if they did, not to let them ride. When the officer took me there were some eight or ten persons in the car. Then the officer, without listening to anything I had to say, thrust me out, and then pushed me, and tauntingly told me to get redress (damages) if I could.

I would have come up myself, but am quite sore and stiff from the treatment I received from those monsters in human form yesterday afternoon.

Questions

1. What did the street car conductor say to Elizabeth Jennings? Why?
2. What did Elizabeth Jennings decide to do?
3. What happened to Elizabeth Jennings?
4. What would you have done if you were Elizabeth Jennings? Why?

B. Resolutions unanimously adopted at the First Colored Congregational Church

Resolved, That we regard such conduct as intolerant, in a civil and religious point of view, and that it calls for the reprehension (blame) of the respectable portion of the community.

Resolved, That there be a committee of five appointed to ascertain (learn) all the facts in the case, and if possible bring the whole affair before the legal authorities; and that we demand at the hands of the proprietors (owners), as colored citizens, the equal right to the accommodation of "transit" in the cars, so long as we possess the regular qualifications.

Resolved, That the above resolutions be forwarded and printed in *The New York Tribune* and Frederick Douglass's paper.

Questions

1. How did members of this church react to news that Elizabeth Jennings was thrown off of a New York City street car?
2. What action did church members decide to take?
3. What do we learn about the African American community from this resolution?

At the meeting at the First Colored Congregational Church, a Black Legal Rights Association was formed to investigate possible legal action. Elizabeth Jennings decided to sue the street car company. She was represented in court by a young white attorney named Chester A. Arthur, who later became a military officer during the Civil War and a politician. In 1880, Chester A. Arthur was elected Vice-President of the United States and he became president when James Garfield was murdered in 1881.

The court case was successful. The judge instructed the jury that transit companies had to respect the rights all respectable people and the jury awarded Elizabeth Jennings money for damages. While she had asked for \$500 in her complaint, some members of the jury resisted granting such a large amount because she was "colored." In the end, Elizabeth Jennings received \$225 plus an additional ten percent for legal expenses.

C. *New York Tribune*, "A Wholesome Verdict," February 23, 1855, 7:4.

The case of Elizabeth Jennings vs. the Third Ave. Railroad Company, was tried yesterday in the Brooklyn circuit, before Judge Rockwell. The plaintiff is a colored lady, a teacher in one of the public schools, and the organist in one of the churches in this City. She got upon one of the Company's cars last summer, on the Sabbath, to ride to church. The conductor finally undertook to get her off, first alleging the car was full, and when that was shown to be false, he pretended the other passengers were displeased at her presence.

She saw nothing of that, and insisted on her rights. He took hold of her by force to expel her. She resisted, they got her down on the platform, jammed her bonnet, soiled her dress, and injured her person. Quite a crowd gathered around, but she effectually (effectively) resisted, and they were not able to get her off. Finally, after the car had gone on further, they got the aid of a policeman, and succeeded in getting her from the car.

Judge Rockwell gave a very clear and able charge, instructing the Jury that the Company were liable for the acts of their agents, whether committed carelessly and negligently, or willfully and maliciously. That they were common carriers, and as such bound to carry all respectable persons; *that colored person, 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*; and in case of such expulsion or exclusion, the Company was liable.

The plaintiff claimed \$500 in her complaint, and a majority of the Jury were for giving her the full amount; but others maintained some peculiar notions as to colored people's rights, and they finally agreed on \$225, on which the Court added ten per cent, besides the costs.

Railroads, steamboats, omnibuses, and ferry boats will be admonished (instructed) from this, as to the rights of respectable colored people. It is high time the rights of this class of citizens were ascertained (respected), and that it should be known whether they are to be thrust from our public conveyances (vehicles), while German or Irish women, with a quarter of mutton (lamb) or a load of codfish, can be admitted.

Questions

1. What event is reported on in this news article?
2. What did Judge Rockwell instruct (tell) the jury?
3. What was the outcome?

We learn more about Elizabeth Jennings, this case, and the struggle for equal rights in New York City in an editorial published in *Frederick Douglass' Paper* after the verdict.

D. *Frederick Douglass' Paper*, "Legal Rights Vindicated," March 2, 1855, 2:5

Our readers will rejoice with us in the righteous verdict. Miss Elizabeth Jennings, whose courageous conduct in the premises is beyond all praise, comes of a good old New York stock. Her grandfather, Jacob Cartwright, a native African, was a soldier in the Revolutionary War, and took active part in city politics until the time of his death in 1824; her father, Mr. Thomas L. Jennings, was mentioned in our paper as having delivered an oration on the Emancipation of the slaves in this State in 1827, and he was a founder of the New York African Society for Mutual Relief and of other institutions for the benefit and elevation of the colored people. In this suit he has broken new ground, which he proposes to follow up by the formation of a "Legal Rights League."

We hold our New York City gentleman responsible for the carrying out this decision into practice, by putting an end to their exclusion from cars and omnibusses; they must be craven indeed if they fail to follow the lead of a woman.

Questions

1. What do we learn about Elizabeth Jennings' family from this article?
2. What does the *Frederick Douglass' Paper* think of the verdict?

As a result of the legal protest by Elizabeth and Thomas Jennings and their legal victory, the Third Avenue Railroad Company issued an order to permit African Americans to ride on their cars. New York City's other transit companies in companies quickly followed their example.

Sources:

Ripley, C., ed. (1993). *Witness for freedom*. Chapel Hill, NC: University of North Carolina Press.

Frederick Douglass' Paper, "Legal Rights Vindicated," March 2, 1855, 2:5.

Howell, R. "A 19th Century Rosa Parks," *Newsday*, February 18, 2001.

Katz, W. (1997). *Black Legacy*. New York: Atheneum Books.

New York Times, "Gen., Chester A. Arthur," June 9, 1880, 8:2

New York Tribune, "Outrage Upon Colored Persons," July 19, 1954, 7:2.

New York Tribune, "A Wholesome Verdict," February 23, 1855, 7:4.