

**From:** [martin.gonzales](mailto:martin.gonzales)  
**To:** [gonzales.martin](mailto:gonzales.martin)  
**Subject:** Conejos County Citizen | Landmark school desegregation suit won locally  
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# Landmark school desegregation suit won locally

By SYLVIA LOBATO

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It was a battle well fought, but the big win lay hidden for more than a century. In 1914, "The Denver Catholic Register" called the decision "historic," noting that it "was the first time in the history of America that a court fight was made over an attempt to segregate Mexicans in school."

Dating back to 1912 when Alamosa was still part of Conejos County, the suit grew from grassroots concern for equal education of Alamosa's children. A deep blizzard had paralyzed Denver and Alamosa being Alamosa, bad weather emerged locally.

Ten-year-old Miguel Maestas was forced to walk seven blocks from his home on the north end of Ross Ave. to the "Mexican" school building at the intersection of Ninth and Ross.

In addition, as a railroad man, Francisco Maestas knew the dangers of the railroad crossing, as well as the weather and, on Sept. 2, 1913, went to the Superintendent of Schools and asked to enroll his son. The request was refused and Maestas was told he had to enroll his son in the "Mexican School."

The debate headed for the courts. Until then, Miguel would be required to attend the school at the intersection of Ninth Street and Ross Avenue.

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George H. Shone et al, the suit has been cited as a perfect example of resistance to segregation in Colorado's "Hispano Homeland," a term made popular by historian Richard Nostrand, who contended the area was where people of Mexican descent had long been isolated and culturally removed from Mexico, forming their own culture.

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What is now Alamosa County was the northern part of Costilla and Conejos counties which date back to 1876 when Colorado became a state. It was the last county in Colorado, dedicated on Saturday, March 8, 1913.

Ceded by Mexico in 1848 and protected in part by the Treaty of Guadalupe Hidalgo, the San Luis Valley was part of the United States long before any of the principals were born. Statehood was granted on Aug. 1, 1876.

Bad local press

On Dec. 5, 1913, the Alamosa newspaper reported, "About the worst thing that could happen in Alamosa County and surrounding community, now that the Alamosa County embroglio has already happened, would be the defeat of the school directors in the recent suit filed against them."

Even in the headlines where the suit was reported, reference was made to "Mexican" children and "American" families, while the directors in School District 3 assumed that, if one was Spanish-surnamed, he or she wasn't "American" and could not speak, read or write in English, so a special school was needed to teach the children in the language with which they were most comfortable.

Land for the school was purchased in 1909 and there was no secret that it was to serve only "Mexicans."

The 1910 census shows Maestas, his wife Margaret, son Miguel and daughter Josie residing at 117 Ross Avenue in Alamosa. Maestas was listed as an English speaker, his wife fluent in Spanish.

F.A. McKinney's 1911 directory of Alamosa, Conejos and Saguache county residents lists Maestas as a foreman for the Denver & Rio Grande Railroad, while the suit points to dangers facing Miguel as he was forced to walk seven blocks to school across busy railroad tracks.

Attorneys writing online contend that the suit "provides a portrait of community organizing to advocate for the education of their children." Many Latino families moved to Alamosa so the men could work on the railroad, and so it was with Maestas.

The suit was filed in 1913, the same year Alamosa County was organized, and it differed fundamentally from two similar cases that were filed 16 and 17 years later and drew the "first ever" acclaim away from Alamosa due to the fact that they were better publicized.

Both cases were rooted near the Mexican border and received financial and moral support from the Mexican Consulate, while the Alamosa plaintiffs lived far from the border and had become deeply rooted in the area.

One of the suits, filed in Texas, argues that the Mexican plaintiffs were part of "the other white race" and were exempt from legal segregation under Texas law.

The suit, filed in California, contended that California did not have a law that allowed for the segregation of Mexican children while laws were on the books permitting segregation of other named races.

Article IX, Section 8 of the Colorado Constitution stated, "no sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction and classification of pupils be made on account of race or color."

Led by Maestas, local plaintiffs contended racial prejudice was a driving force behind the erection of a separate school building, as well as school administration efforts to segregate their children.

Mexican-American parents pulled their children out of school in protest, an action the school district seized upon to claim Maestas wasn't interested in his

son's educational progress, so shouldn't be allowed to sue.

Editors at the Denver Catholic Register were of the opinion that Alamosa school officials chose to allow the children to go without education rather than change their stance.

An earlier school board had decided to build a new school in which Spanish-speaking youth could be educated in both languages in order to pave their way into higher grades. It was explained they could be taught concepts in English with explanations in Spanish, if needed.

Superintendent George O. Thompson muddied the waters by establishing a policy that required all "Mexican children" attend the "Mexican school."

Other parents received the same information, formed "the Spanish American Union" and drafted a resolution challenging the decision, and then presented it to the school board, which ignored it.

The Alamosa Journal refused to print the resolution and the editor began to oppose the proposed integration editorially.

Union members began raising funds for court costs and money was raised.

The local priest, Father Montell, went to Denver and talked to attorney Raymond Sullivan, who agreed to represent the plaintiffs.

Francisco Maestas was named plaintiff to represent others who weren't specifically named.

Taking the case, District Court Judge Charles Holbrook determined that the petition had made a sufficient case for admittance of the students that he issued an order to the school board and superintendent to either admit the children to the most convenient public school or file an answer arguing why they should not.

Arguing that students seeking to enroll at the school weren't segregated on account of race, John T. Adams, attorney for the schools, attempted to show that Miguel Maestas and other students were denied enrollment in the city's other schools because they were deficient in English speaking skills.

Adams argued that the students were "Caucasian" and denied that the school board and superintendent had excluded them from other schools because of their race.

The McKinney directory listed the “Mexican Preparatory School” as being at Ninth and Ross.

The front page of the March 21, 1914 Alamosa Courier announced that Mexican Americans had won the court battle.

The paper published Holbrook’s entire decision and explained that the segregation was not because the Mexican children could not speak English “but because of race prejudice the school board and the city superintendent held against his people.”

As the news media covered the case, the Alamosa Independent Journal reported in January 1913 that the decision to segregate Mexican American children was “adopted several years ago by the directors, and it has been proven that it was the best system ever inaugurated in any school district” and that the “percentage of those Spanish American children who advance beyond the fourth grade has steadily increased.” The paper also reported that “last year’s advancement of scholars increased over 400 percent over the number of those advanced before the system was inaugurated five years ago, with practically the same attendance.

The paper claimed that school officials were “giving the children of the Spanish American families of this city advantages they have never enjoyed elsewhere” and also cautioned that “if the board is wrong they will simply have to go back to the old and far inferior system of educating the children of these citizens.”

In a defense document, Adams stated that the school was known as the “Preparatory School, but not the Mexican School and denied that all “Mexican children or children of Mexican descent or any children whomsoever (sic) by reason of their race, or color or descent are or have been for more than two years last past or at any other time, obliged by order of these defendants, or any of them or by order of the Board of Education, so called or otherwise to attend the said preparatory school up to the fifth grade thereof, or at all, while other children were or are permitted to attend the school most convenient to their residence.”

He argued Miguel Maestas was denied admission to the North Side School

because he lacked English skills and was academically unprepared.

### Boycott effect

He claimed Miguel had failed an English exam and that he was “behind in all of his classes and studies, and ... unable to carry on the work thereof.” Miguel was also behind academically, said Adams, because his parents had “permitted” him to stay out of school for three months.

Due to the walkout, Miguel was kept out of school by his father because it was part of the Mexican American parent protest against the segregated "Mexican" School.

Adams warned allowing non-English-speaking Mexican American children to attend one of the other schools in the district where teachers did not understand Spanish and warned the court that the graded system of schools in said city would be seriously injured and impaired if not altogether destroyed, and the advancement of educational development of the pupils of the said city would be thereby retarded, including not only those speaking the Spanish language but also those speaking only the English language.

The lawyer contended it was impossible “to provide for adequate teaching facilities for said pupils in more than one of the buildings in said city.” To “change the present system of instruction in said school district,” he concluded, “would result in great and irreparable injury and loss to said school district and tax payers thereof.”

Superintendent Thompson testified that Mexican American children were “put in a school by themselves because of their deficiency in the English language.” He also told the court that no “American” children attended the school.

When board member J. H. Darling took the stand, Sullivan asked him whether he thought there was racial prejudice toward Mexicans in Alamosa and whether he believed that “public sentiment had not been in favor of segregating their children in the public schools.” Darling told Sullivan that he “would rather not answer the question.”

Later, Darling not only admitted that he “would never permit his children to

attend school with the Mexicans” but affirmed that “he was still of that mind.” In addition, he also told the court that “the school set aside for the Mexican children was at all times designated the Mexican School in the official records of the board.”

Miguel aces test

Maestas and Miguel were also put on the stand. The Register reported he “was timid and abashed by reason of the crowded court room.” However, Miguel “understood and answered the questions put him by counsel in English.” When defendants asked Miguel questions through an interpreter, “he responded in English before the interpreter could finish the questions.” Miguel told the court that he was “often made late for school by reason of waiting for trains to pass.” Other children were “put on the stand and answered readily in English the questions put to them by counsel.”

One parent, Victor Gallegos, told the court that two of his children of school age “had been refused admission to the American school and that he had, rather than send them to the Mexican school, placed them in a convent in Denver.”

He said that he and his wife had spoken English to them since they were born and were well acquainted with the English language. Another parent, Efren Quintana, claimed the “majority of the children in the Mexican school spoke English as well as his children and that he could see no reason except that of race prejudice as to why they were segregated.” He maintained that the “great majority of the Mexican people wished to have their children attend the schools nearest to them without discrimination.”

Quintana also told the court that he had “never been in favor of a separate school” and that he had been a member of a committee that appeared before the school board with a petition signed by 180 Mexican heads of families asking for their ‘constitutional rights’ in the schools.”

The principal of the South Side School in the district, Miss Carrie Body, testified, telling the court that she was ordered “to send all Mexican children to the Mexican School.” Teachers from the Mexican School also testified.

Miss Mary Lister testified “most of the children in her grades had a sufficient knowledge of the English to carry on the work in those grades.” The other teacher at the Mexican School, Miss Loretta McGraw, stated that they spoke with “the children mostly in English and found that [was] the best way to teach them.”

According to the Register’s account, McGraw told the court that they were “required by the board to use Spanish in teaching them.” She said she was acquainted with all of the children in the school and that most of them spoke English.

#### Language used unfairly

Judge Holbrook was convinced that school officials had used the English language deficiency and the academic unpreparedness of some Mexican American children as a rationale to send them all to the Mexican School up to the fifth grade. He declared English-speaking Mexican American children had the right to attend public schools near their homes, or schools of their choice, in the Alamosa School District.

In his decision, Judge Holbrook showed that he understood the school board’s arguments about the educational purposes of the school. He noted that the “school was built for their [the Mexican students’] benefit, and supplied with teachers especially selected, because of their ability to speak both English and Spanish.”

However, he believed that the Mexican School served a valuable service because “children sitting in a room wherein the instruction given is in a language which they do not understand, however, bright the child may be, cannot make progress, and must necessarily fall behind their classes.”

With that in mind, he ultimately rejected those arguments and decided in favor of Maestas. He noted that some of the Mexican American children “in the lower grades may be able, and doubtless are able, to speak English.”

He also understood why “Spanish speaking people believe that their children are excluded from the two English speaking schools, upon account of race.”

Rejecting the school board’s argument, he believed that this “feeling must be

eradicated before the school can reach its greatest efficiency.” He did not think it was just to send English-speaking Mexican children to the Mexican School because he saw “evidence [that showed there were] children in different grades in the Mexican Primary School, who know enough English to understand instruction in the same grades in the other schools.” Thus, Holbrook stated that “in the opinion of the court ... the only way to destroy this feeling of discontent and bitterness which has recently grown up, is to allow all children so prepared, to attend the school nearest them.”

High school yearbooks for years following the decision had no photos of Spanish surnamed students, though many of the plaintiff children including Miguel Maestas lived within walking distance of the school, which served students from grades one through 12.

The controversial school was renamed "Willis School" but it was abandoned. Isaac Ortega operated a youth center there for a number of years, then it was demolished.

A walk through what is now "Zapata Park" shows no remnants of a foundation or any other evidence that the school existed.

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