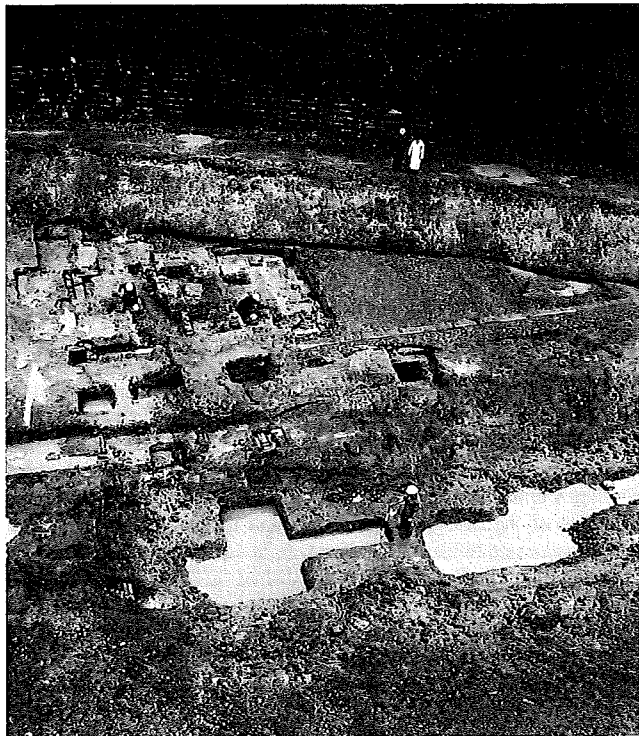


but who have had, for a long time and yet have, a disposition within themselves only to step backward.²⁵⁸



View of excavation of Lumpkin's Slave Jail next to Main Street Station in Shockoe Valley, Richmond, December, 2008. Upper portion of excavation is the courtyard (upper right triangular patch) and the kitchen building (upper left). Lower portion, where there are pools of water, is foundation of jail building. The lower level was about eight feet below the courtyard, and was next to Shockoe Creek, fourteen feet below the present surface parking lot. The photo is courtesy of the Richmond Slave Trail Commission.

7

Developing Structures of Segregation 1865-1954

Toward the end of the 1850s, the nation's struggles over slavery began to affect Virginia in contradictory ways. On the one hand, Virginians reaffirmed their belief in the Declaration of Independence, the Constitution, and the Union, in whose formation their fathers and grandfathers had played such a predominant role. On the other hand, white Virginians became increasingly protective of their slave system, overtly defending it against Northern critics.

In 1858 Richmond celebrated the relocation of the remains of President James Monroe to a new tomb in Hollywood Cemetery. In the same year, the majestic equestrian statue of George Washington was dedicated on the Capitol grounds. In 1860 a statue of Henry Clay was erected at the Capitol. Richmond was the focus of national attention, and representatives from other cities and states, North and South, attended the celebrations.

In 1859 the city government passed a new ordinance "Concerning Negroes." It required blacks to carry passes or free papers; it prohibited slaves from renting rooms, hiring themselves out, buying liquor or medicine, joining secret societies, owning guns, gathering in groups, riding in carriages, walking in Capitol Square, or walking near the city spring or city hall. It required that "[a] negro meeting or overtaking, or being overtaken by a white person on a sidewalk, shall pass on the outside; and if it be necessary, to enable such white person to pass, shall immediately get off the sidewalk."²⁵⁹

In October 1859 Richmond militia units rushed to the front when John Brown attacked Harper's Ferry (then Virginia, now West Virginia) with an armed group of abolitionists and free African Americans. The next year Abraham Lincoln was elected president, an event that was followed closely by the secession of seven Southern states from



View of Richmond in ruins from Manchester. Library of Congress photo.

the Union. In early 1861 Virginians called a convention to consider secession. A majority of the convention was in favor of remaining in the Union until, on April 15, President Lincoln attempted to call up 8,000 soldiers from Virginia to deal with the rebellion that had begun at Fort Sumter in Charleston, South Carolina, two days earlier. Then, with Richmond in an uproar, the convention voted to secede.

The trauma of white Virginia

On July 21, 1861, the Union army engaged the army of the Confederate states at Bull Run, near Manassas, Virginia. Here is how Virginius Dabney, former editor of the *Richmond Times-Dispatch*, tells the story:

It was the first major engagement of the war and a victory for the South. Richmonders rushed to the conclusion that Confederate troops would move swiftly into Washington. Nothing of the sort happened, of course. [Confederate] President [Jefferson] Davis, who had been present on the field of Manassas, gave a huge crowd outside the Spotswood Hotel a report immediately upon his return. He warned that hard fighting lay ahead. Yet it was difficult in the afterglow of the first great Southern victory to suppress the optimism that pervaded the Confederate capital.

But when trains bearing hundreds of seriously wounded chugged into the station at Eighth and Broad in the pouring rain, the city was suddenly made aware of the grim realities. Here were men wrapped in bloody bandages, shot through the body or with an arm or leg missing, men blinded or moaning in pain. Anguished relatives at the station looked in the storm, with the aid of flickering lanterns, for husbands, sons, or brothers. Would they find them there or on one of the trains loaded with the coffins of the dead? ...Coffins bearing the officers were taken to the Capitol as the "Dead March"... sounded through the streets. That mournful dirge would be heard during the ensuing four years as thousands of Virginians went to their deaths on the battlefields and were laid to rest in Hollywood and Oakwood cemeteries.²⁶⁰

Over the next four years, even while rows and rows of new markers were added to its cemeteries, Richmond's population more than doubled, from under 50,000 in 1861 to more than 110,000 in 1865. The city was filled with soldiers, prisoners, wounded men, visitors, and individuals from all over the world who had commercial or political agendas. By 1862, more than 10,000 wounded men were being cared for in forty-four hospitals and many private homes. Prisons held another 10,000 or more, including more than 4,500 enlisted men in miserable conditions on Belle Isle in the middle of the James River. Provisions were short for both residents and prisoners. On April 2, 1863, a mob of women broke into stores around 15th and Cary streets—the Richmond Bread Riot. Governor John Letcher called out the Public Guard and Mayor Joseph Mayo read the Riot Act.



Daniel Trattles of the 19th Michigan Infantry was one of the emaciated Union prisoners finally released from the prison on Belle Isle in Richmond. Photo was provided by his great grandson and is reprinted by permission.

Two years later, on Sunday April 2, 1865, two weeks before Easter, the Union army broke through the Confederate lines at Petersburg. A soldier came into St. Paul's Church on Grace Street, where President Jefferson Davis sat at worship, to tell him that Petersburg had fallen, and that the way to Richmond was open to the Northern armies. By nightfall, the Confederate government and troops had evacuated the city, going west and south, and the city was in flames. A fire lit by departing soldiers to destroy munitions had spread throughout the city south of the Capitol.²⁶¹ Liquor from another storehouse was running in the streets, the result of the destruction of casks ordered by officials. People were on their hands and knees drinking from the gutters, and as the fire-lit night progressed, the spirits-filled mob spread out of control.²⁶²

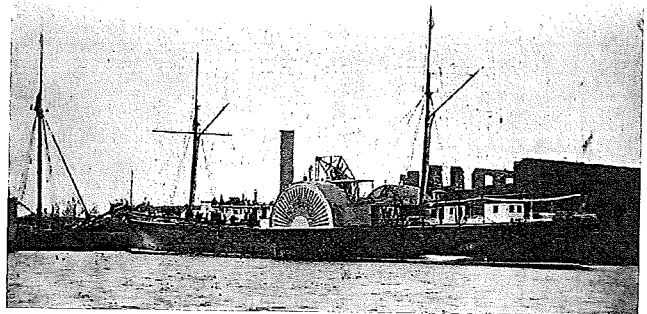
Early Monday morning, according to the *Richmond Whig*, the city "presented a spectacle that we hope never to witness again....The air was lurid with the smoke and flame of hundreds of houses sweltering in a sea of fire."²⁶³ Mayor Mayo drove his buggy out Main Street, at the foot of Richmond Hill, until he reached the Union troops encamped east of the city around New Market Heights. He invited them into the

city to help extinguish the fire and reestablish civic order. Black and white companies both claimed later that they were the first to arrive in the city.

As the Union Army entered the city, Richard Gill Forrester brought from his home at College and Marshall streets the American flag which had last flown over the Capitol on the day, four years earlier, that Virginia seceded from the Union. Forrester, although fair-skinned, was black and Jewish, the son of one of Richmond's wealthiest free, non-white families. At the age of fourteen he was a Capitol page, a very unusual position for a person of color. His daily task was to raise and lower the flags at the Capitol. On April 17, 1861, the day that Virginia seceded and declared war, the American flag had been taken down and thrown on a pile of trash. Forrester had rescued it and kept it hidden under his mattress.

At 7:30 a.m. on April 3, 1865, he raised the flag of the United States of America at the Capitol of Virginia. Lt. Royal B. Prescott of the 13th New Hampshire Volunteers, who had just arrived in Capitol square with his men, asked the seventeen-year-old Forrester, who was descending the Capitol steps, who had raised the flag. Forrester told him the story of the flag's rescue, and wrote on a page in the Yankee soldier's diary, "Richard G. Forrester put the flag on the capitol in Richmond, VA." At 8:15 a.m., at the city hall across the street from the Capitol, Mayor Mayo formally surrendered the city of Richmond to General Godfrey Weitzel.²⁶⁴

The next morning, on April 4, 1865, a boat rowed by twelve sailors arrived at Rockett's Landing. President Abraham Lincoln, with his son



USS Malvern at dock in Norfolk, Virginia. U.S. Naval Historical Center Photograph.



Left: "Lincoln enters Richmond," by Thomas Nast. This picture, which originally appeared in Harper's Weekly, was based on a description and sketch by reporter Charles Coffin of the Boston Morning Journal, who witnessed the event. Right: Abraham Lincoln and his son Tad. Statue by sculptor David Frech at the Richmond National Battlefield Park at Tredegar. Dedicated on April 5, 2003, this represented the first public memorial to Lincoln's Walk in Richmond. Some public controversy accompanied the erection of the statue of Lincoln, even though it occurred 138 years after the original event.

and Rear Admiral David Porter, stepped from the boat. A group of about seventy-five African Americans working at the docks recognized him. They came running to the landing, cheering, weeping, and shouting, and the president greeted them. Then Lincoln and his party walked up Main Street, through the smoldering ruins, amid both black and white onlookers, until they arrived at the White House of the Confederacy. Lincoln sat in the chair of President Davis.

After meeting with city and state authorities and with General Weitzel, Lincoln returned to the dock. By that time USS *Malvern*, the large steam vessel that had brought him from Grant's headquarters at City Point (now part of the city of Hopewell) to Dutch Gap, had broken through the Confederate obstructions in the river and reached Rockett's. After spending the night on the *Malvern*, Lincoln returned to City Point Wednesday morning.²⁶⁵

Lincoln continued down the James River to the Chesapeake Bay and up the Potomac. He arrived in Washington in time for the celebration of the surrender at Appomattox on Palm Sunday, April 9. On Wednesday

night of Holy Week he had a dream in which he saw himself in a coffin. On Good Friday he was shot. And early in the morning of Holy Saturday, he died. On Easter Sunday, General Robert E. Lee returned from Appomattox to Richmond, to his home on Franklin Street, to find a Union soldier guarding the door. He then learned of Lincoln's assassination.

Four years of trauma had ended. The Virginians of African descent who had not been free were now freed men and women. A new period of Richmond's history would now begin. What would change, and what would remain much the same, was yet to be determined.

The century that followed the burning of Richmond may be divided into two periods. The first is that of Reconstruction and adjustment, an era of social fluidity, as the society reinvented itself on the premise that slavery, as it had been known, was over. The second period, beginning around the turn of the century, was one of highly structured and legislated racial segregation. This period ended with an event as momentous in its own way as the events we have just described: the decision of the U.S. Supreme Court in *Brown v. Board of Education*. Just as the Union army had broken through the Confederate lines defending Petersburg in April of 1865, so the moral force of humanity had on May 17, 1954, finally broken through Richmond's elaborate walls defending racial segregation.

Race and Reconstruction

Before the rubble had been cleared from the devastated business district of the capital city, Richmond's press began to campaign against voting rights for its freed black citizens. "The former masters of the Negroes in Virginia have no feeling of unkindness toward them," editorialized the *Richmond Times*, "and they will give them all the encouragement they deserve, but they will not permit them to exercise the right of suffrage, nor will they treat them as anything but 'free Negroes.' They are laborers who are to be paid for their services...but vote they shall not."²⁶⁶

Edward A. Pollard, wartime editor of the *Richmond Examiner*, declared authoritatively that the war had ended slavery and restored the Union, but it "did not decide negro equality; it did not decide negro suffrage." Pollard's monumental Confederate history, *The Lost Cause*, was published in 1866, proclaiming an unrepentant theme for the last half of the century: "(The South's) well-known superiority in civilization...has been recognized by every foreign observer, and by

the intelligent everywhere; for it is the South that in the past produced four-fifths of the political literature of America, and presented in its public men that list of American names best known in the Christian world. That superiority the war has not conquered or lowered; and the South will do right to claim and cherish it."²⁶⁷

The Union army did not initially improve the situation of the formally emancipated black population of Richmond. General Grant ordered all "Negro" troops to leave Richmond by the end of April.²⁶⁸ Thousands of rural blacks who had come to the city after the surrender were captured in May and June by the Union troops and placed in former slave jails, until they could be sent back to the rural areas to work on the plantations.²⁶⁹

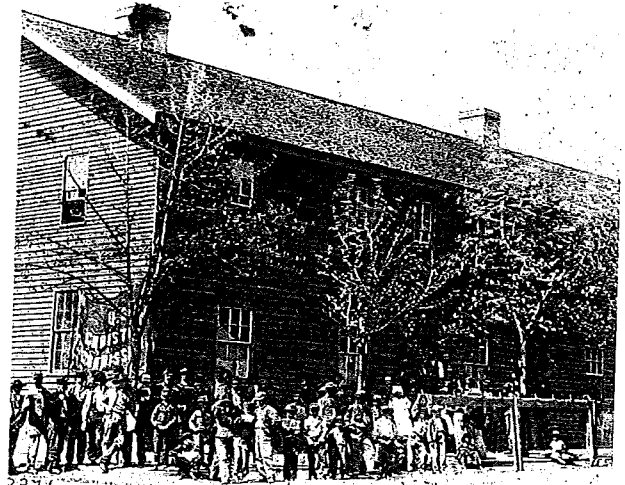
General Edward O.C. Ord, the Yankee commander who took initial charge over occupation policy in Richmond, was removed in June 1865 and replaced by General Alfred Terry. Terry abolished the pass laws, which had, even after emancipation, required all black citizens to carry identifying passes in the city.

On January 15, 1866, the Virginia General Assembly passed a severe "vagrancy" law, which essentially made unemployment a crime. Persons judged to be vagrants could be compelled to work "for the best wages that can be procured." If they should "run away" from this compulsory labor, the statute ordered, "said employer shall then have the power...to work said vagrant confined with ball and chain." The bill had been in preparation for some time, and General Terry observed that in many Virginia localities white employers had already made agreements not to hire freedmen at normal wages, thus forcing wages to be depressed and providing an opportunity for the enforcement of the vagrancy statute. "The ultimate effect of the statute will be to reduce the freedmen to a condition of servitude worse than that from which they have been emancipated," Terry wrote, "a condition which will be slavery in all but its name." Nine days later he prohibited the law from being applied "to any colored person" in the territory under his authority.²⁷⁰

On April 2, 1866, a year after Richmond burned, black citizens of Richmond celebrated Liberation Day. "An immense cavalcade of black horsemen organized by fraternal orders walking together in ceremonial garb," paraded to the Capitol. The Patriarch leading the procession carried a staff on which was a gourd covered with ribands. His apron was black and gold. There was a gold stripe down his legs and a chapeau on his head, gracefully embellished with a black feather. The parade's organizers published a notice for the white citizenry:



THE FREEDMEN'S BUREAU AT RICHMOND, VIRGINIA—DRAWN BY J. B. HUNTER—(SEE PAGE 111)



After the War the Freedmen's Bureau/U.S. Christian Commission was at the Southeast Corner of Broad and 10th Streets, the current site of the General Assembly office building. In the print above, note the spire of St. Paul's Church on the right and the equestrian statue of George Washington in Capitol Square on the left. Library of Congress photo.

"The Coloured people of the City of Richmond would most respectfully inform the public that they do not intend to celebrate the failure of the Southern Confederacy, as it has been stated in the papers of this City, but simply as the day on which GOD was pleased to Liberate their long-oppressed race."²⁷¹

Under the first Reconstruction Act passed by Congress in March 1867, blacks were allowed to vote. For a brief period, from 1867-1869, they comprised a majority of Richmond's registered voters, a situation not to prevail again until a century later. In the Virginia constitutional convention of 1867-1868, blacks comprised one-third of the Republican majority, and nearly one-fourth of the total delegates. Two black delegates were from Richmond.²⁷²

The city maintained a fundamental policy of racial segregation, including separate voting places, separate insane asylums, separate cemeteries, separate public schools, and separate seating on streetcars. Blacks were not permitted in the theatre, the YMCA, or the Virginia State Library. Blacks who had organized at First African Church attempted to integrate the streetcars in April 1867, but eventually had to settle for racially segregated cars, except for black mammies accompanying white children and for white men—who could ride anywhere they wanted. Black citizens were subject to public whipping. The state penitentiary's chain gang, which worked around the city, was composed almost solely of black prisoners.

In 1867 Richmond annexed two and a half square miles of Henrico County, doubling the size of the city. The council added two new voting wards for the new territory, raising the number of wards to five. In 1870 Richmond's voting population was almost evenly split between the two races—6,868 whites and 6,220 blacks—and these were almost evenly divided in all of the five wards, with blacks having a majority in one. Black voting strength ranged from a low of 44 percent in Madison Ward to a high of 52 percent in Monroe Ward.²⁷³

In 1871 the Conservatives gained control of the city government. Almost immediately they created a new sixth ward, whose boundaries were carefully drawn to include the majority of the black population. From this point forward, blacks were able to elect representatives to the Common Council only from the new Jackson Ward. The black vote was further reduced—eventually by 2,000—by a law disqualifying from voting anyone who had been convicted of petty larceny.

Although Virginia's public school system was founded in 1869, its beginnings were slow. Throughout the latter half of the nineteenth century, whites criticized the Richmond public school system and

those with means sought to send their children to private school. The criticism resulted in significant shortfalls in funding. In the great Funder/Readjuster controversy that racked postwar Richmond, the Conservative Party took the "Funder" position, seeking to repay \$45,000,000 in prewar debt to investors rather than to fund public education fully.

The Readjusters, putting together a coalition of Republicans and black citizens, won both houses of the legislature in 1879 and the governorship in 1881. Governor Mahone abolished the poll tax as a precondition for voting, established Virginia State University, readjusted the debt, and freed money for development of schools. In 1888 the only African American to be sent to Washington by Virginia before the last decade of the twentieth century,



John Mercer Langston

John Mercer Langston, was elected to Congress from Petersburg.²⁷⁴ But the Democrats took over in 1888, and by the late 1890s, there were no blacks left in statewide office. There would be none anywhere in the commonwealth for the next fifty years.²⁷⁵

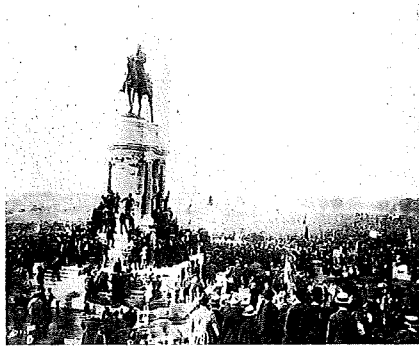
As reaction set in, constantly fueled by racial issues, Conservatives in Richmond were able to make an electoral issue in 1883 out of the appointment of two black men to the Richmond School Board. They pointed out "that most teachers were women and that the black members of the board therefore exercised direct control over white women."²⁷⁶

In 1885 the school board chair told the city council that the schools were overcrowded and underfunded, with many students able to attend only half a day. Hundreds of whites and over 1,000 blacks were, he said, "denied admission," for lack of resources.²⁷⁷ Even in 1902, the Virginia constitution mandated only four months of public education for blacks but nine for whites. In 1892 a white group sought to remove eighty-four African-American public school teachers in Richmond and replace them with whites. Another movement sought to require that only the tax revenue from black citizens be used to support the public schools of blacks.

The 1890s brought the revival of Confederate sentiment for the

"Lost Cause." Monuments in Richmond show the power of Confederate themes in that time. The first and largest of these, the Lee Monument, was unveiled on May 29, 1890. The ceremony began with a procession of 15,000 Confederate veterans leading a crowd which eventually totaled more than 100,000 from the Market at 17th and Main streets to the site on the city's western edge, accompanied by Generals Fitzhugh Lee, Joseph Johnston, James Longstreet, and Jubal Early. The *New York Times* said the statue was unveiled "in the presence of the largest and

most distinguished gathering assembled here in a quarter of a century." Addressing the crowd, Governor Philip McKinney opened the ceremony. According to the *Times* reporter, he said "that the love of the Southern people for those who fell in battle in their behalf was unconquerable, and that while there were no more loyal people to the



Unveiling of the Lee Statue on Monument Avenue on May 29, 1890.

Government under which they lived, the people of the South would never forget its gallant dead."²⁷⁸

The Lee Monument was the focus of a new real estate development, which moved the center of the city west. By 1907, statues to General J.E.B. Stuart and President Jefferson Davis had been added on Richmond's Monument Avenue. In the east, a tall column honoring Confederate soldiers and sailors was erected in 1894, facing the river at Libby Park. The new housing developments also spread out the population of the city and hastened both racial and class segregation.

The Knights of Labor attempted to organize workers in Richmond during the postwar period. But the organizational strategies of the Knights ran headlong into the racial issues of Richmond. The Knights had a nondiscriminatory policy, and sought to be true to that policy in Richmond. The white establishment opposed the Knights and made it difficult for integrated groups to meet in town. White laborers apparently supported the white investors and owners. The situation

came to a head when, in October 1886, the Knights held their national convention in Richmond. The union's top black leader was Frank J. Ferrell, a resident of New York who was a Virginia native. After several of the meetings of the organization had run into conflict because of segregated facilities in Richmond, Ferrell addressed the major plenary session. He was supposed to introduce the governor of Virginia, Fitzhugh Lee, to the gathering.²⁷⁹ Lee refused to let him do so. Ferrell then introduced Terrence V. Powderly, General Master Workman of the Knights, who introduced Lee. The Knights had little success after that in Richmond.²⁸⁰

During the 1880s the white leadership of Richmond continued to restrict black voting power, although blacks were able to muster a majority in the one gerrymandered district, Jackson Ward. During the period from 1865 to 1895, a total of twenty-five black citizens served on the city council, eighteen of them from 1880 to 1890. The city council was a larger body from which the mayor, registrar, and seven aldermen were chosen. The last term of the last black member of the city council ended in 1896. From then on, there were no black members until after the Second World War. One of the regular tactics to diminish black voting strength was to delay voters by interrogating them. Thus, thousands of black voters were still standing in line in Jackson Ward when the polls closed.²⁸¹

A new state constitution passed in 1902 was immensely effective in reducing Richmond's black vote. To illustrate its effectiveness: in 1896 there were 2,983 black voters and 789 white voters in Jackson Ward; after the new constitution was adopted, only thirty-three black voters were able to register, a reduction of ninety-nine percent. According to the constitution, sons of Confederate veterans were given the right to vote without further requirement, but a court ruled that black sons of Confederate veterans were illegitimate by definition and therefore could not vote. In 1903 Richmond abolished Jackson Ward as a separate voting district, distributing its population among several majority-white wards.²⁸²

During the latter part of the nineteenth century, with the increasing concentration of the black population in Jackson Ward, the African-American community grew significantly in its ability to support itself through its own institutions and businesses. As segregation increased,



Gov. Fitzhugh Lee

blacks increased their self-sufficiency, pooling their limited resources to build and educate.

One incident in 1890 illustrates the level of disregard for the African-American community that was exhibited by Richmond's white power structure. The city decided to extend 7th Street across Bacon's Quarter Branch to the Northside, in order to support a new suburb. Michael Chesson reports that "the street and viaduct cut through and tore up Richmond's historic black cemetery, in which many of the city's most famous slaves and free Negroes had been buried. Where the displaced remains were reinterred is still uncertain."²⁸³

Managing segregation

The 1880s were the last time, until the period following the Second World War, in which a significant black voting populace had a major impact on elections in Virginia. In the last decade of the nineteenth century, the state came under the control of the Democratic Party, representing a coalition of the white elite and white working class, with the specific exclusion of blacks. For the next three-quarters of a century the party controlled the Commonwealth of Virginia and most of its localities through an increasingly sophisticated series of strategies that maintained white power, white economic control, and racial segregation.



Harry F. Byrd

Racial segregation was both the purpose of the control and the means of control. Potentially dissident groups of whites were kept in check through the threat that a divided white electorate in the general election might enable blacks to have electoral influence.

The Virginia Machine retained its power under two leaders. The first was Thomas S. Martin, who as patriarch of the Democratic Party served in the United States Senate from 1893. When he died in 1919, his place in the party was taken by Harry Flood Byrd, who became governor in 1925 and then was elected to the U.S. Senate, where he served until 1965.

The first task was the restriction of the electorate, a process known as disenfranchisement. Virginia's white Democratic political leaders, and some white Republicans, decided that they would do whatever they

could do to take away the right to vote from black citizens. This would be done despite the U.S. Constitution's Fifteenth Amendment, passed in 1870, which declared that "the right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude." In many subsequent actions, Virginia's leaders became adept at developing strategies for racial segregation that would have the intended effect but be deniable, that is, could be represented as having some other lawful purpose.

a. Disenfranchisement

At the beginning, in Virginia's Constitutional Convention of 1901-1902, the goal of black disenfranchisement was openly stated to anyone who cared to listen. Carter Glass of Lynchburg, who later served as Woodrow Wilson's Secretary of the Treasury and subsequently as senator from Virginia until his death in 1946, was one of the leaders of the convention and suggested the eventual compromise legislation. The convention, he said, intended to produce

discrimination...within the letter of the law, and not in violation of the law.... Discrimination...is precisely what we propose; that, exactly is what this Convention was elected for—to discriminate to the very extremity of permissible action under the limitations of the federal Constitution, with a view to the elimination of every negro voter who can be gotten rid of.²⁸⁴

The amended state constitution provided three major mechanisms for restricting the vote. First was a literacy requirement: a prospective voter could be required to be "able to read any section of this Constitution submitted to him by the officers of registration and to give a reasonable explanation of the same" or simply to give the explanation if the officer read it. In addition, he would have to be able to give written answers to "any and all questions affecting his qualifications as an elector, submitted to him by the officers of registration." He could not be guilty of any crime, including petty larceny—which had been an effective means of excluding black voters for the previous three decades. And he must have paid the poll tax for the three years preceding, and to have paid it in full at least six months before the election.

The 1902 constitution had the effect of severely restricting the electorate. Not only were blacks effectively excluded, but a significant percentage of the white population also found the process for

registration too cumbersome. In the first half of the twentieth century, about ten percent of Virginia's eligible voters elected its governor every four years. One-third of these voters were either state employees or officeholders.²⁸⁵

A study of black voting patterns in Virginia in 1930 revealed the long-term success of Virginia's disenfranchisement strategies. Black voter participation in that period ranged from a low of two percent in Petersburg to a high of fourteen percent in Danville. The typical registrar would require potential black registrants to memorize required answers to questions in advance and deliver them without prompting. Whites, on the other hand, would be given a piece of paper and a pencil and led through the necessary questions. Even when the obvious discrimination of this method began to wane in the '30s, the poll tax, which required three years' back payment six months before an election, remained an effective disincentive to voting.²⁸⁶

Virginia's leaders were unabashed in their racial discrimination. The state's junior senator, Claude Swanson, addressed the United States Senate in defense of Virginia's voting restrictions. Virginia, he said, "has exercised her constitutional right to eliminate a class of ignorant, shiftless, and corrupt voters who for many years were in charge of her local, municipal, and State affairs, with the result of unspeakable impoverishment and disgrace."²⁸⁷ The acknowledged head of the party, Harry F. Byrd, had in his 1925 campaign for governor charged an ineffectual Republican opponent with wanting to restore the franchise of 700,000 black citizens, an idea which the white Republican could not have put forward. The patriarch solemnly promised to anyone who would hear that Virginians "will never again enthrone the negro as the arbiter of our political destiny by giving him the balance of power."²⁸⁸

b. One-party rule

Fortified by the restriction of the electorate, in 1905 the Democratic Party instituted a primary election process. This Democratic primary was essentially a private election; no blacks were permitted to vote in it. The process allowed the white community to work out any differences it might have before facing any enemy that might put together a coalition of white dissenters and African Americans.

The party developed its power through the appointment of various officers at the courthouse of every county, a power that gave it control over patronage, school boards, judges, taxation, and law enforcement.

When in 1927 the U.S. Supreme Court ruled against racially segregated party primaries, 500 black citizens of Richmond petitioned the court to take part in a primary election for mayor. By the time all appeals were exhausted, the election was long past. Blacks had won the point, but their ability to participate in party primaries was severely restricted for another twenty-five years through other strategies.

The one-party system of the Democrats, managed first by Thomas Martin and later by Harry Byrd, was so successful that the machine essentially picked the governor of Virginia for seventy-two years, from 1893 until 1965. Finally, in 1969, A. Linwood Holton, a moderate Republican, was elected governor.

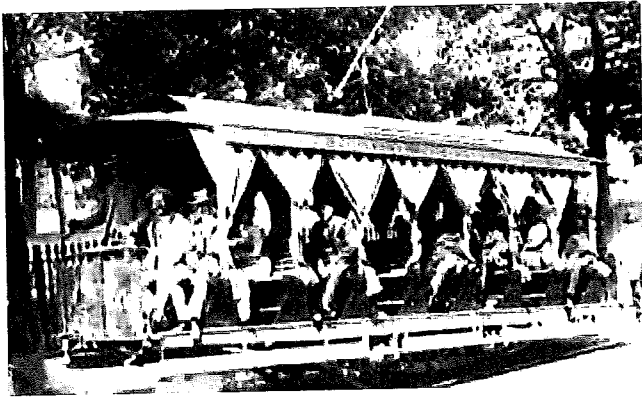
By the first decade of the twentieth century, Richmond's white community had invested in a panoply of segregationist legislation and practice that isolated African Americans from the major public institutions. But the process did not end there. It continued, in more and more sophisticated form, through the next four decades until, following the Second World War, new situations pointed to new methodologies. J. Douglas Smith, whose book *Managing White Supremacy* is the most comprehensive study available, states simply, "The most significant of Virginia's Jim Crow statutes were adopted not in the 1900s and 1910s but in the 1920s and 1930s."²⁸⁹

c. Transportation

The first classic Jim Crow law in Virginia, passed in 1900, required that there be separate cars for blacks and whites on railroads. The U.S. Supreme Court's 1896 decision in *Plessy v. Ferguson* had legitimized the concept of separate but equal, and Virginians seized upon the opportunity. The General Assembly followed up with a 1904 law permitting the segregation of streetcars.

Richmond's Virginia Passenger and Power Company decided to enforce segregated seating on its cars. Richmond's black community reacted with a streetcar boycott that lasted almost a year before giving out. John Mitchell, editor of the *Richmond Planet*, said, "Let us walk. A people who willingly accept discrimination...are not sufficiently advanced to be entitled to the liberties of a free people."²⁹⁰ In 1906 the General Assembly made streetcar segregation mandatory.

The 1919 Code of Virginia stated the prohibition explicitly and comprehensively: "There shall be a complete separation of white and colored passengers upon all urban, interurban and suburban electric railways, and...the conductor or other person in charge of an electric street car shall have the right to require any passenger to change his or



On February 2, 1888, Richmond became the first city in the world to have a functioning electric-powered streetcar system, designed by Frank Sprague. In 1906 the Virginia General Assembly required that Richmond's streetcars be segregated by race. Picture of Sprague's streetcar courtesy Shore Line Trolley Museum, East Haven, Conn.

her seat as often as it may be necessary or proper." A 1930 amendment added buses to the list, although the practice was already firmly established. No specific law required that whites sit in the front and blacks in the back; it was, however, a firm custom that was enforced by the courts.

d. Residential segregation

For many freed black persons, the issue was not where they would live, but whether or not they would have a place to live. At no point in the entire period following the Civil War did Richmond, Virginia, or the United States of America attempt to deal with the lack of property or land in the hands of freed African Americans. No compensation or back wages were provided by persons who had used their labor for free, no credit given for years served. Freed slaves were free to fend for themselves, and if possible, to avoid arrest or conviction for vagrancy.

Residential neighborhoods were segregated by custom and cost long before there was any specific legislation requiring it; but as the twentieth century began, white leaders began to write down these codes. In 1911 Richmond City Council passed what a Richmond historian calls "the most elaborate and comprehensive racial zoning code in the nation, the first major attempt to control property values using government power to separate racial groups."²⁹¹

The law was declared unconstitutional by the U.S. Supreme Court in 1917,²⁹² but this did not daunt Richmond's white leaders. During the 1920s various schemes were used to encourage segregation of neighborhoods, and in 1929 the city passed an ordinance that required it. At the suggestion of undertaker and alderman Henry W. Woody, the new ordinance said that persons whom the state prohibited from marrying could not live next to each other, and Virginia's miscegenation law prohibited marriage between black and white individuals. The ordinance was passed unanimously by the council and aldermen, and by Mayor J. Fulmer Bright. The U.S. Supreme Court voided it in 1930. Segregated housing determined housing quality; a federal official called housing for Richmond blacks "disgraceful, inhuman, pestilential, and in a civic sense entirely too costly to be tolerated by the people of this city."²⁹³

When the Federal Housing Administration (FHA) began in the mid 1930s to establish mechanisms to prevent widespread foreclosures and facilitate home mortgages, the federal Home Owners' Loan Corporation (HOLC) was asked to grade the neighborhoods of more than two hundred American cities for their creditworthiness. The neighborhoods were graded from A to D, and each letter was assigned a color. D neighborhoods were colored red, having "detrimental influences in a pronounced degree." The FHA and HOLC severely discouraged mortgage lending in these "redlined" neighborhoods. Race was one of the major criteria used to delineate between neighborhoods, so it was hardly surprising that every single African-American neighborhood in Richmond was given a D rating and redlined for mortgages.²⁹⁴ The Federal Home Mortgage Disclosure Act (1975) and Community Reinvestment Act (1977) officially reversed the discriminatory policies, but they persisted locally. In 1980, the Richmond Urban Institute published a detailed study on bank and mortgage redlining in Richmond, indicating a severe disparity in mortgage activity between black and white neighborhoods. All of the major Richmond banks appeared to be guilty of redlining. On the strength of the study, a community group, Richmond United Neighborhoods, officially challenged federal approval of the proposed merger of First & Merchants Bank of Richmond and Virginia National Bank. The challenge was dropped when the new bank entered a consent agreement with federal regulators to remedy the situation.²⁹⁵

Covenants restricting sale by race were common; one of the best-known examples was that of the town of Colonial Heights, south of Richmond, which was established as an all-white enclave on the edge of Petersburg. "Racial steering" and "blockbusting," a process under which

ousing values in a "white neighborhood" were artificially depressed by real estate speculators who moved a black family in, were common until the 1970s in Richmond, and probably still continue today. In 1968 the Federal Fair Housing Act was passed, making racially restrictive covenants illegal in real estate, and in 1971 Richmonders founded Housing Opportunities Made Equal (HOME) of Virginia, which began challenging segregated sale and rental policies.²⁹⁶

. Miscegenation and Marriage

One of the most insidious weapons in Virginia's arsenal of segregation was that of the state Bureau of Vital Statistics. Armed with the Racial Integrity Act passed by the General Assembly in 1924, V.A. Plecker, registrar of the bureau, functioned as an advocate of the eugenics movement. Criticized by the National Association for the Advancement of Colored People (NAACP), he defended the new state anti-miscegenation law and his pamphlet entitled "Eugenics in Relation to the New Family." "We shall continue to educate against miscegenation and the mixture of negro blood with the white race in Virginia and elsewhere," he told the *Richmond Times-Dispatch* in 1925.²⁹⁷

The Racial Integrity Act required the state registrar of vital statistics to "prepare a form [listing] the racial composition of any individual, as Caucasian, negro, Mongolian, American Indian, Asiatic Indian, Malay, or any mixture thereof, or any other non-Caucasic strains, and if there be any mixture, then the racial composition of the parents and other ancestors, in so far as ascertainable, so as to show in what generation such mixture occurred."

The form would be used for all persons who were born after the passage of the law, for anyone who wished to correct their own form with the state, and for anyone who wished to be married. "It shall hereafter be unlawful," the act continued,

for any white person in this State to marry any save a white person, or a person with no other admixture of blood than white and American Indian. For the purpose of this act, the term "white person" shall apply only to the person who has no trace whatsoever of any blood other than Caucasian; but persons who have one-sixteenth or less of the blood of the American Indian and have no other non-Caucasic blood shall be deemed to be white persons.

Intermarriage was a felony. The exception for Indian blood was made specifically for any white Virginians who claimed descent from

Thomas Rolfe, the son of Pocahontas and John Rolfe.

In 1930 the revised Racial Integrity Act made another exception: if a person were one-fourth Indian and less than one-sixteenth black, he or she could be classified as an Indian if living on a reservation. This meant that a brother and sister of the same parents who lived in different places could be classified as different races.

Plecker insisted throughout his tenure that Virginia Indians should not be considered a separate race, but that they were all partly, and therefore legally, black. He and his fellow zealots also worked with the Virginia state Board of Censors to censor movies that dealt with racial themes.

Another adjunct of the movement was involuntary sterilization. Beginning in 1924, "for nearly 50 years, the Commonwealth of Virginia sterilized thousands of individuals, white and black, deemed feeble-minded, insane, or prone to criminal behavior."²⁹⁸

f. Education

Although Virginia had committed itself to public education in 1870, the schools were always segregated by race and there was neither public policy nor intention that the black and white schools would be equal in quality. Richard Gustavus Forrester, one of Richmond's most prominent non-white citizens in the postwar period, served on the city council from 1871-1882, and from 1881-2 was also allowed to serve on the school board. During that year he was able to help to hire some black teachers and improve some of the black schools.²⁹⁹ Still, a 1919 study documented significant instances of inequality in the black schools, among which were overcrowding, inadequate facilities, low teacher pay, and abbreviated school years. In 1925, the average total expenditure in a public school in Virginia was \$40.27 for a white student and \$10.47 for a black student.³⁰⁰

Often, there was not enough space in the cramped Negro schools. One year, Richmond simply did not enroll two hundred black students because there was no room. Before 1933 the Richmond School Board refused to hire black principals in black schools.

Black teachers had some success in the 1930s toward equalizing teachers' salaries. In 1930 state superintendent of schools Harris Hart declared a new pay scale: white teachers would receive \$60 per month plus up to \$50 extra based on their qualifications; black teachers would receive \$45 per month and up to \$25 extra based on their qualifications. In 1938 a black Norfolk school teacher, Aline Black, sued for equalization of her salary. The court ruled against her and, although

blacks." Mayor J. Fulmer Bright was elected in 1924 on a platform that specified that there would be "no Negroes on the city payrolls—city jobs for hard working white men." The only blacks employed by the city would be black teachers in black schools.³⁰⁴

h. Public assemblages

After a white woman attending a dance performance at Hampton University was not given a seat separated from black persons in the audience, she complained to her newspaper editor husband, and the fracas eventuated in 1926 in a specific law about public gatherings in Virginia. The bill required "the separation of white and colored persons at public halls, theaters, opera houses, motion picture shows and places of public entertainment and public assemblages."

i. Public facilities

Recreational facilities were segregated, but Richmond refused to provide adequate recreational facilities for blacks. Some alleviation of the problem was provided in the 1920s by private contributions from white people. When it was suggested that Clark Springs Playground, in the black West End, be turned over to blacks, the Hollywood Memorial Association complained because they felt it would dishonor the Confederate dead in neighboring Hollywood Cemetery.³⁰⁵

In 1939 Samuel Tucker, an African-American attorney, later of the pioneering Richmond firm Hill, Tucker and Marsh, filed a suit in his native Alexandria on behalf of black students who were not allowed into the city public library. Tucker had gone to high school in Washington, because Alexandria had not provided a high school for black students. On August 21, 1939, five students held a sit-down strike at the library and were arrested. The young white city attorney upholding segregation was Armistead Boothe, later a Tucker ally in Virginia's civil rights battles. The judge eventually held in favor of the students. Two days later the city announced it would open a separate library for blacks.³⁰⁶

j. Anti-lynching

The Byrd machine boasted of its anti-lynching law as an example of its progressive racial stance. It was the strongest anti-lynching law in the South, making lynching a state crime, and was passed in 1928. Fewer African Americans had been killed by mobs in Virginia than any other Southern state—about seventy or more from 1880 to 1930. The horrible event usually had to do with some allegation about a black man and a white woman. The law seems to have had some effect in discouraging lynching,

but it was never invoked in a case involving the murder of a black person.

k. Racial invective

The first three decades of the twentieth century saw the full development in Virginia of rhetoric by white politicians seeking to use race to defeat their opponent. The Virginia version of the 1928 presidential election featured race as a major theme. Each side called the other a "threat to white supremacy." One well-known white leader, who had become a progressive force by midcentury, entered politics in Virginia talking race in a congressional campaign in a 1936 Tidewater election. His printed circular called his opponent "a nigger lover." "If you vote for [him], niggers will be teaching your children soon." Paradoxically—or perhaps not—he also bought black votes. Despite the rhetoric and insults, these developments meant that blacks in Virginia were beginning to be a political force.

l. Higher education

Virginia did not provide graduate school for African Americans in the first half of the twentieth century. In 1935 Alice Jackson, whose father was a druggist in Richmond, wanted to study French at the University of Virginia (UVA). Ms. Jackson was a graduate of Virginia Union University and a graduate student at Smith College in Northampton, Massachusetts. However, UVA denied her admission. Fearing a court ruling that would abolish the racial segregation of their graduate schools, state officials developed a two-part alternative strategy. First, they started a graduate program at all-black Virginia State College (now University). Second, in March 1936, they passed the Educational Equality Act, offering tuition grants to black persons to pursue graduate study out of state. In 1936 Ms. Jackson was one of the first thirty students to participate in the out-of-state program.

The issue of opening graduate schools to blacks in Virginia was a sensitive one for Virginia's leaders. Virginius Dabney, editor of the *Richmond Times-Dispatch*, warned of the danger that loomed before them: "Any effort to force the abolition of segregation, over the protest of a strongly hostile white South, is bound to do far more harm than good to the Negro. If I were a Negro, I should wish the system done away with, but I hope I should have the intelligence to realize that no lasting benefit would result, so long as the great majority of white southerners were ranged in opposition."³⁰⁷ The issue, he wrote, was "whether the South's system of segregated education is to be destroyed from top to bottom, and both races mingled indiscriminately all the way from the

elementary grades to the graduate and professional schools."³⁰⁸

Virginia's segregation of graduate schools lasted into the second half of the twentieth century. Both Henry L. Marsh, Richmond's first African-American mayor, and L. Douglas Wilder, who when he was elected Governor of Virginia was the first African American ever elected governor of a state, attended Howard University Law School in Washington, D.C., because they were not allowed to be admitted to a law school operated by the Commonwealth of Virginia. Both graduated from Howard in 1959.

The segregationist edifice erected in the first half of the twentieth century did not ultimately survive the social and economic explosions that followed the Second World War. Richmond and Virginia changed rapidly in the period from 1950 to 2000. But the shape of the changes in the second half of the century was deeply affected by the segregated foundation laid in the first half of the century. The troubles that still afflict the culture of metropolitan Richmond have their roots in problems long denied, changes not attempted, prophecy unheeded, injustice unacknowledged.

8

Massive Resistance and Resegregation

1955-1972

The twenty-five years following the Second World War were in many ways as momentous for Richmond as the period of the American Revolution and the time of the Civil War. By 1971 the city of Richmond had become just one of eight jurisdictions in a growing multijurisdictional city.³⁰⁹ Over two decades, more by disingenuousness and default than by design, the Virginia General Assembly had developed an urban policy that created fragmented metropolitan cities separated into nonrelated segments, without any common land use control, zoning, taxation, or transportation. In the case of several of the new metropolitan cities—most notably Richmond, Petersburg, Norfolk, Charlottesville, Fredericksburg, and Roanoke—the fragmentation masked a very sophisticated form of racial and class segregation.

Richmond was the oldest jurisdiction in its growing metropolitan city. Its infrastructure was decaying, its bonding capacity was exhausted, and there was no new land for development or expansion. The metropolitan city sprawled outward until this small, oldest jurisdiction (the "city of Richmond") had less than three percent of the land. Alone among the major jurisdictions, it had a majority black voting population and African-American leadership, but it also had all the public housing and nearly fifty percent of the poverty, an unemployment rate probably over twenty percent,³¹⁰ a median household income half that of the remainder of the metropolitan city, and a public school system in which seventy-five percent of the students qualified for free or reduced price lunch. Alone among the major fragments of the metropolitan city, Richmond was subject to special state controls not exercised over the surrounding counties, and special funding relationships which diminished state responsibility for both capital and operating expenses.

The story of Richmond's evolution is intertwined inexorably with

the dramatic developments that occurred in Richmond after the Second World War. The developments were urban renewal, racial integration of public schools, and the realignment of the structures of government. They occurred against the backdrop of massive suburban expansion driven in every American city by postwar affluence, technological development, and highway construction.

Urban renewal

The urban renewal movement in America was in its infancy when the Second World War began. In 1940, with the authorization of the General Assembly of Virginia, the city created the Richmond Housing Authority as a quasi-governmental agency, with the right to condemn property and issue bonds to construct housing.

From the very beginning, urban renewal focused on "blighted Negro housing." By this was meant the black neighborhoods of town. The white leaders began with the group of neighborhoods into which Richmond blacks had been forced in the decade immediately following the Civil War. Those neighborhoods, including those in Jackson Ward, had begun as the place of refuge and had become the center of the independent black economy that had grown up in Richmond in the first half of the twentieth century. Beginning with the establishment of the housing authority, white Richmond tore down Jackson Ward block by block until, by 1980, only a small portion of the original sanctuary remained.

Housing in Richmond was segregated by race and by neighborhood until well after the Second World War. Until 1964 the housing authority designated public housing projects by race. After 1964 the designation was effectively enforced by custom. Prior to that year, the Federal Housing Administration would not insure any mortgages or loans for housing that was not racially homogeneous.

In 1941, the housing authority took its first bite out of Jackson Ward. In a section on the north side, adjacent to the St. Luke Penny Savings Bank which pioneering black entrepreneur Maggie Walker had founded in 1903, the city demolished the neighborhood called Apostle Town, nearly 200 houses, and built 297 units of public housing. Only twenty-five of the 576 applications for the new project, called Gilpin Court, were from families that had formerly lived in Apostle Town.³¹¹

In 1946 the city adopted its first master plan, drawn up by the national consulting firm of Harland Bartholomew & Associates. In 1948 voters approved a new city charter, which was in turn approved by the General Assembly, establishing a nine-member city council

elected at large, and a city manager to run the city. These two decisions gave the white majority the ability to prosecute what was known as a "progressive" urban agenda that focused heavily on urban renewal.³¹²

Over the next thirty-five years, in the name of urban renewal, the city council pursued a plan that destroyed or invaded every major black neighborhood in the city. The neighborhoods included Apostle Town, Jackson Ward, and Navy Hill in the north; 17th Street, portions of Church Hill, and Fulton in the east; Oak Grove and Blackwell in the south; and the black West End ("Randolph"), Penitentiary Bottom, and Carver in the west. The preferred method was "clearance" of entire areas and the construction of new public housing projects. "Detailed studies will be made of city records to determine areas of tax delinquency, lowest assessment and revenue production, areas where normal growth is impeded by slum conditions, and finally those slum areas most attractive to private developers," the *Richmond Times Dispatch* stated prophetically in 1950.³¹³

Residents displaced by the process were given several hundred dollars to help them move, but no other support for relocation. They were given priority for application to the new projects, but many found these unattractive or socially demeaning. The result of the massive clearance was the destruction of most major black neighborhoods. In the decade of the '50s, the city destroyed 4,700 units of housing in black neighborhoods and replaced them with 1,736 units of public housing.³¹⁴ Those who could pushed outward from the destruction into formerly all-white neighborhoods. White and black realtors collaborated either overtly or coincidentally in "blockbusting" and turning these neighborhoods from white to black. Many displaced white residents were then sold housing being developed in the newly adjacent, racially segregated suburbs in adjoining counties.

A tacit, but identifiable, record of these social movements can be found in the histories of the location of dozens of white and black churches in Richmond. First African Baptist Church, for example, which began in 1841 at Broad and East 13th streets, followed its congregation to Northside, where it purchased a building formerly owned by a white congregation. Overbrook Presbyterian Church, a white congregation located on Overbrook Road in Northside, followed its members to a new church building on Lakeside Avenue in adjacent Henrico County, and a new interracial Presbyterian congregation, All Souls', took the old building. In 1959 St. Philip's Episcopal Church, an African-American congregation, moved from St. James' and Leigh in Jackson Ward to 2900 Hanes Avenue in Northside, displacing Epiphany, a white congregation,

which moved to suburban Lakeside. Between 1950 and 1960, the population of the city of Richmond actually decreased by 10,000 persons. During that decade, the population immediately across the city line in Henrico County doubled, from 57,340 in 1950 to 117,339 in 1960.³¹⁵

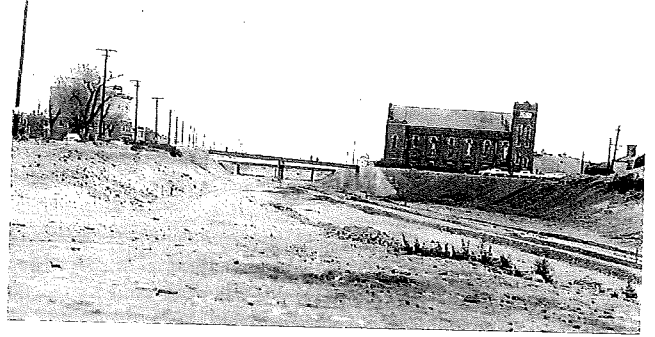
The "clearance areas" were not used solely, or even primarily, for housing, however. The new public housing projects compressed residents into a much smaller area. Newly cleared land was used to construct broad, divided urban boulevards to provide rapid access from the new suburbs in the counties; new civic projects such as the Richmond Coliseum; and, in the case of the 17th Street bottom and Fulton bottom, new industrial sites for economic development.

It was the building of the Richmond-Petersburg Turnpike, now part of I-95, which inaugurated the wholesale destruction of Richmond's largest, most historic, and most prestigious black community, Jackson Ward. Initially proposed immediately after the war in 1946 by the consulting firm R. Stuart Royer and Associates, the turnpike was endorsed by two other consultants but rejected in two public referenda. The city council and business leadership turned to the Virginia General Assembly, in which there was no black representation, to override citizen opposition. In April, 1954 the General Assembly obliged by creating the Richmond-Petersburg Turnpike Authority and giving it the power of eminent domain. Four months later the new Authority announced the highway would be built through Jackson Ward.³¹⁶

For eight years the consultants had insisted that the highway must be built next to the Central Business District, presumably to keep middle and upper-middle income whites engaged in the central city economy. Royer's report said that the housing for hundreds of families which would be destroyed in Jackson Ward "offers no serious obstacle to a highway location." In fact, the expressway would be "a great improvement to the surrounding area...upon which to face needed rebuilding projects." The consultants continued, "An incentive is needed...in these districts to encourage repair and rebuilding activities."³¹⁷

As many as 1,000 homes of African Americans lay in the path of the proposed expressway. Residents of Jackson Ward, who were not represented in the City Council or on the Richmond-Petersburg Turnpike Authority, were powerless to stop the destruction of their historic neighborhood. The expressway cut a barrier canyon the width of a city block through the middle of the neighborhood, from east to west, separating half of it from the center city, eliminating pedestrian pathways, and blocking thirty-one streets.

When the project began, the *Richmond Times-Dispatch* gushed with civic enthusiasm. "The project will change the city's appearance," the white-owned and -staffed newspaper crowed, "as bulldozers and wrecking crews push aside scores of dwellings and businesses to make way for the ribbons of concrete to follow.... Unfortunately, the demolition of scores of dwellings and business places will create difficult problems for some of the persons involved. This is not the first time, nor will it be the last, when individual citizens must be inconvenienced for the good of the community."³¹⁸ Property records archived in the basement of City



The Richmond-Petersburg Turnpike cut a trench one block wide and eighteen blocks long through Jackson Ward, destroying nearly 1000 homes in the historic center of Richmond's African American community. The highway avoided Sixth Mount Zion Church (top picture and arrow in bottom picture), the only surviving building on the north side of Duval Street. Top picture, taken November 3, 1957, is reprinted from the Richmond Times-Dispatch by permission.



Crowd gathers at the Broad Street interchange for opening ceremonies of the Richmond Petersburg Turnpike, now I-95, in Shockoe Valley on June 30, 1958. Richmond Times-Dispatch photo reprinted by permission.

Hall, searched in preparation for seizure and demolition by the state, bore a detailed history of Richmond's black community, the names of many of Richmond's most prominent black families.

The neighborhood's only victory was the rescue of historic Sixth Mount Zion Baptist Church, established on that site in 1867 when Rev. John Jasper and the congregation purchased a building from white Presbyterians. Renovated in 1887 at the direction of black architect George Boyd, the church held 1,400 worshipers. Highway authorities suggested to the congregation that the church could be moved, or that it could be demolished and reconstructed. But eventually the church was preserved, the only building remaining on the north side of Duval Street. A retaining wall held the steep bank below as the turnpike broke its straight line to miss the church's foundation by a few yards.

Jackson Ward was cut in half, effectively destroyed as the center of the black community in Richmond. Sixth Mount Zion lost one thousand members. Other churches and businesses left the neighborhood. But church members and others still recall the solid and constant pressure of the entire black community to save the church; and they smile at the story of church secretary Cerelia Johnson working dutifully as an elevator operator at city hall, reporting daily to the Pastor, Dr. A. W. Brown, about the latest plans being discussed in the halls of power.³⁰⁹

The turnpike opened in 1958. The Bartholomew plan was not finished with Jackson Ward, however. Through the 1960s, further condemnation proceedings were carried out by the Richmond Housing Authority to

provide land for the Richmond Coliseum, completed in 1971, and for the expansion of the Medical College of Virginia (VCU). What remained of the historic neighborhood of Navy Hill, where one of the earliest black schools in Richmond had flourished and community leader Maggie Lena Walker had taught, was seized upon by planners as the ideal site for the new Interstate 64 to enter the new north core development around the coliseum. Remaining portions of that seizure have become the Virginia BioTechnology Park and, in 2008, the new research facility for Altria/Philip Morris. No building from the Navy Hill neighborhood remains.

New public housing was built for blacks in the Near West End and south of the river, in Manchester. But the great majority of the new public housing was concentrated in the East End of Richmond, in Church Hill. Five projects—Creighton Court (1952), Fairfield Court (1958), Whitcomb Court (1958), Mosby Court East (1962), and Mosby Court West (1962)—were built within one mile of each other. Not coincidentally, most of these projects were built during the period of court-ordered desegregation, when a major strategy of Southern resistance was the attempt to promote neighborhood schools as a way of maintaining racial segregation.

To serve the five new projects, in September 1964, Richmond opened its newest and largest school. Located in the center of Mosby Court, on a 30-acre site made available by extensive neighborhood clearance, the new Mosby School was designed to hold 1,500 junior high school students and 1,000 elementary school students. All of metropolitan Richmond's public housing projects were built within three miles of the center of Richmond. Richmond developed what is now the sixth highest concentration of public housing among cities over 200,000 in population. [Chart 1, see page 188]

In the mid-1970's, the Church Hill Area Revitalization Team (CHART), a community group in Church Hill, uncovered a long-standing joint city-state plan to demolish the remaining center of Jackson Ward and the center of Church Hill for a new, six-lane divided highway which would connect Eastern Henrico with the western portion of the city. The city had announced that it was involving Church Hill residents in the design of a new bridge across Shockoe Valley to replace the two-lane Marshall Street viaduct, used extensively by pedestrians, and connect Church Hill to Jackson Ward. Residents were surprised when they discovered that the neighborhood bridge they had thought they helped to plan was actually a six-lane facility designed for higher speed traffic. Strangely, the bridge ended in Church Hill in a confused network of narrow cobblestone streets. On the other end, once it passed the coliseum in a six-lane, bi-level configuration, it ended suddenly in

the relatively narrow passage of Leigh Street through what had been the center of black life in Richmond: the hotels, the churches, funeral homes, schools, and Maggie Walker's House.

CHART, led by community activist James Elam, discovered the bridge was actually the centerpiece of yet another downtown by-pass planned by state legislators and the Virginia Department of Highways. On its west end, the road was designed to travel through the Leigh Street Corridor, demolishing the historic buildings on at least one side of the street and dissecting the fragment that remained of the once-vital center of Jackson Ward. On the other end, it would cut through a neighborhood of single family homes in the center of Church Hill, creating a wide barrier of traffic and concrete separating all of the newly erected public housing projects from the revitalizing historic district to the south. Richmond's five major public housing projects would thus be completely fenced in by limited access superhighways.

An artifact of white control and the supremacy of the state government over the city, the plan received no support from the new black-majority City Council, and the identification of the Maggie Walker House in Jackson Ward as a national landmark brought federal involvement to the preservation of the Leigh Street corridor. The project was officially abandoned.

In 1966, the Richmond Metropolitan Authority was formed. It was given the power of eminent domain to build a toll road for commuters from the white West End of Richmond and the new western suburbs of Chesterfield County. This "downtown expressway" was driven through a lower-income white neighborhood and through the established black West End of Richmond, displacing more than 1,000 households. Over the next twenty years, the housing authority built homes for purchase by low- and moderate-income persons on some of the cleared land not used by the expressway. In the center of the city, the expressway completely obliterated the historic Penitentiary Bottom neighborhood.

The last clearance and "neighborhood revitalization" project undertaken in Richmond under federal urban renewal policy was in Fulton Bottom. The total demolition of Fulton's 2,800-person multigenerational neighborhood began in 1970 and was completed in 1973. By this time, the federal government required relocation payments to persons whose houses were bulldozed, and many members of the community found housing elsewhere. Funding for rebuilding Fulton was delayed for a decade, and rebuilding was still not completed in 2011. Although many hearings were held before the final Fulton plan was announced, the citizens of Fulton had little effect upon its basic shape.

The plan reserved a majority of Fulton's 370 acres for industrial sites, an industrial boulevard, and flood control; called for the demolition of every single building; and relocated most of the major streets. Although residents had been promised that their community would be rebuilt, by the time housing began to reappear in Fulton the community had been dispersed so fully that it could not be reconvened.

Richmond's urban renewal policy was carried out by the white establishment with little participation or input from the African-American community. Among the major public reasons given for the policy were these:

- It would clear "slums" and provide poor citizens with new housing. The city thereby claimed to be accepting responsibility to help alleviate the poor housing of the black community.
- It would build modern roadways, giving Richmond a proper transportation network for the growing automobile-centered culture.
- It would make available a significant number of sites for public facilities and upgraded economic development.
- It would remove unsightly and dilapidated structures to "improve" the quality of the city.
- In the case of Fulton bottom, it would provide flood control.

Whether or not they were intentional, the results of the policy were these:

- Virtually all the long-term black neighborhoods were destroyed or mutilated.
- Low-income persons, all black, were crowded together in eight concentrated public housing "courts," which rapidly became problems in themselves.³²⁰
- The white establishment took the land of African Americans to build its new highways, its new public facilities, its new professional employment centers, and its new industrial sites.
- The displacement of black citizens caused by the clearance projects hastened white and middle-class flight from the city's inner suburbs, and contributed to the building up of new white suburbs in bordering jurisdictions.
- The new expressways became commuter roads enabling suburbanites, who no longer contributed to the tax base of the city, to live and educate their children in one jurisdiction and work in another.

Harland Bartholomew produced three plans for Richmond, in 1941, 1956, and 1961. The plans, carried out over a forty-year period, had the effect of clustering low-income persons, who because of slavery and segregation were mostly black, in the central jurisdiction of metropolitan Richmond, while at the same time severely disintegrating the social structure of the African-American community.

In virtually every instance the plans and their projects were carried out by leaders of the white power structure of the Richmond community without the agreement of the affected population, which was largely African American, and often without the consent of working-class white citizens as well. In at least two situations when the majority of the population would not give permission, the ruling group got the Virginia General Assembly, which was controlled by the state's white power structure, to override the citizens.

Massive Resistance

On April 23, 1951, sixteen-year-old Barbara Johns led 450 students at Moton High School in Farmville, Virginia, out of school to begin a two-week protest of the school board's refusal to provide separate but equal facilities for education in Prince Edward County. Within several weeks, Richmond civil rights attorney Oliver W. Hill had entered a suit, *Davis v. Prince Edward*, on behalf of the Farmville students. That suit became one of the five cases consolidated into the Supreme Court's 1954 decision in *Brown v. Board of Education* that "separate but equal" educational facilities were "inherently unequal."³²¹

In the two years after the Farmville students' suit was filed, Virginia made efforts to improve educational facilities for black children, at least in appearance. The state Board of Education asked the General Assembly to appropriate \$40 million in August 1953 for this purpose,³²² but the improvements within the city of Richmond were mostly cosmetic.

Richmond had just appointed its first black member to its school board, after a three-year fight. When a member of the board died in 1950, citizens had petitioned the mayor and council to appoint attorney Oliver Hill, who was African American, to the vacancy. They refused, and instead appointed Lewis F. Powell, a white lawyer who subsequently served as school board chair from 1952 to 1961. In 1953 Booker Bradshaw was chosen by the council as the board's first black member.

Richmond and Virginia responded to the U.S. Supreme Court's decision in *Brown v. Board of Education* on May 17, 1954, with what soon became near-hysterical opposition. From that time until jurisdictional

segregation was achieved in the early 1970s, the state legislature was almost totally preoccupied with strategies to retain a society in which schoolchildren remained segregated by race. Legislative policies affecting every aspect of life were tested for their effect on the single goal of preserving racial segregation. In 1954 public facilities, employment, housing, and commerce were still largely segregated in Richmond. Redlining by banks and insurance companies had not been challenged, nor had the major open housing efforts begun.

Virginia Governor Thomas Stanley's immediate response to *Brown* was to appoint, in August 1954, a commission chaired by state Senator Garland Gray to make recommendations. In November 1955, the Gray Commission recommended three strategies to prevent or delay racial integration of the public schools:

- Repeal of the state's compulsory attendance law, so that no one would be forced to attend a racially integrated school;
- Provision for state tuition grants to private schools for any child, presumably white, who might otherwise have to go to a racially integrated school; and
- Establishment of a state Pupil Placement Board to review the application of any black student requesting to go to a school other than the one to which he or she was assigned.

Meanwhile, on May 31, 1955, the Supreme Court had handed down the second part of its decision in *Brown*, saying that integration of the schools must proceed with "all deliberate speed." The mood of opposition in Virginia and the rest of the South escalated. On February 24, 1956, the patriarch of Virginia's political machine, Senator Harry F. Byrd, proclaimed what became the mantra of Virginia's fight against racial integration of the schools: "If we can organize the Southern States for *massive resistance* to this order," Byrd said, "I think that in time the rest of the country will realize that racial integration is not going to be accepted in the South."³²³

James J. Kilpatrick, editor of the *Richmond News Leader*, became the journalistic leader of the movement for Massive Resistance, and called for "Interposition" of the power of the state between the localities and the federal government. The Virginia General Assembly passed a resolution proclaiming its right to reject federal law.

On August 27, 1956, Governor Stanley convened a special session of the General Assembly. This session passed thirteen bills. The most significant of those required that the state close any public school

to which a child of another race was ordered admitted by the court. "Such school is closed and removed from the public school system," the legislation declared.³²⁴ Seven of the bills were aimed at making the NAACP illegal in Virginia. The legislation created a state Pupil Placement Board, which was to oversee any applications for individuals to attend a school other than the one to which they were assigned.

"Leading the extremist majority," recalled journalist Benjamin Muse, "and riding on top of the emotional wave, were some of the most potent figures" in the political organization of Virginia's Senator Harry F. Byrd, which controlled state politics. Byrd's chief lieutenant was state senator Mills E. Godwin, whom Muse called "chairman of the massive resistance team."³²⁵

"Integration is the key which opens the door to the inevitable destruction of our free public schools," Godwin proclaimed. "Integration, however slight, anywhere in Virginia would be a cancer eating at the very life blood of our public school system."³²⁶ Godwin was later elected governor of Virginia twice, helping to lead a significant portion of the remnant of the Byrd machine into Virginia's Republican Party when he ran for a second term.³²⁷

The Assembly, under Godwin's leadership, resolved that racial integration should not take place anywhere in the state, even where localities desired it, and decided to take immediate disciplinary action against Arlington County. Arlington had obtained special permission from the legislature in 1948 to elect its own five-member school board, becoming the first locality in Virginia to do so. All other school boards were appointed by "school trustee electoral boards," which were in turn appointed by judges, who were in turn appointed by the Byrd machine's General Assembly. But when, in January 1956, Arlington's elected school board announced a plan to integrate its schools in voluntary compliance with the Supreme Court decision, the Assembly eliminated the county's elected school board and passed a law authorizing the county Board of Supervisors, controlled at the time by opponents of integration, to appoint a new and compliant school board.³²⁸

In November 1957, J. Lindsay Almond, who had secured the approval of Senator Byrd to be the next Democratic governor, was elected on a platform of defiance to racial integration. "We will oppose with every faculty at our command, and with every ounce of our energy, the attempt being made to mix the white and Negro races in our classrooms," Almond intoned. "Let there be no misunderstanding, no weasel words, on this point: we dedicate our every capacity to preserve segregation in the schools."³²⁹

As 1958 began, the confrontation between Virginia and its localities and the integration orders from federal courts was coming to a head. Governor Almond proclaimed the policy of Virginia's white leadership in his inaugural address on January 11: "Against these massive attacks we must mount a massive resistance," he said.

Because public schools in Front Royal, Charlottesville, and Norfolk were under federal court order to integrate, they were closed by the state. By the end of September 1958, 12,700 Virginia children were out of school. Arlington was due to integrate in February. Six

black children had applied to previously all-white schools in Richmond—Nathaniel Bacon in the East End and Westhampton in the West End—but no firm court order had yet been issued. The *Richmond News Leader* called on its editorial page for support of private education to counter what it called the "evils of race mixing."

Meanwhile, the law closing the public schools in four Virginia localities had been challenged in both the U.S. District Court for the Eastern District of Virginia (in Norfolk) and the Supreme Court of Virginia.³³⁰ The Norfolk case was the only case in the South where the plaintiffs asking the court to order racial integration were white. The judges of the state and federal courts consulted privately after they had reached their decisions and agreed that they would issue them on the same day, with the first announcement coming from the state court. The judges hoped that this strategy would make the decisions more likely to be respected by the agitated white citizenry.

On January 19, 1959, the birthday of Robert E. Lee and a state holiday, the Supreme Court of Virginia and the federal district court joined in declaring the state's closure of the schools illegal. The next

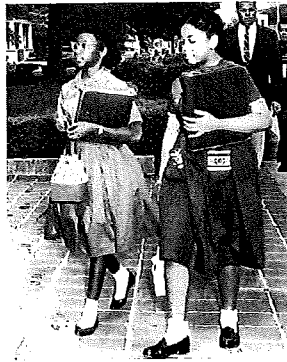


Attorneys Oliver W. Hill (center), Martin A. Martin (left), and Roland W. Ealey (right) appear at federal court September 10, 1958, to protest state order to close public schools where racial integration is federally mandated. Richmond Times-Dispatch photo reprinted by permission.

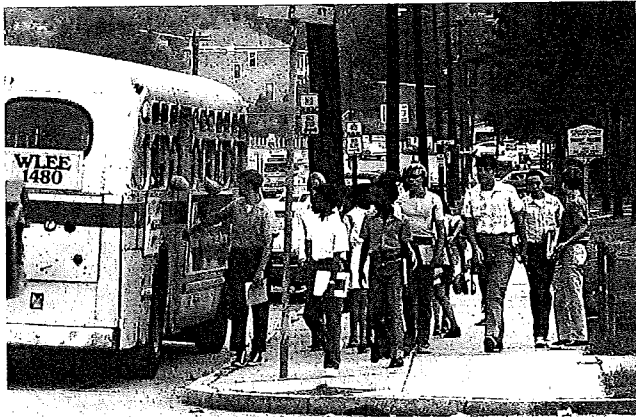
black students in the schools of Virginia, only 170 were attending racially integrated schools.³³⁴

The next decade saw a complicated series of maneuvers in Richmond, mirroring similar efforts throughout Virginia, in which the city school board, aided by city and state leaders, attempted to minimize the racial integration of the schools. In 1961, thirty-one black students were attending formerly all-white schools in Richmond. By 1963, of Richmond's 26,000 black students, 312 (1.2 percent) were attending racially integrated schools.

In 1964 the progress of racial integration in the nation was increased by the passage of the Civil Rights Act, which prohibited racial segregation in public



Gloria Jean Mead (left), 13, and Carol Irene Swann, 12, are followed by a Richmond plainclothesman as they walk toward Chandler Junior High School, to become the first Negro pupils to enter formerly all-white Richmond public schools. Photo and caption: Richmond Times-Dispatch. Used by permission.



Richmond students leave Mosby Junior High School after first day of classes August 31, 1970. Richmond Times-Dispatch photo, by permission.

accommodations and employment.

By 1966, as required by the state, Richmond adopted what it called a "freedom of choice" policy, under which students could apply to the school of their choice. In practice, however, assignment of students to racially integrated schools lagged. The racially segregated housing in Richmond meant that blacks seldom lived near all-white schools, and no bus transportation was provided. Faculties were not racially integrated.

In 1968 the United States Supreme Court, ruling in *Green v. New Kent*, said that freedom of choice could not be a legitimate response to *Brown* so long as the effect of it was to maintain a dual school system. This had been its effect throughout Virginia and was clearly its purpose. The court held that Richmond's neighboring New Kent County should "convert promptly to a system without a 'white school' and a 'Negro school' but just schools."³³⁵ Richmonders brought a case to the federal court under the New Kent decision, calling for the rejection of Richmond's freedom of choice plan.

In response, on May 1, 1970, the Richmond School Board proposed pairing black and white schools. Under this plan, schools in certain neighborhoods might have been integrated. But in the newly annexed area of Chesterfield County, there were 8,017 white students and only 206 blacks; and in Richmond's East End there were 13,743 black students and only 374 whites. Richmond's segregation policies in housing had been very effective. Significant racial integration was not possible without busing. On June 26, 1970, federal Judge Robert Merhige rejected the pairing plan. When the schools opened that fall, 5,000 of the 8,000 white students from the annexed area were not present in the Richmond Public Schools.

By April 1971 Judge Merhige had concluded that Richmond could not or would not integrate its schools without a more drastic solution. He ordered what became known as "cross-town busing." Under court order, Richmond purchased school buses to help the school system achieve its court-mandated goal: that every individual school reflect in its integrated attendance the racial proportions of the city's school population, about seventy percent black and thirty percent white. The program began in September with the total integration of the middle and high schools. Virginia's white Republican governor Linwood Holton sent his three children to the newly integrated schools.

Merhige and others recognized that the Richmond system's integrated status was fragile. Black plaintiffs requested immediately that Richmond's 43,000-student system be merged with the school systems of Henrico and Chesterfield counties. Both suburban counties had schools that were more than ninety percent white. The integrated system would have had a total of

104,000 students, a third of them black. The attorney general of Virginia and the state board of education joined the suburban counties in opposing the merger. In January 1972 Judge Merhige ordered the consolidation.

Again, hysteria erupted. The *Richmond Times-Dispatch* said that the merger would destroy the "quality" of the schools and "fail to give children the best possible academic education." The order was stayed pending appeal, and in June 1972 the U.S. Court of Appeals for the Fourth Circuit overturned it. A year later, in May 1973, the Supreme Court, by a 4-4 vote, upheld the Fourth Circuit's decision to reject consolidation. Justice

Three-jurisdiction population 1950-1980

	Richmond	Henrico	Chesterfield	TOTAL
1950	230,310	51,560	31,970	315,790
1960	219,958	111,269	61,762	394,949
1970	249,621	143,812	68,012	461,445
1980	219,214	177,000	140,000	536,214

Table: Moeser and Dennis, *The Politics of Annexation*, p. 30.

Lewis Powell, at one time chair of the Richmond School Board and now a member of the court, had recused himself.³³⁶

By 1976, 12,000 white students had left the Richmond Public School System, and black enrollment had reached eighty percent. Blacks had gone to the suburbs, too, creating what Robert Pratt calls "discernible class divisions."³³⁷ In 1987 Henrico's system was twenty-six percent African American and Chesterfield's, fourteen percent.³³⁸

State policies for jurisdictional segregation

During the 1950s Richmond remained the largest jurisdiction in its metropolitan area, but by 1960 the majority of the white population in the metropolitan city lived in suburban Henrico and Chesterfield counties. By 1980 the total population of Henrico and Chesterfield had come to exceed that of the center city of Richmond.

School integration in Virginia set the stage for a massive retooling of the jurisdictional lines in Virginia and of the laws governing metropolitan areas. During the 1960s the Virginia General Assembly was preoccupied with issues of racial integration and urban boundaries.

The constitution of Virginia had provided for cities that were

independent of counties. These cities had special rights of taxation and annexation, but were also subject to approval by the General Assembly for any change in their charter. Richmond had annexed territory eleven times from 1782 to 1942.³³⁹

When racial integration threatened the white leadership of the commonwealth, and the General Assembly saw it could not legally segregate public schools in a single jurisdiction by race, white leaders seized upon the independent city provisions of the constitution as a way to maintain substantial white majorities in jurisdictions. The constitution provided that while cities could annex portions of counties, cities could not annex other cities.

The first time these strategies were employed was in the Tidewater area. There, suburban and rural whites were threatened by the city of Norfolk, which had a substantial black population. Norfolk had only fifty-three square miles of land, and was in need of new territory. To prevent this annexation, in 1963 the small oceanfront city of Virginia Beach joined with rural Princess Anne County, which adjoined Norfolk, to form the new "city" of Virginia Beach—250 square miles of land and an equal area of water. Virginia Beach city was still rural and mostly white, but now it was immune from annexation by Norfolk. At the same time, the small city of South Norfolk joined with the much larger Norfolk County to form the new "city" of Chesapeake. This area comprised 350 square miles of land, including the vast Dismal Swamp of Virginia, and a largely rural, white-majority population. Ten years later the town of Suffolk completed a merger with rural Nansemond County to make the "city" of Suffolk—429 mostly rural square miles. Norfolk remained fifty-three square miles, unable to annex any land.

Throughout the 1960s, the city of Richmond was attempting to grow. Public statements by advocates of annexation focused on the need to maintain Richmond as a stable and healthy economic entity, representing with its political boundaries the major economic and population growth of the expanding metropolitan city.

Richmond and Henrico leaders proposed a merger of the two localities in 1961. Submitted to referendum, the proposal passed voters in Richmond but failed in Henrico.³⁴⁰ The next day, December 13, 1961, the city entered into the prescribed annexation proceeding in state court, seeking to annex portions of Henrico and Chesterfield. Richmond proposed to annex 152 square miles of Henrico, with 115,000 in population, and 51 square miles of Chesterfield, with 40,000 in population. This would have caused the city to grow from 40 to 312 square miles. It would have left Henrico with only 90 square miles and 2,000 people.

The annexation court dealt first with the proposal to annex Henrico. In 1965 the court rejected the city's proposal and awarded only 17 square miles of Henrico County with 45,000 people to Richmond. There was little vacant land to grow, and the award would have cost the city a \$55 million payment to Henrico. The city rejected the award.³⁴¹

Richmond then turned to its suit against Chesterfield County. Privately, and without the presence of black members of the city council, representatives of Chesterfield and Richmond negotiated over the annexation, with the court's deliberations pending and threatening. The emphasis seemed to have shifted decisively away from acquiring land to grow to preserving a white majority in the city of Richmond. John Moeser and Rutledge Dennis, in their remarkable book *The Politics of Annexation*, detail the progress of this conversation as it was later revealed in a suit challenging the annexation after it was awarded.

Richmond city's population in 1964 was estimated to be 46 percent black. In 1966, just two years later, it was estimated to be 48 percent



Attorney and City Council member Henry L. Marsh addresses special session of Virginia General Assembly on March 19, 1969. Governor Mills E. Godwin had called the special session to consider amending the state constitution to give the legislature power to enlarge the boundaries of the state's capital city unilaterally. The bill passed on first reading, but was abandoned before its final reading when, on July 1, 1969, the state court allowed Richmond to annex a portion of Chesterfield County containing 44,000 citizens, 97 percent of whom were white. The General Assembly then prohibited any further annexation by Richmond. Richmond Times-Dispatch photo, by permission.

black. More dramatically, in 1964 only 18,161 African Americans were registered to vote in Richmond, but by 1966, this number had climbed to almost 30,000. Black registrations had increased 65 percent in only two years, while white registrations, now totaling 58,827, had increased only 13 percent. In 1966 city voters elected three blacks to the nine-member city council. More significant politically, however, was that one of the black candidates, Henry Marsh, had not been endorsed by Richmond Forward, the white-majority political machine that controlled the city.

The 1968 session of Virginia's General Assembly was preoccupied with the capital city of Richmond and the possibility of a takeover of the government by blacks for the first time in its history. Richmond had not had a majority of black voters since 1868, a century earlier. For 100 years the city and General Assembly had kept whites in control of the capital city. The assembly set up a special commission, the Aldhizer Commission, to study annexation, and specifically to study Richmond. They approved the issuing of state bonds to enable Richmond to annex a portion of Chesterfield County.³⁴² James Wheat, the investment magnate who headed the white political establishment, warned in the 1968 councilmanic election that Richmond could become "a permanent black ghetto, a happy hunting ground for ambitious political opportunists."³⁴³

In 1969 the Aldhizer Commission proposed an amendment to the constitution that would give the General Assembly, acting on its own, the authority to enlarge the boundaries of Richmond every ten years. The amendment passed the General Assembly on first reading, to be brought back the next year. Race was not the topic openly discussed—a classic strategy in the sophisticated world of Virginia racial politics—but the language of the debate left little question about the fundamental issue bothering the legislators: "What is truly before us today, gentlemen?" asked Senator Leslie D. Campbell, Jr., of Hanover. "Is it a question of finance? Is it a question of financing the city of Richmond's government? ...I say to you that it is not a financial problem. It is a problem of imbalance; all of you down deep know exactly what the problem is."³⁴⁴

Finally, Mayor Phil Bagley of Richmond and Irwin Horner of the Chesterfield Board of Supervisors reached an agreement that the city could annex 23 square miles of Chesterfield County. The area had a population of over 44,000 persons, and was 97 percent white. That would make Richmond's black population drop to 42 percent and voting age black population drop from 45 percent to 37 percent. Richmond got no vacant land in the deal, and no industry. The boundary of the annexed area was drawn directly in front of the valuable Spruance plant of E. I. DuPont de Nemours, Chesterfield's largest taxpayer, which employed

over 2,500 people, and was about to expand to employ another 1,700.³⁴⁵ Rumors circulated that DuPont would be closed if it were annexed into the city. On July 1, 1969, the court, in an unprecedented procedure, approved the agreement privately reached by Horner and Bagley, and the General Assembly killed the Aldhizer Amendment in its next session.

The annexation of twenty-three square miles of Chesterfield County was the last annexation permitted under law for the city of Richmond. The General Assembly was in the process of changing annexation laws all over the commonwealth, in order to protect suburban counties against inner cities. The progressive elements of the constitution that had been used to keep cities healthy and their boundaries realistic were abandoned in the face of panicked attempts to replace legalized segregation with a new jurisdictionally established separation of race and class.

On February 24, 1971, Curtis Holt, a resident of Creighton Court in Richmond's Church Hill neighborhood, represented by Cabell Venable, a white attorney, filed suit in federal court to seek invalidation of the Chesterfield annexation, alleging that it had been designed primarily to reduce black voting strength. Soon thereafter the U. S. Justice Department joined in opposition to the annexation. A complicated series of court actions followed. Richmond was enjoined from holding elections to City Council until the matter was resolved. The resulting hiatus in elections, from 1970 until 1977, was the longest period in which any American city had been prevented by federal courts from holding elections.³⁴⁶

Holt sought the deannexation of the Chesterfield citizens and territory, a position that was supported by the various citizens' associations in the annexed area. The city sought to retain the annexed area, and to solve the civil rights objections by changing its electoral system from the at-large election of council persons to either single-member districts or a mixed system of some at-large and some single-member districts.

The United States Supreme Court finally ruled on June 24, 1975, that the annexation as constituted was illegal under the Voting Rights Act, but that it could be remedied either by deannexation or by changing the electoral system to one which "fairly recognizes the minority's political potential."³⁴⁷ It left it to a magistrate to work out the electoral solution. In May, 1976, the magistrate determined that the city could keep the annexed area but would have to change to a nine district single-member ward system to elect its city council, one which had been drawn to make it possible for a black majority to be elected.

The Supreme Court had been definite in its evaluation of Richmond's annexation attempts. In the majority opinion, Justice Byron White wrote that the annexation "was infected by the impermissible purpose of denying the right to vote based on race through perpetuating white majority power to exclude Negroes from office through at-large elections."

Justice William J. Brennan, joined by Justices William O. Douglas and Thurgood Marshall in a supporting minority opinion, was even more direct in his indictment of the racial intent: "The record is replete with statements by Richmond officials," Brennan observed, "which prove beyond question that the predominant (if not sole) motive and desire of the negotiators of the 1969 settlement was to acquire 44,000 additional white citizens for Richmond in order to avert a transfer of political control to what was fast becoming a black population majority."³⁴⁸

While Holt was filing his suit at the beginning of 1971, the Virginia General Assembly was continuing to intervene in the situation. The counties of Henrico and Chesterfield applied for the same kind of legislative protection that had been granted to the counties surrounding the city of Norfolk—that is, they applied for city charters to protect them against annexation by the city of Richmond. The General Assembly decided instead to specifically prohibit Richmond from annexing any more territory. In March the General Assembly passed legislation ending the right of annexation for cities of 125,000 or more, which "as a practical matter...applied only to the Richmond metropolitan area."³⁴⁹

The Legacy of 1971

Three events which occurred in the first few months of 1971 established the fundamental fiscal, sociological, racial, and political realities of the city of metropolitan Richmond which have endured for four decades:

1. On February 24, 1971, Curtis Holt challenged the annexation by Richmond of 44,000 Chesterfield County citizens and 23 square miles of Chesterfield County, and was joined in the challenge by the U.S. Department of Justice.
2. In March 1971 the Virginia General Assembly prohibited Richmond from seeking to annex any more land from the surrounding counties.
3. In April 1971 Judge Robert Merhige ordered the Richmond Public Schools to bus children throughout the system so that

the racial percentages in each individual school would be equal. At the time, about seventy percent of the students were black and thirty percent were white.

The city boundaries, which had been allowed to expand to reflect the physical and economic city's expansion in eleven annexations since 1742, were made permanent. The newly permanent boundaries separated the majority of the white population, which now resided in Henrico and Chesterfield counties, from the majority of the black population, which resided in the historic city called Richmond. The city's public schools, which had been effectively segregated by race since they were established a century before, were totally integrated. And Holt's suit began the final fall from power of the white leadership which had ruled the city since its beginning and established the foundation for black governance of the central city, surrounded by majority white suburbs.

Richmond held no elections for City Council and mayor from 1971 until 1977. The courts had enjoined the election because the case was pending in federal court under the Voting Rights Act, contending that Richmond had annexed 44,000 white citizens of Chesterfield County for racial reasons.

On March 8, 1977, in their first elections for nearly seven years, the citizens of Richmond elected nine members to the City Council, five of them black and four of them white. The Council then elected Henry L. Marsh, an African-American attorney, the first black mayor of Richmond.³⁵⁰

African Americans had taken leadership in Richmond, but in some ways the city was regarded by the state and the surrounding jurisdictions as Jackson Ward had been in the century after the Civil War. Its boundaries were drawn by the General Assembly, its tax base restricted, its charter subject to state approval, and its public services supported at a disproportionately low level by the state. Its schools were again racially separate and in many ways, as they had been described in the *Brown* decision, "inherently unequal."

A Metropolitan City without Legalized Segregation 1970-2010

Under firm pressure from the federal courts, metropolitan Richmond and Virginia dismantled the legal edifice of mandatory racial segregation in the early 1970s, with the support of African-American citizens, anti-Byrd white politicians, and some of the more moderate business community. In March 1977, Henry L. Marsh became the first African-American mayor in the former capital of the Confederacy. Thirteen years later Virginians chose his fellow student at Howard Law School, L. Douglas Wilder, to be the first African-American elected governor of an American state.

From the point of view of racial history, the developments were momentous. Since 1607, the government of Virginia had considered persons of at least one race or class to be ineligible for full economic rights, full citizenship, or elected office. In its colonial policy, the English Crown had reserved servile status first for Indians and English servants, and subsequently for African slaves, for imported prisoners, and for indentured servants. Having achieved freedom for themselves, Virginians of European descent retained a policy of slavery for most persons of African descent and diminished rights for those African-Americans who were not enslaved. When this policy was no longer permitted by the victors in the Civil War, the Virginians of European descent replaced it with systematic policies of social restriction, disenfranchisement, and economic exploitation known as "racial segregation." These segregation policies continued in Virginia and in Virginia's capital city through the 1950s and 1960s. The established white majority, urged to Massive Resistance by political and editorial leaders, was able to salvage segregation for almost fifteen years after *Brown v. Board of Education*, but finally the overt policies of racial