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# TOGETHER

AN INSPIRING RESPONSE TO THE  
"SEPARATE-BUT-EQUAL" SUPREME COURT DECISION  
THAT DIVIDED AMERICA

AMY NATHAN



**Advance Uncorrected Proof**  
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*Discover the inspiring partnership that formed more than a century after the Supreme Court's infamous "separate but equal" decision.*

Keith Plessy and Phoebe Ferguson were both born in New Orleans in 1957. Sixty-five years earlier, Phoebe's ancestor, Judge John Ferguson, had found Keith's ancestor, Homer Plessy, guilty of breaking the law for sitting in a whites-only train car. When Plessy v. Ferguson went to the Supreme Court, the justices ruled that "separate but equal" was constitutional, sparking decades of discriminatory laws.

In *Together*, Amy Nathan threads Keith and Phoebe's personal stories into the larger history of the civil rights movement. She tells how they came together to form the Plessy and Ferguson Foundation which teaches the history of the case and supports those who fight for their rights today.

**Amy Nathan** is an award-winning author of nonfiction books for adults and young people, including *Round and Round Together: Taking a Merry-go-Round Ride into the Civil Rights Movement* (Paul Dry Books); Abrams Books brought out a picture book version of that volume, co-authored with Sharon Langley, *A Ride to Remember* (2020). She is a graduate of Harvard with master's degrees from the Harvard Graduate School of Education and Columbia's Teachers College.

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*Philadelphia 2021*

*Cover Art:* A panel from Ayo Scott's mural "These Are Times: The Legacy of Homer Plessy," which is located in Plessy Park in New Orleans, Louisiana. © Ayo Scott / <http://ayoscott.com>

In his website description of this section of the mural, the artist poses a question: ". . . what might liberty and justice look like through the eyes of another person."

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*For Keith Plessy and Phoebe Ferguson*



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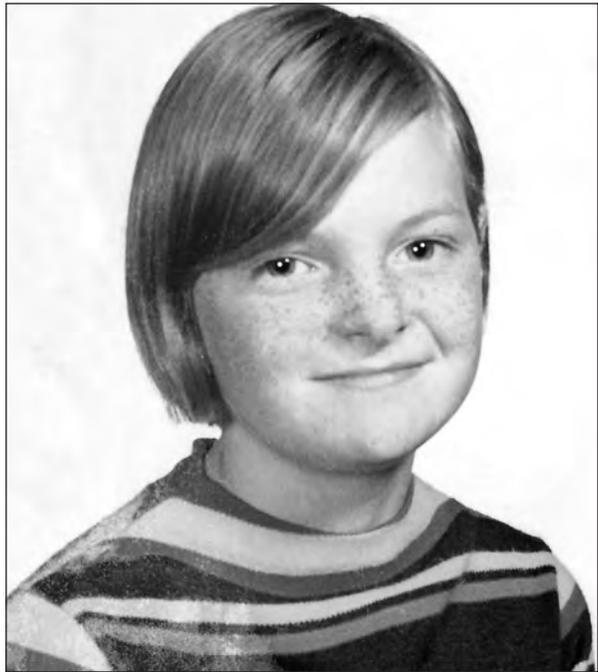


**TOGETHER**

Courtesy Keith Plessy



*Keith Plessy  
and Phoebe Ferguson,  
about seven years old.*



Courtesy Phoebe Ferguson

## RULED OUT

“Like all the boys in my neighborhood, I liked to play football and baseball in local parks,” said Keith Plessy, who grew up in New Orleans in the 1950s and 60s. “The closest park in walking distance from my house had space for two baseball fields, and room for a football field between the baseball fields. It featured a swimming pool in the summer, too. But I was never allowed to play there as a child on Saturdays and Sundays. The park had a rule: Only white kids could play there on weekends.”

Keith and other children of color could stand outside the fence and watch the white kids play. “But we couldn’t go in. On days when we had the park, the white kids couldn’t come into the park, either. There wasn’t a sign with that rule. It was just understood that white kids had the park all day every weekend. We had to squeeze in our playing after school, before it got dark,” explained Keith.

“As a child, I was always questioning things when it came to the color of a person’s skin—why people who were considered to be ‘white’ got better treatment than others. I lived in a multi-racial neighborhood,” he noted. “There were African Americans, Irish Americans, Jewish American, Italian Americans, and Native Americans. Sometimes it was hard to tell whether people were black or white. I’ve been called Puerto Rican several times. On some streets people got along like we



Courtesy Wes Michaels, Spackman Mossop Michaels

*St. Roch Park, where Keith played as a child.*

were family.” But in other areas, some boys might beat him up. “It wasn’t discussed much at home or at school.”

Figuring out where he could and couldn’t go in his neighborhood wasn’t easy. “There were restaurants that wouldn’t let black people come inside to eat. We had to go around to the back door and order food to take out.” Some white shopkeepers were nice, but others weren’t. “At one bakery shop, the lady behind the counter kept skipping me. Any white customer that came in, she would say, ‘Oh, what do you need?’ But it was like I wasn’t there.” So Keith took the ice cream sandwich he wanted to buy and walked out of the store. *Then* the shopkeeper noticed him—and almost had him arrested. The police called his mother to come get him.

“I got a good spanking when I got home. My mother said, ‘That’s not what we do. We don’t steal.’ But I told her, ‘They kept skipping me.’ So my mother told me, ‘Next time, put it down, and don’t go to that store again. Go places where you



*Keith's parents, Marie Verna Mae Blanchard Plessy and Paul Gustave Plessy.*

won't be treated that way. Don't let anyone take your sunshine away from you.'"

He loved his elementary school, but it got its start in the early 1900s because of another situation that didn't make sense to Keith as a child. The African American community had to create this school on its own because the city refused to provide an elementary school for children of color in Keith's neighborhood. Even many years later, in the early 1960s, when Keith was ready to start elementary school, he and other children of color still weren't allowed to attend the city's schools for white children. "It puzzled me a lot why there were these rules," said Keith.

Confusing rules about skin color puzzled Phoebe Ferguson as a child, too. The same age as Keith, she lived in a different New Orleans neighborhood and went to a private elementary school that only white students attended. She had a babysitter that she loved, Minnie Lou Williams, who had helped take care of her since Phoebe was six months old. "We did a lot of fun things together," Phoebe recalled. "We played together in the backyard, or went to nearby playgrounds to swing. We played 'Go Fish' a lot. Minnie took me trick-or-treating, too."



Left: *Minnie Lou Williams, the babysitter who took care of Phoebe as a child, in a photo from the 1980s.*

Above: *The carousel at City Park in New Orleans.*

However, one day an unfair rule ruined a fun afternoon with Minnie. “When I was about six years old, I remember going to a movie theater with Minnie,” said Phoebe. “The man at the theater told Minnie that I could sit downstairs at the movie, but Minnie had to sit upstairs. What did that mean? It was very confusing. I certainly wasn’t going to go to the movies without her or sit in another place. We walked home in total silence, holding hands. I remember feeling really sad and not understanding.”

That’s how Phoebe found out that many movie theaters at the time let only white people sit downstairs. Black people had to sit upstairs in the balcony. “It didn’t make sense to me. I felt that the man who said that was mean.” Another day, Minnie



*Phoebe's parents,  
Anne Williams Ferguson  
and William Loring Ferguson, Jr.*

took Phoebe to the city's amusement park. Phoebe could sit on a horse on the park's carousel, but Minnie wasn't allowed to ride with her. The carousel was only for white people.

Phoebe doesn't remember whether when she was a child she spoke with her mother about what had happened at the movie theater and the amusement park. She knows now that if she had spoken up, her mother would have said what happened was very wrong. Phoebe learned later that her mother had been volunteering with groups that tried to put an end to the idea of separating people by race. But Phoebe didn't know that when she was little. To young Phoebe, those movie theater and carousel rules were "definitely confusing and not fair."

Also puzzling were the differences she saw between her house and the home of Minnie's aunt, Georgia Lee Kearny, who worked as a housekeeper for Phoebe's family. "I hung around Georgia a lot. I remember when I found out that she had to take three buses to get to our house. When I was older, around eight or nine, I went to her house and saw that after she finished working with us, she still had to go home and cook and clean for her family. I remember being deeply affected by the sacrifices Georgia was making in order to work for our family. I don't know why I went over there. I was try-

*Georgia Lee Kearny,  
in a photo with Phoebe  
from the 1980s.*



Courtesy Phoebe Ferguson

ing to make sense of the disparity between our living situations. I was also getting to know who she was outside of my house. Not that I needed to know anything more about her in terms of her integrity or her ability to give love to children that were not hers. But to see her interaction with her family and see that there were multiple relatives, nieces, nephews, and cousins that depended on her cooking for them as well. That affected me a lot.”

Both Phoebe Ferguson and Keith Plessy were born in New Orleans in 1957, but they never met while they were children. Phoebe’s father died when she was ten, and then she and her mother moved to California. Years later, Keith and Phoebe met when they

were adults, with children of their own. By then, they had both learned something amazing: Sixty-five years before Keith and Phoebe were born, a member of each of their families had also met.

That meeting took place on October 13, 1892, when Phoebe’s great-great-grandfather was in a New Orleans courtroom with a cousin of Keith’s great-grandfather. Their being

together in that courtroom had a lot to do with why there were rules and laws that kept black and white people apart.

By the time Keith and Phoebe met as adults, they were both ready to create a new ending for the story that links their two families forever.



© The NOCCA Institute, Elizabeth McMillian photo, New Orleans Center for Creative Arts Drama Department production of *Se-Pa-Rate*

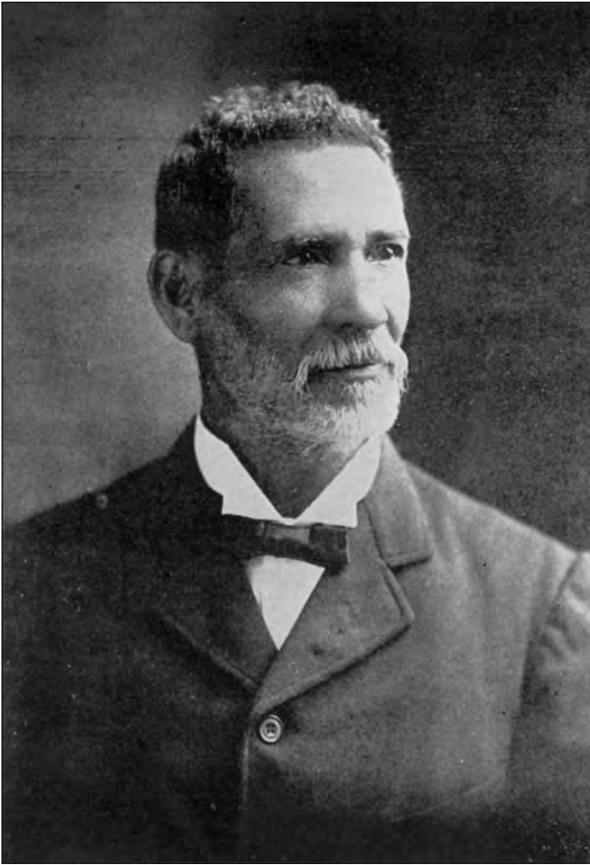
*There are no photos of Homer Plessy, the cousin of Keith Plessy's great-grandfather who met Phoebe Ferguson's great-great-grandfather in 1892. But in 2010, this New Orleans high school student portrayed Homer Plessy in a play called Se-Pa-Rate. He was part of a group of high school students who created the play themselves to explore the connections between their own lives and what Homer Plessy did. (More about the play later in this book.)*

## KEITH PLESSY'S LONG-AGO RELATIVE

Keith Plessy's relative who met Phoebe Ferguson's relative all those years ago was Homer Plessy. He was a twenty-nine-year-old African American shoemaker and school reform activist who lived in New Orleans. Rules and laws that kept black and white people apart troubled him, just as they would trouble Keith and Phoebe many years later.

This shoemaker found an unusual way to protest against an especially unjust law that Louisiana's legislature passed in 1890, the Separate Car Act. This new law required that black and white passengers stop doing what they had been doing for more than twenty years, ever since Homer Plessy was five years old—sitting together in the same cars on a train. Instead, they would have to sit in separate cars. Some cars would only be for white riders. Other cars would only be for black passengers.

This new law outraged Homer Plessy and other people of color in New Orleans because it didn't treat them as full American citizens, with the same rights as white citizens. People of color in Louisiana and other southern states had only gained equal rights about twenty-five years earlier, when the Civil War ended. They didn't want to lose any of those newly-won rights.



*Rodolphe Desdunes.*

As far as we know, Homer Plessy didn't keep a diary or write to others about the Separate Car Act. But he probably supported the views of Rodolphe Desdunes, a writer for *The Crusader*, a black-owned New Orleans newspaper. He wrote an article in the newspaper on July 4, 1891, a patriotic day celebrating one of the ideals the United States was founded on: that all men are created equal. In this article, Desdunes said the following about the new Separate Car Act:

Among the many schemes devised by the Southern statesmen to divide the races, none is so insulting as the one which provides separate cars for black and white people . . . It is like a slap in the face of every member of the black race . . . We are American citizens and it is our duty to defend our constitutional rights.

To understand why Homer Plessy, Rodolphe Desdunes, and other *Crusader* readers felt compelled to protest against this new law, it helps to look at what things were like for people of color in New Orleans in the years leading up to the law's creation. It's a roller coaster ride of a story, starting with a painful period of few rights at all, followed by a brief upswing with new rights won, leading to a downward spiral as rights began to be snatched away.

## Rights Denied

Before the Civil War, people of color in New Orleans had few rights, even though in 1850, about ten years before the start of the war, they made up nearly a quarter of the city's 116,000 residents.

The largest group of people of color in New Orleans were enslaved. Many had to work as household servants for slaveholders. Others were sent to work for their enslavers in brickyards or on the riverfront docks of this Mississippi River city. Other enslaved people lived on nearby plantations where they were forced to harvest sugar cane, cotton crops, and do other work. In some sugar cane-growing areas, there were more black people than white people. Harvesting and processing sugar cane was backbreaking and dangerous work, particularly the grinding and boiling of sugar cane stalks to turn them into sugar that could be sold. For several months after harvest time, enslaved workers had to do the grinding and boiling work round the clock. Exhaustion could lead to severe injuries from the open furnaces and the rollers used in the grinding.

Enslaved laborers had no rights at all. They were not allowed to vote or learn to read. Those who tried to learn to read faced serious punishment, as did the people who taught them. Yet, ever since the arrival of the first slave ships in Louisiana in 1719, it was the labor and farming know-how of the enslaved that made Louisiana prosperous. The first African captives were forced to work for French settlers who had been failing on their own to succeed at farming in this new land. Slave labor continued to power Louisiana's progress up to the end of the Civil War—for more than 140 years.

## ABOUT THE PLESSY AND FERGUSON FOUNDATION

Mission Statement for the Plessy and Ferguson Foundation ([www.PlessyandFerguson.org](http://www.PlessyandFerguson.org)): “The primary mission of the Plessy and Ferguson Foundation is to teach the history of the *Plessy v. Ferguson* case and why it is still relevant today.” The foundation, a 501(c)3 non-profit organization, engages in education, preservation, and outreach efforts that are described on its website. In 2017 the foundation received an award from Preserve Louisiana, honoring the foundation’s role in preserving Louisiana’s civil rights history. (Half of the royalties earned on the sale of this book will be donated to the Plessy and Ferguson Foundation.)