

# History of the Pearson Family

## The Beginning of a family that impacted the world

In the 1920's The Pearson Family (Levi, Hammitt, Katherine and Lucille) was one of the five black families living on the Horton's plantation. Levi Pearson, affectionately known as Papa, and his brother Hammitt were poor tenant farmers. They worked the land for small pay and a certain amount of crop at the landowner's discretion. Around 1930, at an early age, both brothers lost their wives within a two week time frame.

The Pearson brothers, motivated by their faith in God, their determination and willpower were compelled to make arrangements to continue to support their children. The two brothers made an agreement for Levi, (Papa) to keep all the children while his brother Hammitt went away to the city (Newport News, Virginia and then Philadelphia) to work and send money back home to help raise the children and help Levi (Papa) survive on the farm financially. Levi and Hammitt were determined to own a home and land of their own for their children. Hammitt continued to send Levi money while he worked. Levi purchased 175 acres and split it down the middle with his brother Hammitt. It was very rare in those days for African Americans to own that amount of land and harvest it by themselves.

Even though Levi and Hammitt were always sacrificing for their families, they always tried to help other families in the communities. They encourage their neighbors to seek land and homes for sale. They motivated neighbors to do the same and they were successful in getting several neighbors to buy their own land.

Levi and Hammitt Pearson always believed in keeping up with current events. After finishing up in the fields or at noon the older children Willie or Ferdinand would read the newspaper to Levi and Hammitt while they listened intently. It was a family ritual. They were very interested in current events and politics. They realized that the Civil War freed the slaves but it did not free Clarendon County from discrimination. All of the news of a larger world was key to Levi and Hammitt's quest, a small quest that led to big changes: They wanted black children to ride to school.

## The Bare Essentials of Clarendon County Schools

In the 1930's and 1940's bare-to-the bone wooden buildings provided by churches were scattered about the country side for black children. Books were held together by tape and tables were boards placed over chairs. There was no running water or electricity. Students had to use outhouses and the rooms were heated by potbellied stoves. These schools were staffed by two or three teachers. The walk to school for the black children of Clarendon County was long. The 12 children of Levi Pearson, the eight children of Hammitt walked to school. Some walked seven miles to Mt. Zion and others nine miles to Summerton ---one way. Black children couldn't get a ride at all, because the State of South Carolina provided bus transportation only for white children. The article of the

South Carolina State Constitution governing the education of the children in Clarendon County stated: "Separate schools shall be provided for children of the White and Colored races and no child of either race shall ever be permitted to attend a school provided for children of the other race."

Levi and Hammitt had great compassion for the children in the community. They realized it was too cold for them to work in the fields; however, they had to endure sending their children out at the dawn of day to walk eight to nine miles to school.

## **The Development of a Lasting Friendship**

The efforts that eventually led to the Briggs vs. Elliott challenge in Clarendon County were initiated by three prominent people, who eventually became good friends over the years. Rev. J.A. Delaine and two local farmers who were land owners Levi Pearson and Hammitt Pearson. They developed a friendship that lasted throughout the years.

Rev J.A Delaine was a very distinguish school teacher, principal, leader and family oriented man. Levi Pearson and Rev. J. A. Delaine met while Rev. Delaine was teaching at the elementary two –room school house where the Pearson children were attending. Even though the Pearson children had to walk nine miles one way to school, Levi and Hammitt constantly urged them to continue their studies when they were not needed to help out with harvesting of the family crops. Levi Pearson revamped an old pickup truck with benches and a cap, in which he would take his kids and others to school and pick them up. His son James also drove the children to and from school when Levi and Hammitt were harvesting their crops. When gas money ran short, he would often take them halfway and meet them halfway after school. He was truly a man after God's own heart, a man who was much like Moses during his era.

## **The Beginning of a New Era**

In 1946 Levi Pearson, Hammitt Pearson, and Joseph Lemon, along with more than a dozen other families in the Davis Station area, collected about \$900 and bought a used school bus for transporting their children to and from school. The families would meet at least once a month to collect funds to keep the bus running. The bus was really worn out and it periodically broke down to and from school. Money was also collected from the families to pay the driver. Jesse Pearson, son of Hammitt Pearson even serve as a substitute driver on the old yellow bus one week. Pynese, daughter of Hammitt Pearson stated "The Pearson children named the bus "*sunshine*" because it would always break down when the weather was bad but when the sun was shining, it would run OK." Mr. Levi Pearson requested advice and leadership from Rev. J. A. Delaine in an effort to secure school district funding for the operational expenses for the bus. The county repeatedly refused to help with the upkeep of the bus. Appeals, before and after the purchase of the old school bus, to white school trustees didn't result in help and the lack of adequate funds forced the group to discontinue the service of the bus. However, the appeals Mr. Levi Pearson and Hammitt Pearson made to Rev. J. A. Delaine, Jesse and Ferdinand's elementary school teacher did.

In June of 1947, Rev. J. A. Delaine attended a NAACP meeting in Columbia, SC at Allen University. Rev. Delaine was inspired by the state conference president of the South Carolina NAACP Rev. James Hinton, who argues black residents need to go to court to get school buses for their children. In his speech, Rev Hinton said unless blacks were better educated, they could not lift themselves. Hinton said he wanted to find some blacks who would go to court to get black children some of the same advantages white children had. “No teacher or preacher in South Carolina has the courage to find a plaintiff to test the legality of the discriminatory bus transportation system in this state.” Rev. Hinton challenged his audience to find a man, a plaintiff, who would lend his name to a bus complaint and his challenge was well taken by Rev. J. A. Delaine.

## **The First Plaintiff of the First Suit**

Rev. J. A. Delaine did not have to look far for he knew of a man of great determination; great faith, a man that was determined to have better for his children and others if it cost him his life. That same week Rev. J. A. Delaine drove out to Davis Station, a small community where farmers had purchased a broken down bus – and where school officials had refused to pay even for gas. Rev. J. A. Delaine met Levi Pearson and his brother Hammitt under a large shade tree on their farm and presented the challenge, Hammitt decide that “it would be better if Levi filed the suit because he was a little bit of a hothead and if Levi filed the suit he could get him out of jail but if he filed the suit Levi would never be able to get him out.” Levi was more of a humble man but his brother Hammitt did not bite his tongue. Levi Pearson had three children (James, Eloise, and Daisy) in school when the two brothers agreed for Levi to file the lawsuit.

## **Pearson v. Clarendon County**

Rev. Delaine, Levi Pearson and his brother Hammitt traveled to Columbia to meet with Rev. James Hinton to explore the possibilities of a lawsuit against the state to force it to provide bus transportation reference to the lawsuit. With the help of Harold Boulware, a black Columbia attorney allied with the NAACP, and Thurgood Marshall of New York Levi Pearson filed the suit. The attorney’s brief argues the Pearson children are suffering “irreparable damage” because they do not have access to the free bus service enjoyed by county’s white school children. In June or July of 1947, Columbia Attorney Harold Boulware mailed the suit to Clarendon School trustees. When there was no response by October, Levi Pearson wrote them. A month later, Attorney Boulware wrote the trustees and county superintendent. In between, a trustee wrote Boulware to claim Levi Pearson had changed his mind. Mr. Levi Pearson told Attorney Boulware and Rev. J. A. Delaine that “they assumed too much when they assume that I am not interested in the bus transportation suit....Go ahead with the case.”

In March 1948, Levi Pearson's lawsuit was filed in Federal District Court in Florence, South Carolina. In April School officials created a rule to counteract the suit stating Mr. Levi Pearson's taxes were not paid in the District 26, the Summerton District his children attended, and thus he had no right to sue. They said he sued in one district and lived in another which was true. The lawsuit was dismissed on a technicality in June.

The truth of the matters was he did have property in the district he sued in. There is a line that divided his property, and he had 25 acres in one district, and 170 acres in the other. Mr. Levi Pearson was a man of great faith and he realized that what was meant for bad God would turn it into good. The underhandedness that was handled in his suit did not kill the suit; it made it better.

## **Anything Worth Having is Not Easy to Achieve**

Mr. Levi Pearson endured hardship long before the other petitioners joined the fight. Immediately after the word got out in the community some people were horrified or terrified that the Pearson family dared to challenge white leaders. Some were afraid to talk to the Pearsons in public. Many thought that they were raising confusion, making things worst. The white community lashed out even more. Levi Pearson's line of credit was shut off by white fertilizer suppliers, no one would lend their machinery so Levi could harvest his crops and no one would purchase cut timber in punishment for their boldness, but all the Pearsons stuck it out. At night, cars and trucks would zoom down their country roads shooting at the homes of Levi and Hammitt Pearson. Levi and Hammitt Pearson would go outside and shoot in the air, to let them know that they were on alert too. Whites called such retribution "the squeeze".

Viola Pearson, Levi's wife vividly remembers being afraid when Ku Klux Klan members drove their trucks into her neighborhood and began shooting. Many nights, she and Levi would take turns sleeping so that one of them could keep watch. She would push her children under the bed to protect them. "One evening they was out there blocking every fork of the road," "they said if Levi come out, they were going to kill him, and if they catch him out in the woods they were going to kill him."

Some of the Pearson children remember seeing their father come home carrying food on his back after he had walked 20 miles to get it. Bloomville was the closest place he could buy food, and no one would give him a ride.

Some help was offered in the community. The AFL-CIO collected money; the black-owned Victory Bank in Columbia, SC offered loans; Mr. Billie Fleming, a prominent leader with the Manning local NAACP located farm equipment.

## **Backing Down was not an option for the Pearson Family**

In March of 1949, Rev. J. A. Delaine, Levi Pearson and his brother Hammitt led a group of eight Clarendon residents the next spring to Columbia, where they met with attorney Thurgood Marshall. By this time, Jesse and Ferdinand had returned home from World War II and had joined their fathers in the fight against segregation. They told Attorney Marshall they were not giving up and they wanted to aim higher for equal school facilities. Thurgood Marshall was very reluctant. He told them he was in the process of challenging school equality elsewhere. They pleaded with Attorney Marshall to keep pushing the Clarendon County lawsuit. They pleaded for one more chance to get plaintiffs. "Attorney Marshall said, "I have to have more than one plaintiff." Rev. Delaine said, "If you need 100, I'll give you 100." Attorney Marshall said, "I need 20 plaintiffs or more, or I would move to another county."

By November 1949, 107 Clarendon County parents and children signed a petition asking for "educational advantages and facilities equal in all respects to that which is provided for whites." Heading the organization of the list was Levi and Hammitt Pearson. Harry and Eliza Briggs, who signed first, opened their home so people can sign quietly and leave. Their house was located only 400 yards from the school.

As the court date was closing in, Attorney Marshall, later a Supreme Court Justice, spent a day at Levi Pearson's farm, plotting strategy at a table under a big oak tree. They worked all day under that tree. He said "I'll be prepared to ask 1,000 questions; we'll drink gallons of coffee. We'll be prepared to win when we get to the Supreme Court."

Levi and Hammitt Pearson believed segregation and its ramifications, wasn't in the constitution, but just a way of life for Clarendon County. They felt it was a chance to get their case heard by the right people and make things better and they were correct. With Attorney Marshall navigating the legal intricacies, the Pearson's first step ---their small request for a bus---was transformed into a larger petition for equal buildings, books, teachers' pay and new buses.

## **Together Let Us Sweetly Live**

In late 1949, with Thurgood Marshall as chief counsel, Briggs vs Elliott were filed in U.S. District Court in Charleston, South Carolina which asked for equal educational opportunities for black children. But in the pre-trial hearing, District Judge J. Waties Waring posed a question to Attorney Marshall: Why are the plaintiffs suing for equality when that, in theory, was what they had under the "separate but equal" standard. "No" said Marshall, he also was raising indirectly the idea of desegregation. The judge told Marshall to refile his case asking specifically for that. Attorney Marshall and his staff then recognized that if they were to achieve change, they had to challenge the concept of "separate but equal". Briggs was the first case to address the concept of desegregation.

The list of 120 plaintiffs was reviewed, and Attorney Marshall and his staff thought that it would be best to select only twenty plaintiffs, all from school District 22, which is in Summerton. The reason for this decision was to give a direct challenge in a district containing both a black school and a white school so that compromise can be made within the district. The first names to be removed from the list of plaintiffs were those of people who were most at risk of having reprisals taken against them such as the Pearson family. Then the list was narrowed to twenty plaintiffs in the district where Scotts Branch School is located.

On May 28, 1951, arguments for Briggs began in Charleston, South Carolina. The state stunned the plaintiffs by conceding that Clarendon's school facilities were substandard. However, Robert Figg, the state legislature, had passed a sales tax to finance new buildings and equipment at the underserved schools. By this time, some whites realized schools for black children were so horrible as to shock conscience begin to seek to get more money for black schools but it was a little too late.

On June 21, 1951 Judges John Parker and George Bell Timmerman handed the plaintiffs a defeat, ordering the state only to make black facilities equal. Judge J. Waties Waring dissented, saying that "segregation in education can never produce equality." For that Waring became an outcast in Charleston's white society circles and eventually moved to New York.

Briggs was appealed immediately to the Supreme Court, which sent it back to District Court in 1952 for a report on the progress made toward equalizing school facilities. By the time the case came back to the Supreme Court later that year, four other desegregation cases were waiting. The five cases were to be argued together, the justices decided, and the consolidation would be named *Brown v. Board of Education*, a Kansas case being one of the five.

On May 17, 1954, from the Supreme Court: "In the field of public education, the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal."

Following the *Brown* decision, school desegregation moved very slowly, mainly because Congress, led by Southern power brokers, was reluctant to enforce the Court's integration order.

All most all of the supporters of this movement in some manner felt the sting of reprisal from the white power structure. Many parents, petitioners, and friends associated with the Briggs case were forced to undergo extreme pressures, including loss of jobs, denial of credit and physical abuse.

The history of the Pearson family was developed through the eyes of Viola Pearson, Jesse Pearson, Ferdinand Pearson and Pynese Witherspoon. They actually witness, they actually experienced, and they actually felt the hurt and pain the Pearson family encounter.