

## **Pearson v Clarendon County and Briggs v Elliott**

In 1947, Levi Pearson courageously filed a lawsuit to secure a school bus, resulting in *Levi Pearson v. Clarendon County Board of Education*. Levi and Viola Pearson had three children (James, Eloise, and Daisy) who walked nine miles to school. Levi and Viola Pearson and 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 bus often broke down and the County Board of Education would not support maintenance or provide gas for the bus, although almost 74% of the County's school population was African American. The county provided 30 school buses for whites, but none for blacks.

Shortly after the filing, school officials created a rule to counteract the suit. The rule stated that Mr. Levi Pearson's taxes were not paid in District 26, the Summerton District his children attended, and thus he had no right to sue. Pearson did, in fact, have property in the district he sued in; there was a line that divided his property, nonetheless his case was thrown out.

In addition to lack of access to transportation, black schools were anything but equal as the county spent \$179 per white child and \$43 per black child in a school year. The NAACP sought a community willing to file a lawsuit challenging such inequalities. Rev. Joseph DeLaine was called upon by his neighbors to lead them. After years of court dismissals and stonewalling, a petition by twenty Clarendon County parents, *Briggs v. Elliott*, was filed — not for a school bus alone, but for equal schools. While they lost this case with two of the three white presiding judges voting for segregation, federal Judge J. Waites Waring dissented, stating that “[segregation] is per se inequality.”

*Briggs v Elliott* (1952) was re-filed and became the first of the five cases that would result in *Brown v Board of Education*. Thurgood Marshall, the NAACP's chief counsel, successfully argued the case before the Supreme Court and on May 17, 1954, segregation was officially outlawed in public schools.

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