

Jim Crow Laws: West Virginia

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Eleven Jim Crow statutes were passed in West Virginia between 1865 and 1955. An 1865 school segregation act declared that at least 30 black children were need to establish a separate school. Districts with less than 30 Negro students found themselves in a quandary, however, with the school board left with the decision of how to educate black students as they "think best." Another statute passed in 1873 declared that even the vital records of black and white West Virginians were required to be maintained in separate record books. In a 1954 questionnaire issued to states by the U.S. Supreme Court in preparing its *Brown v. Board of Education* decision, West Virginia noted that the state "has no 'Jim Crow' laws, and we are not aware of any such prior laws in the statutes. The prevailing custom throughout this State has been and continues to be the catering to caucasians only for the purpose of lodging, public institutions, public halls and restaurants."

1865: Education [Statute]

Enacted separate schools for Negroes, where there are more than 30 Negro children in a school district. If average daily attendance dropped to less than 15 per month, the school would be closed up to six months. If less than 30 black children reside in a district, funds were to be used for Negro education as "the board thinks best."

1872: Education [Constitution]

White and colored persons shall not be taught in the same school.

1873: Education [Statute]

Separate school law amended requiring the number of Negro children for a separate school to be greater than fifteen.

1873: Vital records [Statute]

Records of colored persons' marriages, births and deaths would be kept in separate books.

1882: Miscegenation [Statute]

White persons who marry a colored person shall be jailed up to one year, and fined up to \$100. Those who perform such a marriage ceremony will be guilty of a misdemeanor and fined up to \$200.

1901: Education [Statute]

Separate school law amended. Number of Negro children required to establish a colored school changed to ten.

1931: Miscegenation [State Code]

Declared miscegenation a misdemeanor.

1931: Education [State Code]

Required separate building for the schools of each race. In addition, teachers in Negro schools must be Negroes.

1955: Health Care [State Code]

Establishment of home for mentally deficient, aged and informed colored persons.

1955: National Guard [State Code]

Governor may organize a unit of Negro troops.

1955: Miscegenation [State Code]

White persons prohibited from marrying Negroes. Penalty: Up to \$100 and/or up to one year imprisonment.

1957: Barred health care segregation [Statute]

Tuberculosis hospital for blacks discontinued; any person with chronic illness may be admitted.