

Notary of Note

Louis André Martinet was not only a notable notary but also an educator, attorney, state representative, editor, medical doctor and civil rights activist. His life's work was punctuated by key events (in which he played a prominent part) in the nation and in New Orleans.

Born December 28, 1849, in St. Martinville, Louisiana, to Hipolite Martinet, a Belgian carpenter, and Marie Louise Benoit, a free woman of color, he was successful in many endeavors. While still a young man he served as a State Representative from St. Martin Parish. He then passed the Louisiana Bar in 1875 followed by being the first black graduate of Straight University Law School (today's Dillard University) the following year. He paid for his legal education by moonlighting as a French teacher, working part-time.



Straight University on Canal Street

Straight University operated on the uptown side of Canal Street between Tonti and Rocheblave Streets from 1868 to 1934. Founded by the American Missionary Association, it was initially endowed by a gift from a wealthy cheese manufacturer, Seymour Straight, from Hudson, Ohio. It was legally incorporated June 25, 1869. The original campus buildings were demolished in 1950, after the university was absorbed into the newly created Dillard University.

On the Orleans Parish School Board in 1877, Martinet next became Clerk in the Collector of Customs Office in 1882 and Deputy Surveyor for the Port of New Orleans in 1883. He crowned that with a medical degree from Flint Medical College in New Orleans in the 1890s.

Martinet's notarial office was in operation from 1888 until 1917. The year after opening his practice, he began publishing "The Crusader" that soon became a daily newspaper heralding the civil rights struggles of the day. He was nominated by President Rutherford B. Hayes to a three-year fellowship to study abroad with an annual stipend of \$1200 a year. He declined this offer so that he could continue to run his newspaper. He was a founder of the *Comité des Citoyens*, a crucial organization in challenging racial segregation in the South. Martinet and The Citizens' Committee helped instigate the landmark Supreme Court case of *Plessy vs. Ferguson* (1896).

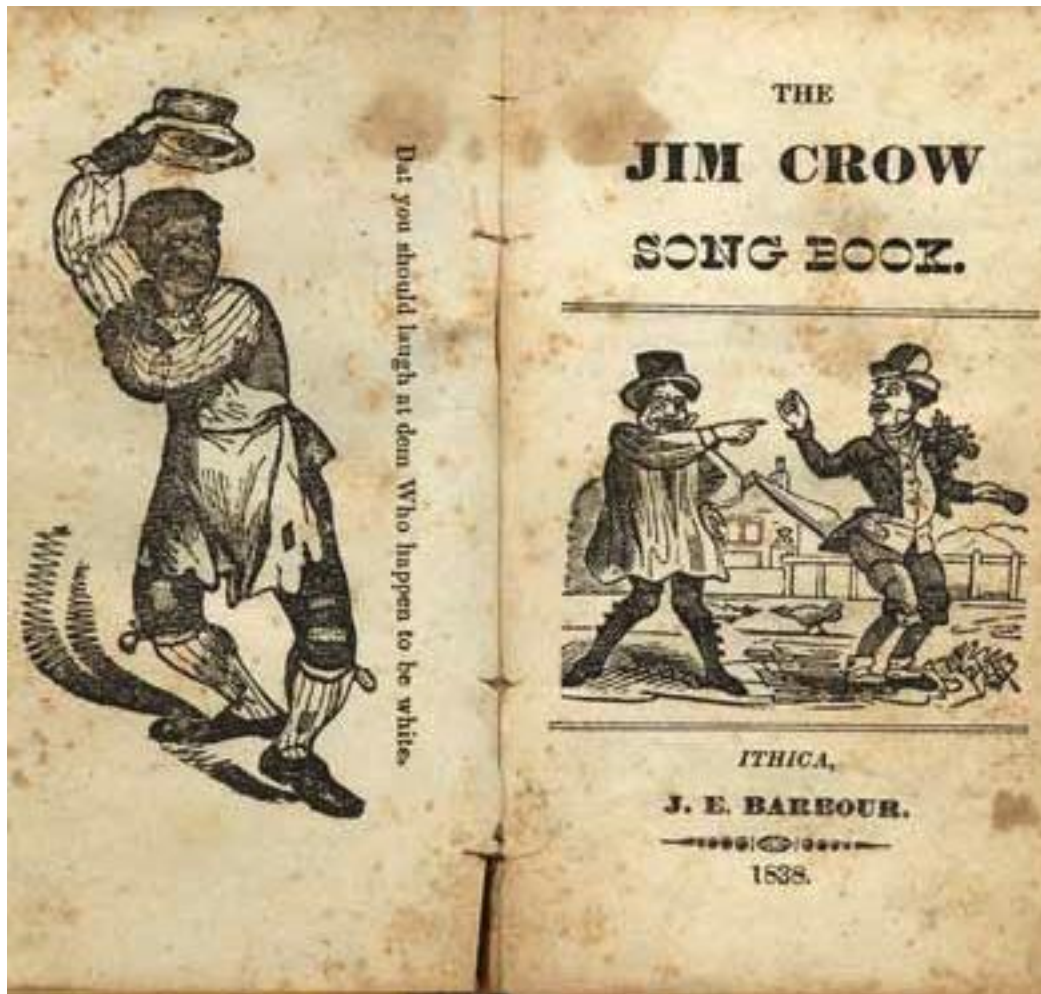


Homer Plessy

In 1890, Louisiana passed a "Jim Crow" statute called the Separate Car Act, requiring separate accommodations for blacks and whites on railroads. A shoemaker named Homer Adolph Plessy was enlisted to test this law and to bring into play rights granted by the Thirteenth and Fourteenth Amendments. In fact, Martinet became one of the first black lawyers to use the term "test case" in challenging Louisiana's "Jim Crow" laws.

"Jim Crow" was not an actual person. The term came from a popular 19th-century minstrel song called "Jump Jim Crow," performed by

Thomas D. "Daddy" Rice, which stereotyped African Americans in a negative light. "Jim Crow" came to personify the system of government-sanctioned racial segregation in the United States.



The "Jim Crow Songbook," published in Ithaca, New York, in 1838, depicts the minstrel-show character named "Jim Crow."

On June 7, 1892, Homer Plessy purchased a first-class ticket on the East Louisiana Railway from New Orleans (at Royal and Press Streets) to Covington and informed the conductor of his one-eighth racial lineage. This caused him to be arrested for sitting in the "whites only" section. This event was orchestrated not only by Martinet and the Citizens' Committee but by the railroad, as well, who didn't like the cost of enforcing segregated seating. The *Comité* hired not only the arresting detective, but also attorney Albion W. Tourgée to represent Plessy. The outcome was not what any of them expected. *De jure* racial segregation and the "Separate but Equal" doctrine lasted until

Brown vs. Board of Education in 1954 followed by the Civil Rights Act of 1964.



Press Street historic plaque: "Plessy V. Ferguson"

Plessy paid the fine, which was \$25. As a curious footnote to history, in 1906 after two previous trials, a fourteen-year-old girl in New Orleans finally won her case. Like Homer Plessy, she also refused to leave the "whites only" section of the train she was on. This time, it was the West End train that traveled along the New Basin Canal out toward the lake. The fine was still \$25, same as for Plessy, but in the end she didn't have to pay. Her attorney, John C. Wickliffe, had convinced the court that she was actually white.

In 1957 the Louis A. Martinet Legal Society of Louisiana was established to honor this early and active civil rights crusader. It was organized by those "seeking to combat the racial injustices and inequalities" that existed in the 1950s.

And back in 2005, a plan to create a memorial park named for Homer Plessy ran into complications with the Norfolk Southern Railroad Company, still the owner of the site on Press Street. The railroad terminated its \$100-per-year lease with the Crescent City Peace Alliance (CCPA), who with the Douglass High School wanted to establish an ambitious Civil Rights educational park to honor Homer Plessy's ill-fated ride and legal battle.

JIM CROW CAR LAW.
To-day Judge Ferguson of the Criminal District Court handed down a lengthy opinion in the case of Homer Plessy, charged with violating the separate car act, in which the constitutionality of the act was questioned: His Honor dismissed the plea in bar and sustained the legality of the act.

*Judge Ferguson's ruling as reported in the New Orleans Item,
November 18, 1892*

NED HÉMARD

New Orleans Nostalgia
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