

the J.R.
Clifford
project



Grade 8 West Virginia Studies

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Remembering the Past – To Inspire the Future.

J. R. Clifford 8th Grade Lesson Plan

Title: J. R. Clifford, Attorney at Law

Grade Level/Subject: 8th Grade West Virginia Studies

WV Content Standards(s) and Objectives:

S.S.0.8.1.1 Discuss how citizens can participate in government.

S.S.0.8.2.5 Analyze the functions and jurisdictions of the federal, state, local and special courts (e.g., United States Supreme Court, State Supreme Court, circuit courts, magistrate courts, family courts) and explain why a selected case would be heard in a designated court. **(Discuss why a case would be heard in a specific court.)**

S.S.0.8.5.11 Research and critique the role of ethnic and racial minorities, men, women, and children in West Virginia who have made serious contributions to our history in the public and/or private sectors. Choose the person you believe made the most significant contribution and explain your choice (e.g. Statehood, abolition, education, industry, literature, and government). **(Role of ethnic and racial minorities who have made a significant contribution to our history.)**

SS.O.8.5.14 Point out and locate places of historical importance in West Virginia that can be visited by tourists.

Essential Questions:

How can citizens impact government?

How have minorities shaped the culture of West Virginia?

How have political policies changed over time?

What are important facts to know about J. R. Clifford's professional life?

Where are specific places located in West Virginia?

Strategies to Activate Prior Knowledge:

Students will read the summary of J. R. Clifford's court case representing Carrie Williams versus the Tucker County Board of Education to become familiar with J. R. Clifford, the reason for the case, and the other endeavors J. R. Clifford pursued throughout his lifetime.

Vocabulary Development:

Students will look up the following words in the dictionary or from the Clifford summary: segregate, immigrants, Coketon, contract, transcript, plaintiff, defendant, speculation, deliberate, adjourn, appeal, podium, discrimination, proportion, panhandle, jury, J. R. Clifford, Carrie Williams, C. O. Streiby, and Harold Meyer.

Classroom Management/Organization:

Large group instruction, independent preparation of Bingo board, large-group delivery, teacher directed, student participation, and discussion.

Instructional Strategies:**Day 1 "J.R. Clifford Bingo"-**

1. Teacher will have all vocabulary words on small pieces of paper as well as the vocabulary definitions. These words and definitions will be placed in a zip lock bag for the bingo game.
2. Students will look up the vocabulary terms/names in dictionary and from the Clifford summary story.
3. Students will take the pre-designed bingo board with 16 squares and fill in the boxes with any of the eight vocabulary words and any of the eight definitions of the vocabulary words. Students will randomly place the terms and definitions on their board.
4. When completed, students will take a pile of construction paper covers for the boxes.
5. Teacher draws out either a vocabulary word or definition from the bag.
6. If the teacher reads a vocabulary word, the students will cover the matching definition. If the teacher reads a vocabulary definition, the students will cover the matching vocabulary word.
7. Play continues until a player has four words or definitions vertically, horizontally, or diagonally and then that student may call out "bingo".

Day 2 "Eight Box Summary"- (depending on school schedule, this lesson may need to be divided into two days)

1. Review the court case.
2. Students follow teacher sample and directions to create a blank 8 box summary template. Fold 8½ x 11 blank paper in half three times. When paper is opened up, there are eight boxes for use. (Teacher may use the eight box summary outline included with this unit instead of having students fold their paper.)
3. Students are to choose either Clifford's life or the specific court case to tell events in correct sequence. Each box must have at

least one complete sentence and a colored picture to represent the event.

4. Discuss J. R. Clifford as a West Virginian. What have we learned? Add any necessary knowledge.
5. Pass out West Virginia Map with only counties outlined. The map has a list of places to label correctly. Students plot and label each of the places on their map. On a separate sheet of paper, write the name of each location and tell its relevance to J. R. Clifford.

Exit Strategies: (exit slip or culminating activity, self evaluation or report out-reflection)

Day 1 - At the conclusion of the games of bingo students will write a small summary using the vocabulary words from their board referring to the J. R. Clifford story.

Day 2 (or Days 2 and 3) - Students turn in completed Eight Box Summary and WV Map.

Materials List:

Dictionary, Bingo board, small pieces of construction paper for the bingo board covering, blank WV Map, Eight Box Summary worksheet, markers, crayons, colored pencils, copies of the summary of Carrie Williams v. Tucker County Board of Education, and internet resources (listed below).

Resources:

Copies of the Clifford/Tucker County court case

<http://www.jrclifford.org>

<http://www.wvculture.org/history/clifford.html>

<http://henryrobertburke.com/lettsettlementreunion/id36.html>

Duration of the lesson: 2-3 days

Assessments:

Summary using the life of J. R. Clifford or the Carrie Williams case, Eight Box Summary, and completed WV Map.

File Attachments:

J. R. Clifford story summary

Bingo board template

Vocabulary word and definition lists

Eight Box Summary – Clifford Life, Williams case, and Template

WV Map

Map Location List

J. R. CLIFFORD: ATTORNEY-AT-LAW

West Virginia has had a grand history. Do you know that a West Virginia man was at the center of one of the country's first civil rights disputes? J. R. Clifford was that man. He was a Union Army veteran of the Civil War, a newspaper man, and the first black attorney in West Virginia. Let us go back to the 1890's and read a historic case about Carrie Williams, a black school teacher in Tucker County, West Virginia, that was brought against the Tucker County Board of Education.

In the 1890's, the town of Coketon, in Tucker County, West Virginia was a booming town. There were immigrants from other countries who worked in the railroad, timber and coal industries at that time. The Davis Coal and Coke Company, owned by industrialist Henry Gassaway Davis, was employing many of these immigrants. Many of these people were black and were working hard to achieve a better life, such as making sure their children received a good education. West Virginia law, at the time, segregated, or separated schools, between black and white students. The black students were facing discrimination, or were being treated unfairly, because they only were only being taught five months while the white students attended school eight months of the year.

Each year, the teachers were given a contract to read and sign. When Carrie Williams received the contract she was unhappy that the black students she taught only would receive five months of education and she would be paid for only five months of teaching. Ms. Williams decided not to sign the contract and to continue to teach her black students. Believing that her students deserved the same amount of schooling that white students received, Ms. Williams taught her students for eight months. As the end of the five months drew near and time to close school for the black students arrived, Harold Meyer, the Secretary of the Tucker County Board of Education and Vice-President of the Davis Coal and Coke Company, asked Ms. Williams to turn over her class register and to stop teaching. When Ms. Williams informed Mr. Meyer of her plan, he said that she would not be paid for the extra time teaching in school.

Carrie Williams did not know it at the time, but a contract is not valid unless it complies with the law of the state where it was created. The contract the school board offered Ms. Williams violated the State of West Virginia's constitutional law that read even though whites and "colored" cannot be educated in the same school, the school board must provide equivalent education for the "colored" children in the county. Only being in school for five months would not be educating the black students

equally and that would leave a three month disadvantage for those students and \$120.00 less pay for Ms. Williams.

The case was brought before the Tucker County court. The case of Carrie Williams v. Tucker County Board of Education took two years to arrive before a judge. The plaintiff or person who brought the case to court was Carrie Williams. She was represented by attorney J. R. Clifford. The defendant, or the party who the case was brought against was the Tucker County Board of Education. The lawyer for the Board of Education was C. O. Streiby. The jury, or the twelve men who listened to all evidence and then gave a decision favoring the plaintiff or defendant, were seated in the jury box. The judge was the Honorable Joseph T. Hoke. The trial was recorded with written transcripts, or proceedings of the case. Each witness was called to the podium, or raised area where a chair was placed to answer questions from both attorneys.

The plaintiff Carrie Williams and her attorney J.R. Clifford began their side first. Carrie Williams, J. R. Clifford's first witness, recounted her story, then it was C. O. Streiby's turn to cross-examine and ask Carrie some questions. Mr. Streiby asked Ms. Williams what her motives were or reasons for not signing the contract.

J. R. Clifford called Harold Meyer as his next witness. Mr. Clifford asked Mr. Meyer how the property taxes were calculated. Property taxes are the way in which schools receive their funding. Mr. Meyer said that since there were fewer black students than there were white students, their share of the taxes only entitled them to five months of school.

Mr. Clifford wondered if the property taxes were increased, would the black students be able to get the three missing months of education. Mr. Meyer, being Vice-President of Davis Coal and Coke Company, knew that his company paid the biggest proportion, or sizable amount, of the property taxes in the county. Mr. Meyer also remarked that if the school board's calculation of taxes based on the amount of black children were kept the same, this would result in the smaller percentage blacks costing more to educate than the majority white students. J.R. Clifford asked Mr. Meyer if he was acting within the law with this mathematical plan. The judge determined that question called for "speculation", or guessing about an answer. While this question did not get answered by Mr. Meyer, another question about whether the Davis Coal and Coke Company wanted to keep an educated work force was answered with a "Yes." J.R. Clifford felt he had made his point.

The case was over after no more witnesses were called. The jury began to deliberate, or discuss what they had heard and decide who won the case, the plaintiff or defendant.

The judge had instructed the jury in a few points of the West Virginia Constitutional law. He said that the school board must provide for equivalent education of whites and blacks and a person may not seek payment for a task without a contract, but the contract had to comply with the law.

When the jury heard these instructions and closing arguments presented by J.R. Clifford and C.O. Streiby, they left for the jury room. Not long after the jurors had their decision. They decided in favor of Carrie Williams. They felt the school board owed her \$120.00. The defendants would appeal, or ask the higher court to review the decision and then give their opinion, but on this day, the court was adjourned, or over for the day.

The Supreme Court of West Virginia later upheld the decision and Carrie Williams and her historic case ensured all black schools in West Virginia would have the same term as the white schools.

At the conclusion of this historic case in 1898, we find that it was one of the few civil rights victories for blacks before 1900. In 1906, J. R. Clifford helped organize the first American meeting of the Niagara Movement at Harpers Ferry, West Virginia. This was the beginning of the 20th century civil rights movement. J.R. Clifford passed away at age 85. He was buried at Arlington National Cemetery and will always be remembered in West Virginia as an American pioneer who helped future generations of African-Americans be treated fairly in jobs, voting, and jury services in West Virginia.

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J. R. Clifford

J. R. Clifford was a trailblazer in many aspects of West Virginia's black history. He broke ground in education, journalism, law, and civil rights. Clifford was born in Williamsport, Hardy County (present-day Grant County) in 1848. In the later years of the Civil War, he served in the 13th U.S. Heavy Artillery. After the war, Clifford attended a writing school in Wheeling and then began teaching other African Americans to write. After graduating from the Storer College normal department in 1875, he accepted a teaching position at the Sumner School in Martinsburg and was eventually promoted to principal.

In 1882, while teaching at Sumner, Clifford established the *Pioneer Press*, the state's first black newspaper. He advocated for the rights of African Americans locally and nationally. Clifford even criticized the all-white management of Storer College. The *Pioneer Press* remained one of the most respected black newspapers in the nation until it was closed by the federal government in 1917, due to Clifford's editorial criticisms of the United States' involvement in World War I. At the time of its demise, the *Pioneer Press* was the longest running black newspaper in the country.

Some of Clifford's most important contributions to black history were in the field of law. He studied with a white lawyer in Martinsburg, J. Nelson Wysner, and in 1887 became the first African American to pass the West Virginia bar examination. He argued two landmark cases before the West Virginia Supreme Court of Appeals.

In 1896, Clifford brought the first legal challenge of the state's segregated school system to the court. Thomas Martin, a black parent in Morgan County, wanted his children to have the opportunity to attend a local white school. Since the Martins were the only African-American family in the area, there was no separate school for the children. In the case of *Martin v. Board of Education*, the Supreme Court ruled the Martin children were not allowed to attend the white school even though the alternative meant not receiving an education. The *Martin* decision upheld the state's segregation policy, which was not overturned until the *Brown v. Board of Education of Topeka, Kansas* decision by the U.S. Supreme Court in 1954.

In 1898, Clifford was more successful in the case of *Williams v. Board of Education of Tucker County*. The Tucker County Board of Education had reduced the school term of African-American schools from eight to five months to save money. A black teacher, Carrie Williams, consulted Clifford for advice. He suggested she continue teaching for the entire eight months, despite the fact she would not be paid. When the board refused to pay Williams for the additional three months, Clifford took the case to court. The West Virginia Supreme Court found in favor of Williams, the first ruling in U.S. history to determine that racial discrimination was illegal.

In the area of civil rights, Clifford worked with his friend, W. E. B. Du Bois, to found the Niagara Movement in 1905. The Niagara Movement developed to counter Booker T. Washington's philosophy of working within the existing system to achieve gradual civil rights advancement. For his conservative ideas, Washington had become popular with white politicians of the time and had been invited to the White House by President Theodore Roosevelt. Unlike Washington's followers, participants in the Niagara Movement wanted immediate change. Clifford arranged the organization's second annual meeting in August 1906, held on the grounds of Storer College in Harpers Ferry. Participants walked barefoot to John Brown's Fort in a morning vigil honoring Brown's attempt to evoke a slave uprising in 1859. Clifford broke with the Niagara Movement when it formed the National Association for the Advancement of Colored People (NAACP) in 1909. Among other disagreements, he objected to the use of the word "colored" in the organization's title.

Clifford died in Martinsburg in 1933, at the age of eighty-five and was buried in the city's Mount Hope Cemetery. In 1954, his body was reinterred in Arlington National Cemetery in recognition of his service during the Civil War.

[Biographies of Prominent African Americans in West Virginia](#)

[West Virginia Archives and History](#)

West Virginia Division of Culture and History

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J. R. Clifford

John Robert ("J.R.") Clifford

(Treasurer for the first Lett Settlement Families Reunion in 1925.)

Biography:

John Robert ("J.R.") Clifford was born in 1848 in the small town of Williamsport, in what was then Hardy County, Virginia, near present-day Moorefield, West Virginia. Clifford's parents and grandparents were "free blacks" and had lived in that region of Virginia for several generations. There were no schools for colored children in the area. Clifford's parents sent him to Chicago to attend school, sometime in the early 1860s.

In 1864, at the age of fifteen during the American Civil War Clifford enlisted in the United States Colored Troops, and served with the 13th Regiment Heavy Artillery until 1865.

After the Civil War, Clifford learned the barber trade, and then operated a writing school in Ohio and West Virginia. In the early 1870s he enrolled in Harper's Ferry newly formed Storer College, created to educate the region's African-American population. After earning his degree in 1877, Clifford became a teacher at, and then the principal of, a segregated public school for African Americans in Martinsburg, West Virginia.

In 1882, Clifford began to publish "The Pioneer Press", a newspaper that was distributed nationally to a largely African American audience. He published the newspaper until 1917; it was the longest running weekly newspaper dedicated to African American issues during that time period.

In 1887, Clifford became the first African American attorney admitted to the West Virginia State Bar. He practiced law for forty-five years and was active in both state and national politics. Clifford was the President of the National Independent League and the first Vice-President of the American Negro Academy. Clifford was among the founders of the Niagara Movement, with other prominent African-American civil rights leaders such as W.E.B. DuBois.

In 1906, the Niagara Movement's first American meeting occurred in Harper's Ferry, West Virginia. The Niagara Movement led to the formation of the NAACP a few years later and is considered to be the cornerstone of the modern civil rights movement.

Williams v. Board of Education

In 1898, Clifford won a landmark CIVIL RIGHTS and education case before the West Virginia Supreme Court of Appeals. In *Williams v. Board of Education*, Clifford argued against the Tucker County Board of Education's decision to shorten the school year for African-American school children from nine months to five months, keeping a full term for white students. Mrs. Carrie Williams, the colored school's teacher, approached Clifford. He encouraged her to continue teaching for the full nine months, regardless of funding. Clifford then filed a lawsuit against the school board for Williams' back pay. Clifford won the case at a jury trial, and then won again before the WV Supreme Court of Appeals. The Court's decision bolstered equal educational rights for African American students statewide.

Clifford's victory in the *Williams* case occurred over fifty years before the landmark "Brown v. Board of Education case and was one of the few civil rights victories in a southern state's high court before the turn of the century. The J. R. Clifford Project, an organization dedicated to preserving Clifford's legacy and researching his life, presents re-enactments of this trial.

In 1933, Clifford died at the age of 85 in Martinsburg, West Virginia. His remains are buried at Arlington National Cemetery.

Niagara Movement



Organizers of the 1906 Niagara Movement meeting:
W.E.B. Du Bois (seated),
(left to right) J.R. Clifford, L.M. Hershaw, and F.H.M. Murray
(Courtesy of UMass Amherst)

Niagara Movement Organizers

Clifford was one of the founding members of the "Niagara Movement", which was organized and led by W.E.B. DuBois. The Niagara Movement called for full civil rights for black Americans and an end to legalized segregation, and is recognized as the cornerstone of the 20th Century civil rights movement and the forerunner to the NAACP. Clifford helped organize the first American Niagara meeting in 1906 at his alma mater Storer College in Harpers Ferry, West Virginia. In 2006, the Niagara Movement's Centennial was celebrated by the National Park Service at Harpers Ferry. The J. R. Clifford Project performed the "J.R. Clifford and the Carrie Williams Case" re-enactment program at the event.

SEGREGATE

CARRIE WILLIAMS

IMMIGRANTS

J.R. CLIFFORD

COKETON

C.O. STREIBY

CONTRACT

HAROLD MEYER

TRANSCRIPT

PLAINTIFF

DEFENDANT

SPECULATION

DELIBERATE

ADJOURN

APPEAL

DISCRIMINATION

PODIUM

PROPORTION

PANHANDLE

JURY

TO SEPARATE DUE TO CHARACTERISTICS

PERSONS WHO COME FROM ANOTHER PLACE TO SETTLE IN ANOTHER

IN TUCKER COUNTY, THE HEADQUARTERS OF THE BIGGEST RAILROAD, TIMBER AND COAL ENTERPRISE IN WEST VIRGINIA

AN AGREEMENT BETWEEN TWO PARTIES

WRITTEN RECORD OF EVENTS

PERSON(S) WHO BRING CHARGES IN A COURT OF LAW

PERSON(S) WHOM CHARGES ARE BROUGHT AGAINST IN A COURT OF LAW

GUESSING ABOUT REASONS WHY AN EVENT OCCURRED

TAKING EVIDENCE AND STUDYING IT TO ARRIVE AT A CONCLUSION

TO END

TO HAVE A CASE REEXAMINED TO SEE IF A MISTAKE OCCURRED

UNEQUAL TREATMENT BASED ON PHYSICAL CHARACTERISTICS

A RAISED PLATFORM TO STAND ON

A RATIO THAT COMPARES TWO GROUPS

A NARROW STRIP OF LAND THAT PROJECTS FROM A BROADER TERRITORY

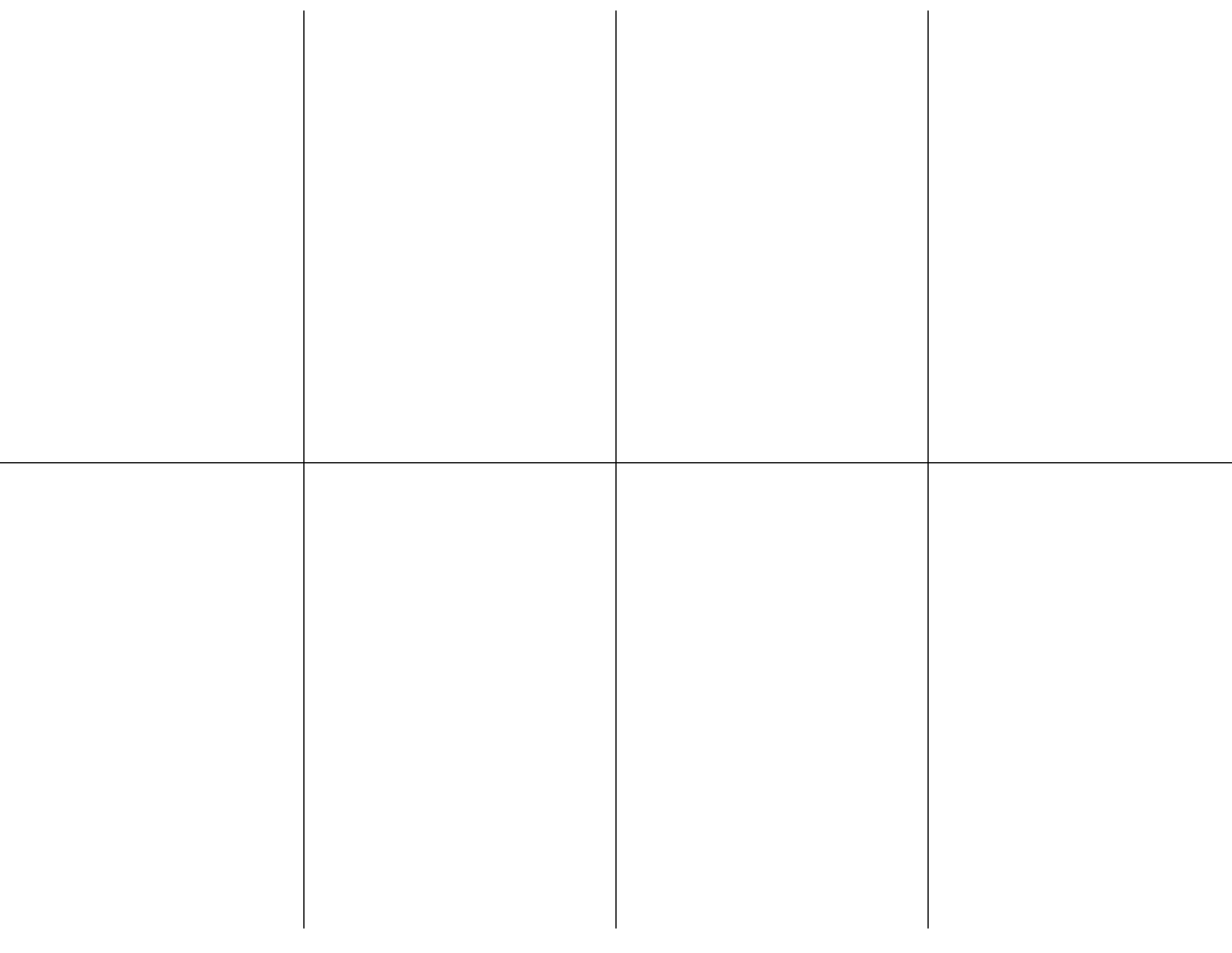
A GROUP OF PEOPLE CALLED BY LAW AND SWORN TO HEAR EVIDENCE IN A CASE AND GIVE A VERDICT

AN AFRICAN-AMERICAN SCHOOL TEACHER IN TUCKER COUNTY WHO BROUGHT A CASE AGAINST THE TUCKER CO. BOARD OF EDUCATION DUE TO DISCRIMINARY PRACTICES INVOLVING AFRICAN-AMERICAN STUDENTS

AFRICAN-AMERICAN LAWYER IN WEST VIRGINIA WHICH TRIED THE CARRIE WILLIAM CASE IN TUCKER COUNTY. ALSO A NEWSPAPER EDITOR.

DEFENSE LAWYER FOR THE TUCKER COUNTY BOARD OF EDUCATION

VICE PRESIDENT OF THE DAVIS COAL AND COKE COMPANY AND SECRETARY OF THE TUCKER COUNTY BOARD OF EDUCATION



NAME(S) _____

Write 1-2 sentences to sequence the Carrie Williams case as presented by J. R. Clifford. Illustrate each box.

NAME(S) _____

Write 1-2 sentences to sequence J. R. Clifford's life. Illustrate each box.

West Virginia



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Locate and label the following places on the WV Map:

1. Harpers Ferry
2. Martinsburg
3. Charles Town
4. Wheeling
5. Morgantown
6. Moorefield
7. Coketon
8. Williamsport
9. Parsons
10. Charleston

Color and label the following counties:

1. Morgan
2. Hardy
3. Monongalia
4. Tucker
5. Grant
6. Kanawha
7. Jefferson