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# GSHA to hear about landmark school suit

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By: *Sylvia Lobato* - Updated: 2 weeks ago



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By SYLVIA LOBATO

CONEJOS/ALAMOSA — The nation's earliest victory in the war against educational segregation took place in the San Luis Valley and only recently came to light.

It will be featured in a PowerPoint presentation by Dr. Ronald W. Maestas at the 29th Annual Conference of the Genealogical Society of Hispanic America (GSHA) in Pueblo Friday, Aug. 17.

It was a necessary battle, but the big win lay hidden for more than a century.

In 1914, "The Denver Catholic Register" called the decision "historic," noting that it "was the first time in the history of America that a court fight was made over an attempt to segregate Mexicans in school." The suit grew from grassroots concern for equal education of Alamosa's children.

Dating back to 1912 when Alamosa was still part of Conejos County, a deep blizzard had paralyzed Denver and bad weather emerged locally.

Ten-year-old Miguel Maestas was forced to walk seven blocks from his home on the north end of Ross Ave. to the "Mexican" school building at the intersection of Ninth and Ross.

In addition, as a railroad man, his father, Francisco Maestas, knew the dangers of the railroad crossing, as well as the weather and, on Sept. 2, 1913, went to the superintendent of schools and asked to enroll his son. The request was refused and Maestas was told he had to enroll his son in the "Mexican School."

Miguel was kept out of school by his father due to an organized walkout which was part of the Mexican American parent protest against the segregated school.

Lying unnoticed from 1914 to 2016 and labeled Francisco Maestas et al vs. George H. Shone et al, the suit has been cited as a perfect example of resistance to segregation in Colorado's "Hispano Homeland," a concept made popular by historian Richard Nostrand, who contended the area was where people of Mexican descent had long been isolated and removed from Mexico, forming their own culture.

The town of Alamosa was incorporated in June 1878 when the Rio Grande Railroad made its hub in the San Luis Valley. What is now Alamosa County was the northern part of Costilla and Conejos counties that date back to 1876 when Colorado became a state. It was dedicated as a county on Saturday, March 8, 1913.

Ceded by Mexico in 1848 and protected in part by the Treaty of Guadalupe Hidalgo, the San Luis Valley was part of the United States long before any of the principals were born. Statehood was granted on Aug. 1, 1876.

Land for the school was purchased in 1909 and there was no secret that it was to serve only "Mexicans."

The McKinney directory listed the "Mexican Preparatory School" as being at Ninth and Ross. There was no telephone number.

Francisco Maestas was named plaintiff to represent others who weren't specifically

named.

After a lengthy trial, District Court Judge Charles Holbrook determined that the plaintiffs had made a sufficient case for admittance of the students and issued an order to the school board and superintendent to either admit the children to the public school most convenient to their homes or file an answer showing why they should not.

Arguing that students seeking to enroll at the school weren't segregated on account of race, John T. Adams, attorney for the schools, attempted to show that Miguel Maestas and other students were denied enrollment in the city's other schools because they were deficient in English speaking skills.

Adams argued that the students were "Caucasian" and denied that the school board and superintendent had excluded them from other schools in Alamosa because of their race. In a defense document, Adams stated that the school was known as the "Preparatory School, but not the Mexican School" and denied that all "Mexican children or children of Mexican descent or any children whomsoever (sic) by reason of their race, or color or descent are of have been for more than two years last past or at any other time, obliged by order of these defendants, or any of them or by order of the Board of Education, so called or otherwise to attend the said preparatory school up to the fifth grade thereof, or at all, while other children were or are permitted to attend the school most convenient to their residence."

He argued Miguel Maestas was denied admission to the North Side School because he lacked English skills and was academically unprepared.

Adams claimed Miguel had failed an English exam and that he was "behind in all of his classes and studies, and ... unable to carry on the work thereof." Miguel was also behind academically, said Adams, because his parents had "permitted" him to stay out of school for three months.

Maestas and Miguel were also put on the stand. The Register reported he "was timid and abashed by reason of the crowded court room."

However, Miguel "understood and answered the questions put him by counsel in English." When defendants asked Miguel questions through an interpreter, "he responded in English before the interpreter could finish the questions."

Miguel told the court that he was "often made late for school by reason of waiting for trains to pass."

Judge Holbrook was convinced that school officials had used the English language deficiency and the academic unpreparedness of some Mexican American children as a rationale to send them all to the Mexican School up to the fifth grade. He declared English-speaking Mexican American children had the right to attend public schools near their homes, or schools of their choice, in the Alamosa School District.

In his decision, Judge Holbrook noted the "school was built for their [the Mexican students'] benefit, and supplied with teachers especially selected, because of their ability

to speak both English and Spanish.”

He ultimately rejected those arguments and decided in favor of Maestas. He found some of the Mexican American children “in the lower grades may be able, and doubtless are able, to speak English.”

Holbrook understood why “Spanish speaking people believe that their children are excluded from the two English speaking schools, upon account of race.”

Rejecting the school board’s argument, he believed that this “feeling must be eradicated before the school can reach its greatest efficiency.” He did not think it was just to send English-speaking Mexican children to the Mexican School because he saw “evidence [that showed there were] children in different grades in the Mexican Primary School, who know enough English to understand instruction in the same grades in the other schools.” Thus, Holbrook stated that “in the opinion of the court ... the only way to destroy this feeling of discontent and bitterness which has recently grown up, is to allow all children so prepared, to attend the school nearest them.”



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