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IN THE UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DIVISION OF THE WESTERN DISTRICT OF  
MISSOURI

LUCILE BLUFORD,	)	
2444 Montgall Avenue,	)	
Kansas City, Missouri,	)	
Plaintiff,	)	
	)	Civil Action
vs	)	
S.W. CANADA,	)	No. 42
(University of Missouri,)	)	
Columbia, Missouri	)	
Defendant.	)	

COMPLAINT FOR DEPRIVATION OF PLAINTIFF'S CIVIL RIGHTS UNDER COLOR OF STATE LAWS

1. Jurisdiction is based on the United States Constitution, XIV Amendment, section 1; and the United States Code, title 8, sections 41 and 43, and title 28, section 41 (1), (14), as herein more fully appears. The amount in controversy, exclusive of interests and costs, is Twenty Thousand (\$20,000.00) Dollars.

COUNT I

2. On January 1, 1939 and continuously thereafter, defendant S.W. Canada was and is, the Registrar of the University of Missouri, a public institution of the State of Missouri governed by "the Curators of the University of Missouri", a body corporate created by the legislature of Missouri for that purpose. Under university rules and regulations promulgated by "the Curators of the University of Missouri", under delegation of legislative power from the legislature of Missouri, defendant Canada was at all times material herein the officer of the University of Missouri responsible for and in complete charge of all details covering the registration and admission of students to any department of the University of Missouri, including registration and admission of students to the University of Missouri for graduate work in Journalism —which is offered to citizens of Missouri by the State acting thru "the Curators of the University of Missouri"

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and the officers and faculty of the University. A permit to register issued by defendant as Registrar was, and is, a condition precedent to any student being admitted to the University of Missouri for any purpose, including graduate work in Journalism.

3. In January, 1939, plaintiff, a Negro citizen of the State of Missouri, of full age, duly applied to defendant Registrar, as provided by the rules and regulations governing the administration of the University, for admission to the University for graduate work in Journalism

offered by the University as aforesaid. Plaintiff then was, and still is, in active newspaper work in the State of Missouri, being managing editor of the Kansas City Call, a Missouri weekly newspaper; also a graduate of the University of Kansas in 1932 with degree of Bachelor of Arts with major in Journalism. Said degree fully qualified her scholastically for registration and admission to the University for said graduate work in Journalism, and she possessed, and still possesses, all other legitimate and constitutional qualifications for such registration and admission. Defendant Canada accepted her qualifications and directed her to appear at his office on the campus of the University in Columbia, Missouri, and to obtain from him a permit to register in the University for said graduate work in Journalism as a condition precedent to her admission to the University for said purpose for the second semester of the academic year 1933-1939. Plaintiff properly presented herself to defendant at his office aforesaid on or about January 30, 1939, during the regular registration period for the second semester above mentioned, and requested him to issue her the required permit to register and to register her in the University of Missouri for graduate work in Journalism for the second semester of the academic year 1938-1939, as he was then and there duty bound to do. Nevertheless defendant knowing that Lincoln University, the state university established for Negro students, had not added not offer [Ms. illegible] graduate or undergraduate work in journalism and acting under color of state law (Mo. Rev. Stat., 1929, section 9625, and the rules and regulations promulgated by "the Curators of the University of Missouri" pursuant thereto) did illegally refuse to issue plaintiff her permit to register in the University of Mis-

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souri for graduate work in Journalism, and to admit her to the University for said work or for any other purpose. Defendant based his denials of plaintiff's rights to said registration and admission upon the Missouri Constitution (Article XI, section 5; and certain statutes of the State (Mo. Rev. Stat., 1929, Chapter 57, Article 19), and the fact plaintiff is a Negro. Plaintiff was then and there, and still is, prepared and ready to pay the lawful uniform fees and meet the lawful uniform requirements governing registration and admission to the University of Missouri for graduate work in Journalism, and so tenders herself.

4. The University of Missouri was then, and still is, the only educational institution in the State of Missouri where the State as aforesaid is offering graduate work in Journalism to the citizens of Missouri; and was then, and still is, the only place in Missouri where plaintiff can obtain graduate work in Journalism. Plaintiff being then and now a citizen of Missouri, duly qualified by law for said graduate work and being prepared and ready to pay the lawful uniform fees and meet the lawful uniform requirements governing registration and admission to the University of Missouri for graduate work in Journalism, had then, and still has, a civil right guaranteed her by the equal protection clause of section 1 of the Fourteenth Amendment to the Constitution of the United States, and by section 41 of title 8 of the United States Code, to registration and admission to the University of Missouri for graduate work in Journalism for the second semester of the academic year 1938-1939. And defendant Registrar was then, and still is, under a plain, legal and ministerial duty to register and admit her as aforesaid.

5. Defendant Registrar, acting in the premises under color of state law and the

regulations adopted thereunder by "the Curators of the University of Missouri" as aforesaid, by his arbitrary and illegal refusal to register and admit plaintiff to the University of Missouri for graduate work as aforesaid, did violate the equal protection clause of section 1 of the Fourteenth Amendment to the Constitution of the United States, and section 41 of title

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8 of the United States Code, and did make himself liable to plaintiff under section 43 of title 8 of the United States Code to this action by her against him for her injuries sustained thereby.

6. As a result of defendant's said wrongful acts plaintiff was illegally barred from the University of Missouri for the entire second semester of the academic year 1958-1959, and was unable to take in the University of Missouri, or elsewhere in the State of Missouri, graduate work in Journalism. In consequence thereof she suffered great humiliation, mental anguish, loss of earning power and efficiency in her newspaper work, and has lost irreplaceable time out of her life in beginning her graduate work in Journalism, and has been injured by the defendant to the amount of Ten Thousand (\$10,000.00) Dollars. Wherefore she demands judgment of defendant in the amount of Ten Thousand (\$10,000.00) Dollars damages, besides costs.

COUNT II

7. In August, 1939, plaintiff being then and there still eligible in all lawful respects for registration and admission to the University of Missouri for graduate work in Journalism (as set forth in paragraph 5 supra), renewed her application to defendant Registrar for registration and admission to the University of Missouri for graduate work in Journalism for the first semester of the academic year 1939-1940. On or about September 14, 1939, plaintiff properly presented herself to defendant at his office on the campus of the University of Missouri in Columbia, Missouri, during the regular registration period for the first semester above mentioned, and requested him to issue her the required permit to register and to register her in the University of Missouri for graduate work in Journalism for the first semester of the academic year 1939-1940, as he was then and there duty bound to do (as set forth in paragraphs 2, 3 and 4 supra). Nevertheless, defendant knowing that Lincoln University, the state university established for Negro students, had not and did not offer either graduate or undergraduate work in journalism and again acting under color or state law (Mo. Rev. Stat., 1929, section 9625, and the rules and regulations promulgated by "the Curators of the University of Missouri" pursuant thereto) did

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illegally refuse to issue plaintiff her permit to register in the University of Missouri for graduate work in Journalism, and to admit her to the University for said work or for any other purpose. Defendant based his denials of plaintiff's rights to said registration and admission upon the Missouri Constitution (Article XI, section 5) and certain statutes of the State (Mo. Rev. Stat.,

1929, chapter 57, article 19, as amended by Mo. Laws, 1959, page 62, section 5, and page 685), and the fact plaintiff is a Negro. Plaintiff was then and there, and still is, prepared and ready to pay the lawful uniform fees and meet the lawful uniform requirements governing registration and admission to the University of Missouri for graduate work in Journalism, and so tenders herself.

8. The University of Missouri was then, and still is, the only educational institution in the State of Missouri where the State as aforesaid is offering graduate work in Journalism to the citizens of Missouri; and was then, and still is, the only place in Missouri where plaintiff can obtain graduate work in Journalism. Lincoln University, a public institution operated for the higher education of Negro citizens of Missouri by the State, thru its agency "the Curators of Lincoln University, a body corporate, has never offered, and does not now offer, graduate work in Journalism, and has neither the faculty, plant, money in hand or appropriated, nor other resources or facilities, to offer to the citizens of Missouri graduate work in Journalism, and cannot offer said work. Plaintiff being then and now a citizen of Missouri, duly qualified by law for the aforesaid graduate work in the University of Missouri, and being prepared and ready to pay the lawful uniform fees and meet the lawful uniform requirements governing registration and admission to the University of Missouri for graduate work in Journalism, had then, and still has, a civil right guaranteed her by the equal protection clause of section 1 of the Fourteenth Amendment to the Constitution of the United States, and by section 41 of title 8 of the United States Code, to registration and admission to the University of Missouri for graduate work in Journalism for the first semester of the academic

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year 1939-1940. And defendant Registrar was then, and still is, under a plain, legal and ministerial duty to register and admit her as aforesaid.

9. Defendant Registrar, acting in the premises under color of state law and the regulations adopted thereunder by "the Curators of the University of Missouri" as aforesaid, by his arbitrary and illegal refusal to register and admit plaintiff to the University of Missouri for graduate work in Journalism for the first semester of the academic year 1939-1940, did violate the equal protection clause of section 1 of the Fourteenth Amendment to the Constitution of the United States, and section 41 of title 8 of the United States Code, and did make himself liable to plaintiff under section 43 of title 8 of the United States Code to this action by her against him for her injuries sustained thereby.

10. As a result of defendant's said wrongful acts plaintiff was illegally barred from the University of Missouri for the entire first semester of the academic year 1939-1940, and was unable to take in the University of Missouri, or elsewhere in the State of Missouri, graduate work in Journalism. In consequence thereof she suffered great humiliation, mental anguish, loss of earning power and efficiency in her newspaper work, and has lost irreplaceable time out of her life in beginning her graduate work in Journalism, and has been injured by the defendant to the amount of Ten Thousand (\$10,000.00) Dollars. Wherefore she demands judgment of defendant in the amount of Ten Thousand (\$10,000.00) Dollars damages, besides costs.

The total amount of this suit is for Twenty Thousand (\$20,000.00) Dollars damages, besides costs.

L. Amasa Knox  
Charles H. Calloway  
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Carl R. Johnson  
Sidney R. Redmond

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FILED  
NOV 2 1939  
A. L. ARNOLD, Clerk  
By Edna D. Morris  
Deputy