

# THE DEDICATION OF A HISTORICAL MARKER: SISTERS OF ST. JOSEPH AND PENNSYLVANIA'S GARB ACT

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Prior to 1884, U.S. Catholic bishops had been urging parishes to educate their children. That year, meeting in Plenary Council, the bishops declared that every parish was to have a school within two years. Pastors and laity also saw the need to bring Catholic children, particularly the daughters and sons of immigrants, into the mainstream of American society, and U.S. Catholic education took off in earnest. The strength of that work dominated the church for over a century, and news of the attempts to educate Catholic children in other ways almost became lost to history.

Yet some prelates sought to initiate other types of educational plans. In Minnesota in the 1890s, Archbishop John Ireland backed an arrangement in two small towns where the public school board operated the schools, and religious instruction was given outside of regular class time. This was based on a plan already in practice in Poughkeepsie, New York. Efforts in both places were short-lived.<sup>1</sup> Yet these were not



**Sister Sebastian McGrath, one of the teachers who testified in court**

Source: Sisters of St. Joseph of Baden



**In 1893, the Gallitzin School Board consolidated all of the local public schools into a newly constructed school, which was located above the railroad tunnel. This image is from 1902.**

Source: Thomas C. Ayers, "RR Picture Archives," accessed September 23, 2021, [www.rrpicturearchives.net](http://www.rrpicturearchives.net)

the first attempts to arrange for secular and religious education outside of parish-run schools. Another early example was in the Allegheny Mountains of Western Pennsylvania. In 1881, Father John Boyle arranged for Sisters of St. Joseph from Ebensburg to be employed as teachers in the public schools of nearby Gallitzin, PA. Gallitzin Borough, which had just been incorporated in 1872, was drawing workers

for coal mines and railroad construction, so much so that its population tripled between 1880 and 1890.<sup>2</sup> Within a year the Gallitzin public school system consisted of three buildings, one four-room hall for upper grade students and two one-room schoolhouses for younger children. The school for the students of the upper grades belonged to the parish.<sup>3</sup>

By the 1893 fall term, the Gallitzin public school board had built a brick school for all the students near the town's railroad tunnels. That year the faculty consisted of six St. Joseph Sisters and two lay teachers – a man and a woman.<sup>4</sup>

This was at a time of increasing immigration, and accompanying it were the contempt and fear of immigrants known as nativism. The large number of Catholics among the immigrants became a particular target. In Gallitzin during the 1894 spring term, a nativist group, the Junior Order of United American Mechanics (JOUAM), filed charges against the sisters and the Gallitzin school directors, accusing them of promoting sectarian influence in a public school, a practice outlawed in the state. Particularly at issue was the fact that the sisters wore a religious habit, which was considered a sectarian symbol.

The school year was interrupted when the trial took place

in Ebensburg, the county seat, in May. Among the witnesses were the six sisters: Sisters Colletta Cooney, Gonzaga Cunningham, Mary John Keenan, Marcella Kennedy, Sebastian McGrath, DeSales Walsh. Also, Mother Mary Dunlevy, the major superior, was called to the stand to produce the by-laws and constitutions of the congregation.

That August, the judge ruled that the religious dress of teachers was not a sectarian influence and the sisters returned to the schools for the 1894-95 school year. The ruling did state, however, that the sisters could not teach the Catholic religion in a public school building even outside of school hours. The JOUAM made an appeal to the Pennsylvania Supreme Court which in November upheld the lower court. In their ruling, the justices noted that the State Legislature could enact a statute regarding the style of dress of teachers.<sup>5</sup> JOUAM found a friendly member of the state legislature to sponsor what was known as the Garb Bill, and it passed the state legislature by a vote of 151-30. The governor signed it into law on June 27, 1895.<sup>6</sup>

Immediately, sisters were barred from teaching in any public school in Pennsylvania, and the St. Joseph Sisters were no longer teachers in the public schools of Gallitzin or Lilly, another coal mining town some five miles away. The parish then took on the responsibility of educating the Catholic children. In Gallitzin, sisters used space in their convent at St. Patrick Parish for classrooms. Before long, St. Patrick moved its school into the former church.<sup>7</sup> This would serve as the parish school until 1958. St. Brigid Parish in Lilly built a school which was ready for use in 1901. Ironically, the year of the Garb Act, 1895, was the same year that education of children became mandatory in the state.<sup>8</sup>

Even while it was clear that sisters could not teach in public schools in Pennsylvania, the matter persisted in other states well into the twentieth century. Religious women taught in rural public schools in at least twelve states.<sup>9</sup> Opposition arose in a number of them between the later 1940s and the early 1960s. In 1951, New Mexico's Supreme Court confirmed that religious garb was a sectarian influence.<sup>10</sup> Two years later Missouri forbade women religious, regardless of dress, to teach in the state's public schools.<sup>11</sup> The most unique example might be from North Dakota which passed a garb law by referendum in June 1948. That fall, the sisters dressed in lay clothing and went back to their public school positions. Having expected passage of the law, the bishop of Bismarck, ND, had obtained approval from the Sacred Congregation for Religious for sisters to wear secular clothing while they were teaching.<sup>12</sup>

Matters went differently for the Sisters of St. Joseph of Concordia, Kansas, who taught in public schools begin-



**Sisters of St. Joseph unveiled PHMC historical marker commemorating the legal case Hysong v. Gallitzin School Board on June 24, 2021. From left: Sisters Mary Parks, Jean Uzupis, Lyn Szymkiewicz, Sharon Costello**

Source: Sisters of St. Joseph of Baden

ning in 1889.<sup>13</sup> Although there was speculation that a law similar to the Garb Act might be introduced in Kansas in the 1960s, this never occurred. Sisters remained in public schools in Kansas into the 1960s.<sup>14</sup> By then, the state had required consolidation of the nearly 2,800 small public school districts. At the same time, fewer sisters were available, and congregations pulled back from long-term commitments to any schools. No legal case was ever filed in Kansas.<sup>15</sup>

St. Joseph Sisters remained at St. Patrick's School and Convent in Gallitzin until 1996. They left the school and convent in Lilly in 1970, but returned in 2001 to live in the convent, where they remained until 2021.

### A Concluding Note

A number of forces came together in the Pennsylvania Garb Act episode. Among them were the growth of industry and the push to move goods westward from the port of Philadelphia. The Allegheny Mountains provided a barrier for transportation as industrialists set out to build a railroad across the state. They attracted workers to Gallitzin to dig tunnels through the mountains. In addition, a seam of coal ran through the area. All of this drew immigrants, who were poor and from traditionally Catholic countries of

Europe. They swelled the population of Gallitzin and other industrial towns, and the increase in the number of children presented a challenge for educators. Some who feared that immigrants would take their jobs were artisans, often called mechanics. They were among the groups who opposed acceptance of them in U.S. society.

The Catholic bishops, religious, and clergy sought ways to assist the immigrants. They feared a great loss if the children of impoverished and uneducated Catholics were not nurtured in the faith. Women religious dedicated their gifts and resources to the education of youth. These women gained experience as teachers through their life in community as they helped and encouraged one another in their work. School directors in Gallitzin and other places saw the advantages of employing a congregation of sisters. They would have a steady stream of teachers who were well prepared and dedicated because of their vocation.

Schooling could not be neglected. Already states were beginning to make it mandatory, and that is just what Pennsylvania did in 1895, declaring that those between the ages of 8 and 13 were to be in school for four consecutive months of the year. At the same time, many of the nation's public schools were Protestant-oriented in prayers and Bible reading, and generally did not welcome Catholics.

While Catholic schools in the United States proved to be

Sisters who testified:

Sisters:	Year of birth	Year of reception	Year of death
Colletta Cooney	1864 (Mar. 6)	1886	1956 (Sept. 30)
Gonzaga Cunningham	1864 (Oct. 2)	1885	1957 (Jan. 20)
Mary John Keenan	1858 (June 1)	1878	1934 (Nov. 17)
Marcella Kennedy	1872 (Oct. 6)	1889	1951 (Feb. 17)
Sebastian McGrath	1873 (Apr. 3)	1889	1951 (July 3)
DeSales Walsh	1874 (Dec. 21)	1893	1966 (Oct. 23)
Mother Mary Dunlevy	1854 (Dec. 20)	1873	1932 (Mar. 6)

successful, even at their height, they were educating not quite half the nation's Catholic school children.<sup>16</sup> Some church leaders had sought other means of educating the children, including the arrangement that was carried out in Pennsylvania's Allegheny Mountains. It worked for over a decade before nativism raised its head. The mountain parishes then opened Catholic schools as the bishops had encouraged. The sisters moved into the new model, and they educated children in those parishes well into the twentieth century. Questions about education, nurturance in the faith, and immigration have remained in various forms throughout the nation's history. Immigration in particular continues to evoke prejudice and division in the nation.

**Another Concluding Note**

The history of sisters teaching in public schools comes from somewhat hidden places like the railroad and coal mining towns of the Allegheny Mountains in western Pennsylvania and rural villages in the Midwest. The names of these towns and villages are not readily on the tongues of most of the U.S. population. They are nevertheless the locus of major historical happenings. Likewise, the people of these places, in living out their ordinary lives, have been part of a fiber of history they did not recognize. The sisters, students, parents and clergy in Gallitzin in the 1890s could not have known the historical importance of the events in the education of the youth of their area.

**Endnotes:**

<sup>1</sup> James Hennesey, S.J., *American Catholics* (NY: Oxford University Press), 186-87.  
<sup>2</sup> "Gallitzin, Pennsylvania," Wikipedia, last modified January 10, 2021, [https://en.wikipedia.org/wiki/Gallitzin,\\_Pennsylvania](https://en.wikipedia.org/wiki/Gallitzin,_Pennsylvania). The population in 1880 was 799; in 1890 it was 2392.  
<sup>3</sup> Sister Mercia Biter, CSJ, "Sisters Challenged in Public Schools," *Gathered Fragments* 6 no. 1 (Spring/Summer 1995), 2-3.  
<sup>4</sup> *Ibid.*  
<sup>5</sup> Sister Adele Whaley, SSJ, *Salute to the Pioneers* (Baden: Sisters of St. Joseph of Baden, 1952), 32. Kathleen Washy, *Hysong v. Gallitzin School Board* Pennsylvania State Historical Marker Nomination Form, 2019.  
<sup>6</sup> Nomination Form. Whaley, 34.  
<sup>7</sup> Biter.  
<sup>8</sup> "PSEA: A Timeline," PSEA, <https://www.psea.org/about-psea/mis-sion--history/psea-a-timeline/>. Accessed May 3, 2021.  
<sup>9</sup> Kathleen Holscher, "Contesting the Veil in America," *Journal of Church and State* 54, no. 1 (Winter 2012), 74-75.

<sup>10</sup> *Ibid.*, 75-76.  
<sup>11</sup> *Ibid.*, 76.  
<sup>12</sup> *Ibid.*, 67.  
<sup>13</sup> Sally Witt, CSJ, "Schools and Hospitals on the Frontier," (paper presented at History of Women Religious Conference, Santa Clara University, 2016), 3-4. Sisters from Concordia accepted a public school in St. George, IL, in 1889. A number of the public schools where they taught in Kansas began as parish schools and became public schools during the Depression.  
<sup>14</sup> St. Joseph Sisters from Wichita and St. Agnes Sisters from Fond du Lac, WI, also taught in public schools in KS at the time. *Ibid.*, 3 note 13.  
<sup>15</sup> Sally Witt, CSJ, *Beyond the Frontier* (PA: Word Association Publishers, 2020), 211-13.  
<sup>16</sup> Patricia Byrne, "In the Parish but Not of It: Sisters," in Jay P. Dolan, R. Scott Appleby, Patricia Byrne, and Debra Campbell. *Transforming Parish Ministry* (NY: Crossroad, 1990), 141. Robert C. Serow, "Catholic Education for All Catholic Children: Canon 1374 and the Limits of Church Authority," *American Catholic Studies*. 132 no. 1 (Spring 2021), 72-74.