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# SPORTS FEED



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## Randy Maniloff: Indiana was once a very bad football team, but won a civil rights victory

RANDY MANILOFF  
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Pittsburgh native Curt Cignetti is just two wins away from winning a college football national championship with Indiana University. He's the head coach of a team that until recently, had lost more games than any other college football team — but is also the team that saw one of the first civil rights victories in American sports, over 130 years ago.

Cignetti, born in Pittsburgh, played quarterback for West Virginia University before going into coaching. His father, Frank Cignetti Sr., was head coach at Indiana University of Pennsylvania from 1986 to 2005, where Curt succeeded him in 2011, leaving in 2016 with a 53 and 17 record and three NCAA playoff appearances.

His team, the number 1 seed, plays 5 six Oregon tonight.

### The hotel said no

On Oct. 27, 1894, Wabash College beat Indiana 46–0. But this shellacking wasn't just another of the countless forgettable efforts by the footballers from Bloomington.

Wabash, located in Crawfordsville, Ind., was the home team. By league rule, it was responsible for arranging and paying for the accommodations of the visiting squad. The Indiana players were booked at a hotel in town called the Nutt House.

Preston Eagleson, the university's first Black intercollegiate athlete, was denied a room on account of his race. The team moved to a hotel that would lodge them all.

But Eagleson's father did not let the matter end there. He sued the innkeeper, a man named Fruchey, alleging that he had violated his son's rights under Indiana's Civil Rights Act. The law, passed a decade earlier, provided that all persons in the state shall be entitled to full and equal enjoyment of all places of public accommodation.

The text specifically noted that it applied regardless of color or race. An aggrieved party could recover up to \$100.

The case went to trial in late January 1895. Fruchey's defense, the Crawfordsville Weekly Journal reported, was that he had ultimately offered Eagleson housing so long as he did not eat in the dining room. White patrons had threatened to leave if he did.

The jury found for Eagleson. The local paper shared that jurors had differing views on the amount of damages to be awarded, ranging from one cent to \$100. They settled on \$50.

### The appeals court said yes

Fruchey appealed. In *Fruchey v. Eagleson* (1896), the Court of Appeals of Indiana, in the first reported decision addressing the state's Civil Rights Act, affirmed the jury's decision, concluding that the evidence supported the verdict. Eagleson was denied the hotel's privileges, the court determined, because of his race "and for no other reason."

There was no evidence that Eagleson had refused to comply with reasonable regulations of the hotel. Not to mention, the appeals court noted that Eagleson was "gentlemanly and polite in his deportment" and gave a nod to his intelligence, noting that he was a junior at I.U. at just the age of 18.



The court also gave no credence to the argument that somehow the Civil Rights Act was not violated because Eagleson had been offered a room on the condition that he take his meals away from other guests. This would clearly have been "a denial of equal privileges such as the statute contemplates."

The court also rejected the argument that Eagleson could not recover because he had never objected to the hotel clerk about his treatment. Rather, he let the team's manager do it. But this was not fatal to Eagleson's case as he "was not required" the court concluded, "to repeat the demand for accommodations in person, at the risk of being subjected to additional humiliation."

### Types of discrimination

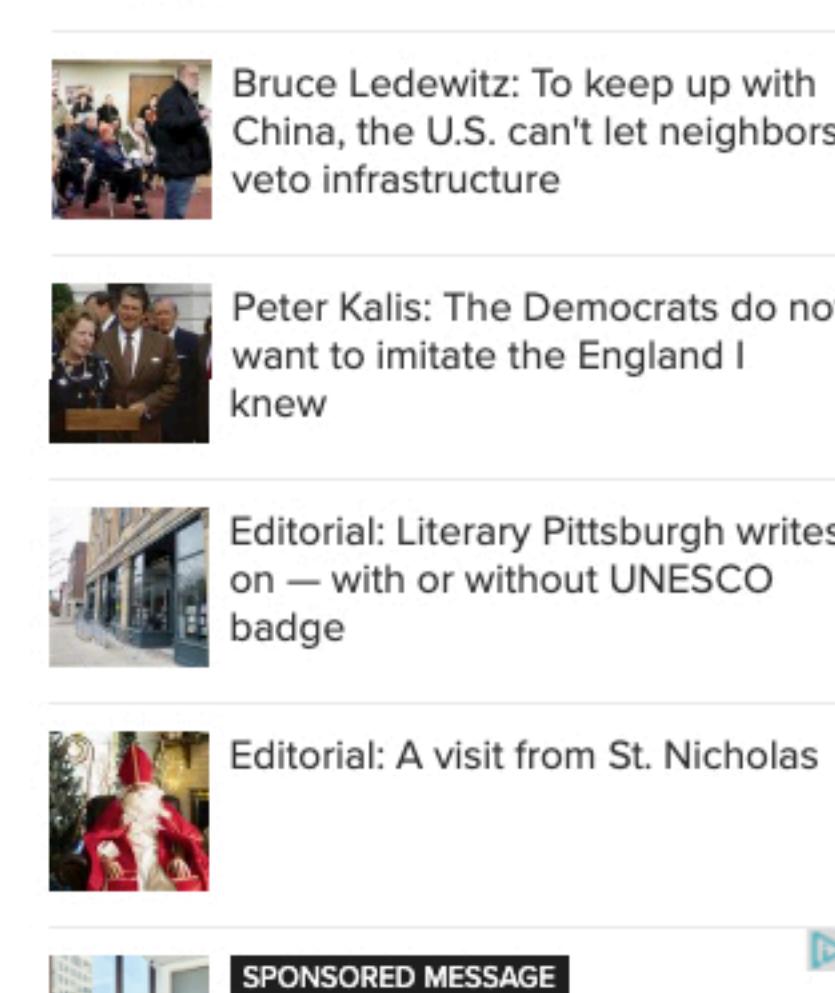
The appeals court was forced to confront the argument that Indiana's high court had upheld laws providing for segregated schools as constitutional. The panel did so by concluding that these were different matters.

What the Indiana legislature had done in the context of education, the court concluded, still gave it "power to provide by law that no discrimination shall be made, by hotels or other public places, between citizens on account of their color or race in the privileges or accommodations afforded by the keepers of such places."

Eagleson as the first African American to receive an advanced degree from Indiana University. Today the university presents the Preston Eagleson Award to an undergraduate student for outstanding achievement in a paper written on the African-American experience.

*Randy Maniloff is an attorney at White and Williams, LLP, in Philadelphia and an adjunct professor at the Temple University Beasley School of Law. His previous article was "Pittsburgh's special role in baseball broadcast history – as a pirate."*

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