[In Progress] Kansas history: a journal of the central plains

Section 319, Pages 9541 - 9570

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Creator: Kansas State Historical Society

Date: 1978-2009

Callnumber: SP 906 K13qh

KSHS Identifier: DaRT ID: 217226

Item Identifier: 217226

www.kansasmemory.org/item/217226

In Kansas the Harveys remained in the countryside near Lawrence, where David and his brother farmed "on the shares" for their white neighbor, Stephen Ogden. After five years of hard work, the Harvey family acquired fifteen acres of land adjoining the Ogden farm and really began to make their mark in Douglas County. Rebecca became a beloved part of the community, where she participated in a racially mixed women's Methodist auxiliary and served as a midwife for the families living near her. Of her three sons born in Kansas who survived childhood, Frederick D. G. Harvey became a physician and Sherman a lawyer, while Edward returned to farm the land his descendants still own.[3]

The black community in Douglas County, formed by migrating families such as the Harveys, can trace its origins back to 1861. That year Chaplain Hugh Dunn Fisher of James H. Lane's Union army brigade escorted a contingent of newly liberated black refugees or "contrabands" from Springfield, Lamar, and other Missouri towns to Lawrence, the county's seat of government and largest settlement. In November 1861 Lawrence's *Kansas State Journal* reported, in the language of the time, "Our colored population is now not far from one hundred." By 1863 the Harvey family and many other African Americans had arrived in Douglas County and two black churches had been founded in Lawrence. Further evidence of a significant black presence in Douglas County surfaced on August 21, 1863, when William Clarke Quantrill's Confederate guerrillas raided Lawrence. As many as twenty African Americans, including a baby, were among the nearly two hundred killed, and several firsthand accounts mentioned blacks "being pursued with special malignity."[4]

Despite the raid, and as the war continued, many more formerly enslaved individuals and families from Missouri, Arkansas, and Indian Territory migrated to eastern Kansas. In 1865 the first Kansas decennial census enumerated more than 2,000 black or mulatto persons living in Douglas County. Most were former slaves or children of slaves, but the population included a few freeborn persons of color. At this time Douglas County's black population was second only to Leavenworth County and far exceeded that of Topeka in Shawnee County.[5]

The ways in which the African American community in Douglas County developed were similar to those unfolding in other eastern Kansas counties that received black migrants. Black churches were important in defining these communities, and everywhere African Americans faced discrimination and segregation in public accommodations and schools. One freedom celebration that was early and widely observed in Lawrence, Atchison, Leavenworth, Manhattan, and other Kansas communities was Emancipation Day, usually held on August 1, the anniversary of the freeing of the slaves in the West Indies in 1833. As they attracted both blacks and whites, public officials often took to the platform during these large gatherings to deliver political speeches.[6]

The Douglas County community was distinguished by a large presence of black soldiers stationed in Lawrence at the end of the Civil War, some of whom remained to raise families and participate in public life. The county was also the home to several important African American leaders, such as Charles H. Langston, one of the most active and articulate spokesmen for civil rights in Kansas

3. In 1865 the Harveys sent for David's parents in Arkansas, but only his father, Allen Harvey, made the move, as David's mother had died in the interim. U.S. Census, 1870 and 1880, Kansas, Douglas County, Wakarusa Township.

4. *Kansas State Journal*, November 28, 1861; H. D. Fisher, *The Gun and the Gospel: Early Kansas and Chaplain Fisher* (Kansas City, Mo.: Hudson-Kimberly Publishing Co., 1902); Debby Lowery and Judy Sweets, compilers, *African Americans in the 1865 Kansas State Census (Douglas County)* (Lawrence, Kans.: D. Lowery and J. Sweets, 2006), iv–vi; Dorothy L. Pennington, "The Histories and Cultural Roles of Black Churches in Lawrence, Kansas," manuscript, 1982, Kansas Collection. The late Richard B. Sheridan, professor of economics at the University of Kansas, studied Quantrill's raid and compiled and edited sources on that event including Richard Cordley's "The Lawrence Massacre" and Richard J. Hinton's estimate of twenty blacks killed. Sheridan wrote that "even this number may be too low." Richard B. Sheridan, ed., *Quantrill and the Lawrence Massacre: A Reader* (Lawrence, Kans.: Richard B. Sheridan, 1995), 331.

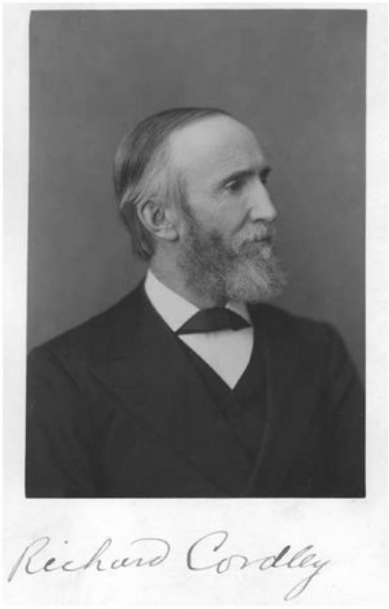
5. Lowery and Sweets, "African Americans," iii; Richard B. Sheridan, "From Slavery in Missouri to Freedom in Kansas: The Influx of Black Fugitives and Contrabands into Kansas, 1854–1865," *Kansas History: A Journal of the Central Plains* 12 (Spring 1989): 38, table.

6. Richard B. Sheridan, "Charles Henry Langston and the African American Struggle in Kansas," *Kansas History: A Journal of the Central Plains* 22 (Winter 1999–2000): 279; "The First of August in Lawrence," *Lawrence Republican*, August 7, 1862; "The First of August," *Leavenworth Daily Conservative*, August 2, 1865, quoted in Sheridan, "Charles Henry Langston," 279; *Western Home Journal* (Ottawa, Kansas), August 8, 1867; "Colored Celebration! A Large Number in Attendance: Speeches by Mr. Langston and Others," *Republican Daily Journal*, Lawrence, August 4, 1869; "Emancipation Day, A Grand Celebration by the Colored People of Douglas County," *Daily Journal* (Lawrence), August 2, 1879; "Why the Colored People Celebrate the First of August," *Western Recorder* (Lawrence), March 17, 1883; "August 1st," *Western Recorder* (Atchison), August 8, 1884 (editor John L. Waller moved the newspaper to Atchison in June 1884); "Emancipation Day," *Lawrence Journal*, August 1, 1891; "A Nice Celebration," *Lawrence World*, September 24, 1903; "Negroes Celebrate Today," *Lawrence World*, August 4, 1905; "Picnic," *Lawrence Journal*, August 5, 1911. The annual celebrations of Emancipation Day continued into the early decades of the twentieth century. The anniversary of President Abraham Lincoln's Emancipation Proclamation, September 22, 1862, was also observed but not as consistently. "Colored People Celebrating," *Lawrence World*, September 22, 1896; "A Nice Celebration," *Lawrence World*, September 24, 1903.

and the West. Such advocacy became especially critical when in 1879 and 1880, soon after the official end of Reconstruction, thousands of Exodusters left the South in the single most significant wave of black migration into the state. They settled in several eastern Kansas communities, most notably Topeka, the state capital. Even as this influx generated controversy, Topeka became the site of the state's only comprehensive welfare and resettlement program. When a number of Exodusters settled in Douglas County, the presence of these mostly destitute newcomers generated attention and relief efforts, but strained the limited welcome early black migrants had found there. Lawrence's African American community peaked in the 1880s and 1890s, as did the black communities in other Kansas cities, such as Manhattan and Topeka. Although blacks in Lawrence represented just over 20 percent of the total population in these years, their numbers declined by the early twentieth century during the period in which African Americans experienced increased discrimination nationwide.[7]

The impact of the Exodus, the lynching of three black men in Lawrence in 1882, and the challenge of a shrinking black population throughout Kansas after the turn of the century had a significant impact on the Douglas County community. By 1910 Lawrence remained home to more blacks than any other town in the state, save Topeka, but still only 1,849 individuals—just over 14 percent of the total population of 12,374—lived in the town. Nearly as many blacks lived in Lawrence in 1865, indicating that the town's black population grew only marginally in forty-five years.[8]

During these years many black families in Douglas County experienced at least a measure of success, as they established homes, found work, and sent their children to school. Few matched the achievements of the Harvey family, but their willingness to risk all they had to achieve freedom and educational opportunities was not uncommon. All too often later generations of Harveys and other African Americans in Kansas and the nation found their hopes for equality deferred, sometimes dashed.[9] The purpose of this article is to examine the development of the black community in Douglas County during its first two generations, from the late 1850s until about 1910, or from just before the founding of African American churches in the county through the early years of the second generation of black families.



The Reverend Richard Cordley, a Congregational minister and firm abolitionist, worked to help black families that found their way to Lawrence in the late 1850s and early 1860s. Cordley, pictured here between 1884 and 1889, housed escaped slaves traveling the Underground Railroad, helped to establish black churches and schools in Lawrence, and wrote letters to the editors of local papers criticizing violence and general ill treatment of Douglas County's growing black community.

7. U.S. Census, 1890, Kansas, Douglas County, Lawrence, total: 9,997 people; 7,389 white; 2,155 Negro; Nupur Chaudhuri, "We All Seem Like Brothers and Sisters: The African American Community in Manhattan, Kansas, 1865–1940," *Kansas History: A Journal of the Central Plains* 14 (Winter 1991–1992): 270–88; Thomas C. Cox, *Blacks in Topeka, Kansas, 1865–1915: A Social History* (Baton Rouge: Louisiana State University Press, 1982), 21–81.

8. F. W. Blackmar and E. W. Burgess, *Lawrence Social Survey, To the Lawrence Social Survey Committee, Lawrence, Kansas* (Topeka: Kansas State Printing Plant, 1917), 11.

9. "The Harvey Family," typescript, Harvey Family Collection, Kansas Collection; Dorothy Henri Harvey and Deborah Harvey Green, interview by author, 1980; Ann E. Hemphill, "Women's Foreign Missionary Auxiliary," in *Vinland Area History and Methodist Episcopal Church of Vinland, Kansas, 1864–1982* (Vinland, Kans.: Vinland United Methodist Church, 1982), 36–41; John P. Tharp, "Black Farmer's Family Tree Is Firmly Planted," *Kansas City Times*, May 11, 1977; Quintard Taylor, *In Search of the Racial Frontier: African Americans in the American West, 1528–1990* (New York: W. W. Norton, 1998), 94. The Kansas State Census in 1865 for Douglas County enumerated ninety-nine African American children in Lawrence and North Lawrence schools. See also "Festival," *Republican Daily Journal*, May 12, 1869, which reported that "the colored people will have a grand festival at Eldridge Hall this evening."

Before the Civil War the black presence in Kansas Territory was limited. The U.S. Census for Kansas in 1860 enumerated 627 blacks, 100,390 whites, and 189 Indians. Only four blacks were listed as residing in Douglas County. The black residents of Kansas Territory included some enslaved families brought into the territory, a number of former slaves who had fled into Kansas from neighboring Missouri, and a handful of free persons of color.[10] When the westernmost branch of the Underground Railroad was well established, more slaves fled from bondage on escape routes along the Missouri border into Kansas. Of this route Congregational minister Richard Cordley, an abolitionist who was sympathetic to blacks, wrote, "Lawrence had the reputation in Missouri of being one of the stations on the underground railroad. . . . There is no doubt that a good many slaves, fleeing bondage, made their way to Lawrence and there were aided on their journey towards Canada." Cordley also recounted his experience of sheltering "Lizzie," a twenty-two-year-old escaped slave, in his home in 1859.[11]

Among the new arrivals to Lawrence in 1862 and 1863 were Andrew Williams, age eleven, William Harper, twenty, Harriet Thompson, sixteen, Troy Strode, forty, and Anthony Oldham, age unknown. Although they had each come through Missouri to Lawrence, their experiences before and after this journey differed markedly. Some survived Quantrill's 1863 raid; others did not. In the former group was Andrew Williams, liberated by a foraging party of the Sixth Kansas Cavalry as it swept through south central Missouri. He, along with his mother and five other children from near Mt. Vernon, Missouri, spent the winter in Fort Scott, Kansas, before settling in Lawrence. But after surviving the horrors of the 1863 raid, the family moved to Topeka where Williams worked as a laborer and landscape gardener.

William Harper and Harriet Thompson, both from Jackson County, Missouri, married at the Unitarian Church in Lawrence in 1863. Employed at the Eldridge Hotel at the time of the raid, Harper eluded the guerrillas, who targeted black men. The Harpers, parents to nine children born in Kansas, lived into their nineties.

10. Glen W. Fisher, "Property Taxation in the Kansas Territory," *Kansas History: A Journal of the Central Plains* 11 (Autumn 1988): 189; Lowery and Sweets, "African Americans," iii.

11. Richard Cordley, *A History of Lawrence from the First Settlement to the Close of the Rebellion* (Lawrence: Lawrence Journal Press, 1895), 163; Richard Cordley, *Pioneer Days in Kansas* (Boston: The Pilgrim Press, 1903), 124–25; Gunja SenGupta, "Bleeding Kansas. Review Essay," *Kansas History: A Journal of the Central Plains* 24 (Winter 2001–2002): 340. SenGupta pointed to the invisibility of African Americans in territorial Kansas history as a major weakness in the scholarship.

Troy Strode was born a slave in Tennessee and suffered consumption as a youth, which rendered him unable to perform manual labor. His master allowed him to learn to read; after escaping slavery in Missouri by fleeing to Lawrence during the Civil War, he was the only one of sixteen members of the Second Congregational or Contraband Church who was literate. In Lawrence he established a blacksmith shop, though it burned in the August 1863 raid. Strode survived the conflagration, and by 1865 he had real estate worth nine hundred dollars and personal property of five hundred.[12] A group of twenty or so unarmed African American army recruits camped near downtown also survived the raid, as they quickly grasped their imminent danger when they heard the raiders firing on the white recruits camped about three hundred yards away. The black recruits ran toward the Kansas River where they found protective cover in the underbrush.[13]

Not all new arrivals to Lawrence, of course, found such protection. Anthony Oldham, another former slave from Missouri whose wife and certain of his children had been "sold down south," came to Lawrence with a letter attesting he and his wife's church membership. On that day in August 1863 Oldham was shot by guerrillas while in his own doorway and in the presence of his daughter, the only other member of his family to escape to Lawrence.

A few African Americans who had never been enslaved, such as Elias Bradley, also made their way to Lawrence. Bradley left Arkansas in 1857, after that state threatened to enslave free blacks. When he opened a Lawrence "Bathing Establishment," his advertisement demonstrated a keen awareness of racial prejudice: "I

12. William A. Doback, ed., "Civil War on the Kansas-Missouri Border: The Narrative of Former Slave Andrew Williams," *Kansas History: A Journal of the Central Plains* 6 (Winter 1983–1984): 237–40; for estimates of black men killed in the raid see Sheridan, *Quantrill and the Lawrence Massacre*, 331; "Harper a Witness of Quantrill Raid Escaped from Slavery in Jackson County at Opening of the War," *Lawrence Daily Journal-World, Published in Observance of the Seventy-Fifth Anniversary of the Founding of Lawrence, Historical Supplement*, October 10, 1929, 12; "Aged Man is Dead," *Lawrence Daily Journal-World*, May 3, 1932; "Mrs. Harriet Harper, 96, Survivor of Quantrill's Raid, Tells Experiences," *Lawrence Daily Journal-World*, August 26, 1939; "Mrs. Harper Dies," *Lawrence Daily Journal-World*, December 19, 1939; Cordley, *Pioneer Days*, 147; Kansas State Census, 1865, Douglas County, Lawrence: Troy Strode, 8.

13. Cordley, *Pioneer Days*, 245–47; Sheridan, *Quantrill and the Lawrence Massacre*, 159; "Negro Patriotism," *Lawrence Republican*, July 31, 1862; *Report of the Adjutant General of the State of Kansas, 1861–'65, Vol. I* (Topeka: Kansas State Printing Company, 1896), 574–99. Many more black men might have perished had not some one hundred members of the First Regiment Kansas Colored Volunteers left town with "Lane's black Brigade" in July 1862. By the summer of 1863 they were engaged in fighting in Indian Territory.

was told in the South that Northern people would not patronize me much . . . that I would find out that Northern people were not friends of the colored man. Now is the chance to prove the contrary." The fate of Bradley's bathhouse cannot be determined, as his business, like virtually all others on Massachusetts Street, was burned out in Quantrill's raid. Although Bradley survived the raid, his bathhouse did not; he spent the next forty years as a barber.[14]

Many Lawrence newcomers not only attended regular church services, but also night literacy classes organized along the lines of a Sunday school. Early in 1862 the *Lawrence Republican* described the "Contraband School" where ninety "scholars," young and old, male and female, met nightly at the courthouse. Whites also organized a "Contraband or Freedman's Church" as a Congregational mission, and late in September 1862 a brick building was dedicated for this congregation. John Speer, the *Republican*'s editor, believed this church—officially the Second Congregational Church of Lawrence—was "the first erected in the United States for fugitive slaves." Once black church leaders began to arrive in Lawrence, however, many members of Second Congregational made plans to form African Methodist Episcopal (AME) and Baptist churches. These plans disappointed white supporters of Second Congregational, who, like Congregational minister Richard Cordley, were deeply committed to the abolition of slavery and who worked to help assist these newcomers. By July 1864 black Baptists had made a down payment on a building, a sure sign that members of the infant black community had begun to chart their own course rather than following the path expected by well-meaning supporters like Cordley and Speer. The black Baptist and AME churches became the most visible signs of the emergence of a confident black community in Lawrence.[15]

By 1865 the African American presence in Kansas had greatly expanded to 12,527. The majority of these men, women, and children came from Missouri, where the black population decreased by over 41,000 between 1860 and 1863. Most of these former slaves entered Kansas close to the Missouri border, and settled in towns with reputations for abolitionist sentiment. In 1865 the Kansas State Census recorded a population of 1,464 blacks in Lawrence and North Lawrence (separate until 1870) and almost 2,000 countywide.[16]

Black men of military age, who escaped into Kansas early in the Civil War, were enticed to join the army by the promise of ten dollars a month and "a certificate of freedom." George Washington, one of the earliest recruits to General Lane's "First Kansas Colored," signed on at Fort Leavenworth in 1862 within a few months of his escape from the Miller tobacco plantation in Platte County, Missouri. Born in 1840 in Culpepper County, Virginia, and given as a wedding present to a family who moved to Missouri, in his early twenties Washington fled to a point opposite the free-state town of Quindaro, Kansas, where conductors on the Underground Railroad helped him cross the frozen Missouri River to freedom. Once free he became one of the approximately 180,000 black troops who fought in the Civil War.[17]

Kansas provided about 2,000 black soldiers, or 1 percent of the total number, and the First Kansas Colored Infantry had the distinction not only of being the first black unit raised in the North but the first to engage in battle. After making several excursions into Missouri and "fighting like tigers" at Island Mound in October 1862, six companies were officially mustered into federal service on January 13, 1863, as the First Regiment Kansas Colored Volunteers under the command of Lt. Colonel James M. Williams, a white Kansas officer.[18]

The question of whether or not blacks could serve as officers in Kansas's regiments was not yet settled when Henry C. Copeland arrived in Lawrence in 1861. Copeland, who was born in North Carolina in 1840 and educated in Oberlin, Ohio, came from a family who fought for the abolition of slavery before the Civil War. His brother,

14. Kaethe Schick, "The Black Community," typescript, Watkins Community Museum of History, Lawrence, Kansas; *Lawrence Republican*, July 31, 1862; *Lawrence City Directory, and Business Mirror for 1860–61* (Indianapolis, Ind.: James Sutherland, n.d.), 36.

15. Cordley, *Pioneer Days in Kansas*, 137–51; "Contraband School," *Lawrence Republican*, January 2, 1862; "Contraband Church Dedicated," *Lawrence Republican*, October 9, 1862; "Colored Baptist Church," (Lawrence) *Kansas Daily Tribune*, July 14, 1864; "Douglas County newspapers," in David Dary, *Lawrence, Douglas County, Kansas: An Informal History* (Lawrence: Allen Books, 1982), 365–66.

16. James R. Shortridge, "People of the New Frontier: Kansas Population Origins," *Kansas History: A Journal of the Central Plains* 14 (Autumn 1991): 176–77; Sheridan, "From Slavery to Freedom in Kansas," 38.

17. One of Washington's descendants, Jimmie Johnson, has done extensive research on the life of his ancestor (lecture, Watkins Community Museum of History, 1990); Nancy Smith, "Catching up with the past," *Lawrence Journal-World*, August 7, 1994; Dudley Taylor Cornish, *The Sable Arm: Negro Troops in the Union Army, 1861–1865* (New York: W. W. Norton, 1966), forward; Kansas State Census, 1865, Douglas County, Lawrence, 101: George Washington, age twenty-six, born in Kentucky. Even though his birth place is listed as Kentucky (rather than Virginia), this appears to be the George Washington who settled in Douglas County after the close of the war.

18. Cornish, *The Sable Arm*, 76–78; Castel, *A Frontier State at War*, 93.

Selected Lives of African Americans in Nineteenth-Century Douglas County, Kansas

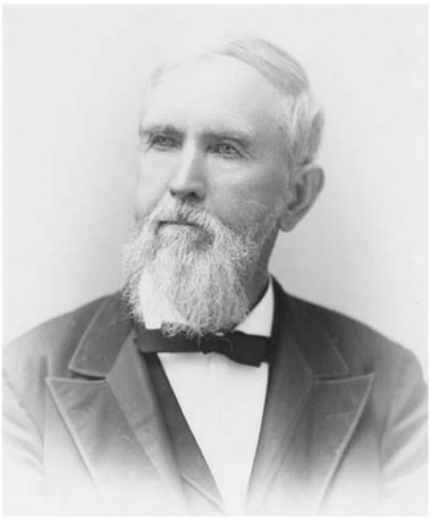
Name	*Birth/Place*	*Occupation*	*Death/Burial*
Bradley, Elias	1829/Ark.	barber	1896/pauper plot/OH
Bryant, Alex	1852/Mo.	teamster/porter	1944/OH
Copeland, Henry	1840/N.C.	carpenter	1895/OH
Copeland, Libbie	1846/Ky.	-	1919/OH
Dillard, Jesse	1826/Va.	porter/janitor	1925/OH
Dillard, Frances	1834/Va.	-	1923/OH
Dillard, Mary	1874/Kans.	teacher/principal	1954/OH
Dimery, Absalom	1835/La.	blacksmith	1890/OH
Dimery, Ezekiel	1833/Ark.	laborer	-
Fuel, Henry	1826/Mo.	shoemaker	1908/OH
Fuel, Harriet	1850/Mo.	-	1930/OH
Gleed, Frederick	1842/Va.	produce sales	-
Gregg, Alex	1824/Ky.	shoemaker	ca. 1904/-
Gregg, Gratten	ca. 1846/Ky.	brick molder	before 1904/OH
Harper, William	1839/Va.	laborer	1932/OH
Harper, Harriet	1843/Va.	-	1939/OH
Harvey, David	1826/Mo.	farmer	1893/-
Harvey, Rebecca B.	-/N.C.	-	1918/-
Harvey, F. D. G.	1866/Kans.	physician	1923/OH
Harvey, Sherman	1865/Kans.	lawyer	ca. 1934/VIN
Harvey, Edward	1870/Kans.	farmer	1953/VIN
Henderson, T. W.	1845/N.C.	minister	-
James, C. C.	1855/Mich.	policeman/mailman	1918/MG
Keith, Ishmael	-	gardener	-/Ohio
Keith, Green	1838/-	gardener	1915/MG
King, Lemuel	1825/Va.	business/mailman	1908/OH
King, Anna	1835?/Va.	-	1897/OH
Langston, Charles	1817/Va.	teacher, farmer, grocer	1892/pauper plot/OH
Langston, Mary	1835/N.C.	-	1915/pauper plot/OH
Oldham, Anthony	-/Mo.?	victim, Quantrill Raid	1863/mass grave
Stone, Daniel	1833/Tenn.	blacksmith/saloon	-
Strode, Troy	1824?/Tenn.	blacksmith	1898/OH
Strode, Jordan	1838/Mo.	blacksmith	1868/-
Walker, George	1872/Kans.	entertainer	1911/OH
Washington, George	1835/Va.	farmer	1931/Clinton
Williams, Andrew	1851/Mo.	laborer/gardener	1909/Topeka

MG: Maple Grove Cemetery, Lawrence, Douglas County
OH: Oak Hill Cemetery, Lawrence, Douglas County
VIN: Vinland Cemetery, Douglas County

Sources: Kansas State Census, 1865 and 1875, Douglas County, Obituaries, family records; B. Jean Snedeger, "Complete Tombstone Census of Douglas County, Kansas," 2 vols., Lawrence: Douglas County Genealogical Society, 1987, 1989.

John A. Copeland, joined abolitionist John Brown and his small band in the ill-fated 1859 attack on the federal arsenal at Harpers Ferry, Virginia. John Copeland was captured, and subsequently tried, convicted, and executed at Charles Town for his involvement in Brown's plot to incite a general slave uprising. Two years later Henry Copeland came to Kansas, probably hoping to join John Brown, Jr.'s company, a part of the Seventh Kansas Cavalry.[19] Instead, Copeland served as a first lieutenant in Company D of the First Kansas Colored from August 1862 to May 1863. However, when the First Kansas Colored was officially taken into the U.S. Army and later became the Seventy-Ninth U.S. Colored Infantry, Copeland and the regiment's other black officers lost their commissions—the Union army allowed only white officers. Copeland left military service, but before the end of 1864 he was serving as first sergeant in the Independent Colored (Douglas's) Kansas Battery, one of the Union's few units to have black officers in the Civil War. Not until 1867 did Henry Copeland and other militiamen get paid for their service in Douglas's Battery as the frontier state of Kansas was strapped for cash. Copeland finally received eighty-eight dollars in Union military script, though later in life he and other black veterans and their dependents collected federal military pensions.[20]

Copeland settled in Kansas after the war and worked as a carpenter. He married Elizabeth "Libbie" Miner on June 19, 1866, in Lawrence, where the couple raised five children. Copeland ran unsuccessfully for the office of constable in 1880, even though the white newspaper had endorsed him. He commanded the black post of Lawrence's Grand Army of the Republic and served as an officer in the Colored Odd Fellows lodge. When his health began to fail in 1892, Copeland wrote journalist Richard J. Hinton to inform him that he was "doin as well as could be exspected of a man with a large family untell last fall when I had a bad attack of the h[e]art deisesed." When that disease took his life at age fifty-five, on August 10, 1895, the *Lawrence Weekly Journal* called Copeland "one of the best known colored men in the city," and reported



John Speer, pictured above circa 1896, was a leader in the Free State movement and stood with fellow activist Richard Cordley in supporting black churches and schools throughout Lawrence. Speer used his voice as the editor of Lawrence's Republican *and* Kansas Tribune *newspapers to encourage residents of his town to donate to such causes, as well as to expose white hostility toward blacks in Douglas County. Speer later represented Lawrence in the Kansas House of Representatives in the 1883 session and subsequently moved to Garden City and then Denver, Colorado, where he died in 1906.*

that an exceptionally large crowd attended his funeral at the St. Luke AME Church. Libbie Copeland, a seamstress, received a widow's pension, while the sons in the family pursued occupations as a messenger, express man, and music teacher.[21]

Nine of the ninety soldiers stationed in Lawrence in 1865—Henry Copeland, Joseph Bowers, Absalom Dimery, Ezekiel Dimery, Gabriel Gray, William Gray, Gratten Gregg, Moses Jenkins, and George Washington—remained in Douglas County after the war, most for the rest of their lives. Absalom Dimery, a thirty-six-year-old, married father of five children, reported a personal estate of only twenty-five dollars in 1865. Born a slave in Louisiana to a Portuguese father and African-

19. *Adjutant General Report, 1861–'65*, 252; Stephen B. Oates, *To Purge This Land With Blood: A Biography of John Brown*, 2nd ed. (Amherst: University of Massachusetts Press, 1984), 291, 296, 337–38.

20. Sharon Ramczyk and Brenda Pitts (Copeland family descendants), e-mails and letters to the author, September–November 2004; Terry Rombeck, "Civil War Ancestor unites distant cousins," *Lawrence Journal-World*, August 29, 2004; Nat Brandt, *The Town That Started the Civil War* (Syracuse, N.Y.: Syracuse University Press, 1990), 68–69, 259; Roger D. Cunningham, "Douglas's Battery at Fort Leavenworth: The Issue of Black Officers During the Civil War," *Kansas History: A Journal of the Central Plains* 23 (Winter 2000–2001): 205–8; *Adjutant General Report, 1861–'65*, 637.

21. *Lawrence Weekly Journal*, August 17, 1895; *Lawrence Daily Journal*, August 7, 1895; Shogrin, *Douglas County, Kansas, Marriages*, 45; Copeland quoted in Roger D. Cunningham, "Welcoming 'Pa' on the Kaw: Kansas's 'Colored' Militia and the 1864 Price Raid," *Kansas History: A Journal of the Central Plains* 25 (Summer 2002): 93, 100; "Secret and Benevolent Societies, Grand Army of the Republic," included "Col. Sam Walker Post col'd no. 365," and "Samuel Walker Relief Corp col'd," *Hoye's City Directory of Lawrence, 1896* (Kansas City, Mo.: Hoye Directory Co., [1896]), 190.

European mother, he was taken as a child to Arkansas. During the Civil War he fled to Illinois, then migrated to Kansas in 1862, where he joined the First Kansas Colored and served for three years. A fifer in his company, he was injured on June 15, 1865, when he was "breached in the right side of his abdomen." By 1875 Dimery reported real estate holdings worth five hundred dollars, owned a blacksmith shop, and, as did many other black men of the day, participated in Republican Party politics. Dimery purchased a lot for twenty-five dollars at Lawrence's Oak Hill Cemetery when his seven-year-old daughter Alice died in 1880. When he died ten years later, at age fifty-five, Absalom Dimery was buried in the family plot, which was marked with his military headstone and a Dimery family monument.[22]

Gratten Gregg became a brick molder, William Gray a barber, and Gabriel Gray a Baptist minister, while Ezekiel Dimery, Joseph Bowers, and Moses Jenkins made their livings as laborers. All these former soldiers married and had families. George Washington, who farmed his own land in southwest Douglas County, married Aminda Simpson in 1868 and raised a family of five children. These men who had worn the uniform of their country and fought in the Civil War settled into civilian life with confidence. Some, such as Copeland, sought public office, others, such as Absalom Dimery, took part in public meetings, and still others, such as George Washington, hosted Fourth of July picnics.[23]

22. Kansas State Census, 1865, Douglas County, Lawrence, 7; Kansas State Census, 1875, Lawrence, 15; Schick, "The Black Community," 1:10; "A. Dimmery" (spelling of the name varied) is listed as one of fourteen men at a large meeting, "Colored Men to the Front," *Lawrence Daily Journal and Evening Tribune*, October 28, 1879. The cemetery lot purchase was confirmed via personal communication with Mitch Young, Oak Hill Cemetery (1605 Oak Hill Drive, Lawrence) official, February 23, 2005, and personal observation of Dimery monument, Old Section 5. "Declaration of Invalid Pension," Absalom Dimery, reproduced in Lowery and Sweets, *African Americans in the Kansas Census 1865*, 70.

23. "Joseph Bowers" in *Lawrence City Directory of the Business Firms, Incorporated Companies, Manufacturing Interests, Inhabitants and Enterprises in the City of Lawrence, Kansas for 1886* (Lawrence: P. T. Foley & Co.), 36; "Henry Copeland" in *Johnson & McKinney's Annual City Directory of the Inhabitants, Institutions, Incorporated Companies, Manufacturing Establishments, Business Firms, Enterprises, Etc., Etc. in the City of Lawrence for 1879* (Lawrence: H. A. Cutler, Book and Job Printer, 1879), 68; "Moses Jenkins" and "William Gray" in *Lawrence City Directory of the Business Firms, Incorporated Companies, Manufacturing Interests, Inhabitants and Enterprises in the City of Lawrence, Kansas for 1883* (Lawrence: Lawrence Pub. Co., n.d.), 114, 95; Kansas State Census, 1875, Douglas County, Lawrence, 25: E. Dimmery (*sic*); 2: Gabriel Gray; 24: William Gray; 15: Gratten Gregg; Smith, "Catching up with the past"; *Lawrence Journal*, June 26, 1894. All of these men except E. Dimery and Washington have grave markers at Oak Hill Cemetery. Washington was buried at Clinton Cemetery in southwest Douglas County. Family names in the census and city directories suggest that more soldiers settled in Lawrence than can be documented.

In addition to the ninety soldiers in Lawrence in 1865, the occupations of other black men included: eighty-seven day laborers, twenty-nine teamsters, fourteen farmers or farm laborers, six porters, and two stone masons. There were also four blacksmith shop owners and four workers, four barbers (some of whom owned their own shops), three hostlers, three woodcutters, two cooks, a carpenter, a shoemaker, a printer, and a preacher. After the devastation of the 1863 raid, many laborers were needed to construct new homes and businesses. Fewer black women than men worked outside the home, but of those who did, sixty were employed as domestics, twenty-seven did washing and ironing, and one was employed as a cook.[24]

The white community provided most of the employment opportunities for these African Americans. Leaders of the broader community, such as editor John Speer and minister Richard Cordley, also supported the literacy school. After a number of ill refugees arrived in Lawrence in the summer of 1864, the wives of several white ministers formed the Ladies Refugee Aid Society, which met regularly in both the white and black Congregational churches to plan relief efforts.[25] At the same time, however, an indication of white hostility appeared in the pages of Speer's *Kansas Tribune*. In March 1864 he reported an "unprovoked attack" on a "colored" man, King Johnson. A year later when Cordley and John Archibald petitioned the Lawrence City Council "for protection of Mrs. Scott and others, colored people, in their persons and property," these prominent men were rebuffed. A council motion to refer their petition to the committee on police and license failed to pass and was indefinitely postponed.[26]

During the next decade African American businessmen established positions from which they could stand up for members of their community. Daniel Stone, a thirty-two-year-old father of seven, owned a blacksmith shop and a saloon. He appeared as surety for Tom Berry, a black man charged in 1873 with assaulting a white Swedish woman "with intent to ravish." Soon afterward a black youth, Jim Givens, stood accused of

24. Kansas State Census, 1865, Douglas County, Lawrence, 59; Kansas State Census, 1875, Douglas County, Lawrence, 14; Schick, "The Black Community," 2:13.

25. *Kansas Daily Tribune*, June 28, August 13, September 6, October 19, and December 28, 1864. One of the founders of the aid society was Mrs. H. D. Fisher, whose husband, Chaplain Fisher of Lane's Brigade, was Supervisor of the Refugees.

26. "Unprovoked attack," *Kansas Daily Tribune*, March 16, 1864; "City Council Proceedings" (Lawrence, October 18, 1865), *Kansas Daily Tribune*, October 21, 1865.

This image of children—some black, some white—leaving the school in Blue Mound, Kansas, was taken between 1920 and 1929, though the school was racially mixed very early in its history. Unlike schools in more populous towns such as Lawrence, which held separate classes for blacks and whites, smaller communities with smaller African American populations often integrated education, in the case of the Blue Mound school as early as 1865, just eight years after formal education began in the community.

raping the ten-year-old daughter of a Swedish widow, and although Stone did not put up bond for Givens, he suffered the racial antagonism stirred up by Givens's alleged crimes. Givens was threatened with lynching while being held in jail and Stone's saloon was publicly reviled by Lawrence's *Republican Journal*, which declared "Stone's crib" to be "a dirty, vile, smelling nuisance" and demanded that it be "suppressed." The paper also suggested that "the honest colored men of Lawrence owe it to themselves to join in driving these vagabonds and rascals out of town." These incidents reveal a degree of racial tension present in eastern Kansas well before the arrival of the Exodus migrants in 1879 and 1880. Stone was not deterred, however; he persisted in business, and after the statewide Prohibition law took effect in 1881, he adapted his business by opening a restaurant, which his son continued.[27]

27. "Arrested," (Lawrence) *Republican Journal*, March 26, 1873; "Tom Berry Case," *Republican Journal*, March 27, 1873; "The Outrage Cases," *Republican Journal*, March 28, 1873; "Another Shameful Deed,"

In 1865 black residents lived in a number of population pockets scattered across Lawrence and North Lawrence and resided in some 187 households. The largest concentration was east of the Massachusetts Street business district. Several families purchased lots from Rev. Richard Cordley, who owned property on New York Street, but many families lived in rental properties, sometimes with more than one family doubling up in a dwelling. A number of widows and orphans resided in extended families as the community took care of the most vulnerable of its members. Less than 10 percent of the African American population was domiciled in white homes.[28]

Although securing food, shelter, and employment took priority, many black families aspired to more, especially the education of their children. At the first opportunity, in 1862, black children attended school. Black classes were held separately from those of whites, apparently almost by default and without public discussion. Lawrence had no public school building during the first ten years of settlement; white children attended classes in the basement of the Unitarian Church, which was fitted out as a classroom. By 1865, however, with Rev. Cordley serving as Lawrence school superintendent for 550 children, a new school building was under construction at a cost of five thousand dollars. This new Central School was only large enough for the "Higher and Intermediate departments," and primary departments remained in the basement of the Unitarian Church, while the Second Congregational Church housed the "Colored School." Few questioned this arrangement in Lawrence or other Kansas towns following similar segregation practices. However, the Kansas State Teachers Association, which met in Lawrence in July 1866, resolved for teachers to lead the way in overcoming prejudice against equal admission of all children.[29]

The 1867 arrival in Lawrence of an agent from the Freedmen's American and British Commission, a black self-help organization, may have inadvertently perpetuated segregated schooling. Miss A. M. Drury, one of two white persons on the commission, arrived from Washington, D.C., secured a downtown Lawrence location, held reading and geography classes, and planned instruction in arithmetic. After visiting and praising the work of Drury's school in spring, editor John Speer called on the Lawrence public to help the school obtain needed books and furniture. Subsequently, Speer reported that the Freedmen's school had about sixty children enrolled and noted that Drury was trying to revive the "colored Methodist Sunday School," despite the fact that several well-established black churches offered religious services.[30]

In contrast to separate classes for black and white children in Lawrence, rural communities such as Blue Mound, where the African American population was small, chose integrated education. In 1857 classes for white children had been held in a home on the Ogden farm, while another home served the educational needs of black children. But when the district constructed a new school building in 1865, over one hundred children of "both races attended the same school." The sons of David and Rebecca Brooks Harvey attended this integrated school; and they went on to graduate from the University of Kansas, where they participated in integrated sporting events. A few other rural schools in Douglas County also opted for integrated education.[31]

Most Lawrence residents, including staunchly antislavery men, appeared satisfied with the educational arrangements in Lawrence. On October 13, 1867, editor Speer boasted that, "No city of the West affords greater facilities for educating the young, than Lawrence." Speer's article listed six schools, their principals, teachers, and numbers of pupils including the "Colored Schools," one with an intermediate department of fifty-one pupils and the other a primary school with forty-eight. The "Intermediate Colored" registered fifty-six students with an average attendance of thirty-seven for the 1868–1869 school year, while the "Primary Colored" had eighty-three, with average attendance of fifty. White teachers in the "colored" schools received pay identical to teachers in the white schools. In 1868 the Kansas legislature affirmed the segregation practices of larger towns when it passed a law that allowed first- and second-class cities to

Republican Journal, March 29, 1873; "The Situation," *Republican Journal*, March 30, 1873, in which the editor wrote, "if we may be allowed to advise the colored people, we would suggest that no more rapes be committed, for some time, at least."

28. Schick, "The Black Community," 1:10–22.

29. "Educational," in *Lawrence City Directory and Business Guide for 1866* (Lawrence: Boughton & McAllaster, [1866?]), 29–30; Cora Dolbee, "The History of the Unitarian Church in Lawrence," typescript, Watkins Community Museum of History; James C. Carper, "The Popular Ideology of Segregated Schooling: Attitudes Toward the Education of Blacks in Kansas," *Kansas History: A Journal of the Central Plains* 1 (Winter 1978): 254–65.

30. "Freedmen's School," *Kansas Daily Tribune*, March 24 and April 7, 1867.

31. Goldie Piper Daniels, *Rural Schools and Schoolhouses of Douglas County, Kansas* (Baldwin City, Kans.: n.p., [1977]), 11, 34–37. District 20 also integrated its school. Edward Harvey wrote of attending Blue Mound School.

offer either separate or integrated schools. "Eight years later, for reasons not revealed in any public debates," wrote historian James C. Carper, "the legislature recodified the Kansas school laws and omitted all references to separate schools." But the 1879 legislature again authorized separate primary schools, this time only for cities of the first class (with at least 15,000 population). Nevertheless, like most towns in Kansas, 1880 Lawrence—with a population of 8,510, of which 23 percent was non-white—retained some form of racial separation in the primary grades.[32]

African American political leaders during the early post Civil War years, such as Charles Langston, viewed voting rights for black men as the most critical issue of the day. Proponents of black suffrage argued that without this right, the gains of the Civil War would be lost. Beginning in 1863 Langston, then living in Leavenworth, campaigned for black male suffrage, and in 1866 he chaired the "Convention of Colored Citizens" meeting in Lawrence, which called for a constitutional amendment to strike the word "white" as a condition for voting from the Kansas constitution. During subsequent legislative debate on the suffrage of blacks and women, Langston was deeply suspicious of those who would couple the two propositions, arguing that to submit more than one amendment to the people "would defeat the one for negro suffrage." Nevertheless, both were offered up and tensions arose between supporters of black suffrage, such as Langston, who quit his business activities to devote more time to the cause of black suffrage, and equally committed supporters of women's suffrage.[33]

Both sides were disappointed when the votes were tallied after the November 5, 1867, election. The proposition to extend the vote to black men lost 10,483 to 19,421 statewide; the proposed women's suffrage amendment went down by an almost identical margin. Voters in Douglas County, as in all but two of the other forty Kansas counties, defeated both propositions, but the black suffrage amendment lost by a mere thirty votes. African American men had to wait for another three years and the ratification of the Fifteenth Amendment to the U.S. Constitution before gaining the right to vote; the achievement of equal suffrage for Kansas women, black and white, took much longer.[34]

In the months after the 1867 vote, Charles Langston relocated to Douglas County. While living in Leavenworth he had taught a contraband school, recruited black men for the military, and operated a grocery store; but when he moved to Douglas County, he purchased a farm northwest of Lawrence. Langston returned to Ohio in January 1868, where he married Mary Patterson Leary, the widow of Sheridan Leary, who had perished in John Brown's Harpers Ferry raid. On his 122-acre farm at Lakeview, where he returned with Mary after their wedding, Langston grew winter wheat, rye, corn, and potatoes and cultivated a fine apple orchard. Here two sons and a daughter were born before the family moved into Lawrence around 1880.[35]

Even as a farmer and family man, Langston was spurred by his education, family background, and commitment to civil rights and continued speaking across Kansas and traveling to national civil rights meetings, such as the Colored National Convention in Washington, D.C., in 1869. Born in Virginia in 1817, Langston was a son of Captain Ralph Quarles, the owner of a large plantation, and Lucy Langston, a slave of American Indian and African heritage. Quarles recognized his three sons with Lucy, provided them an education, and left his estate to them. Charles Langston and his brother, John, continued their education at Oberlin College in Oberlin, Ohio, where Charles participated in the rescue of an escaped slave who was about to be captured and returned to slavery in Kentucky. He was tried, convicted, fined one hundred dollars, and jailed for fifty-eight days in Cleveland, Ohio. At his sentencing Langston declared, "The [Fugitive Slave] law under which I am arraigned is an unjust one, one made to crush the colored man, and one that outrages every feeling of Humanity, as well as every rule of Right." John Brown, who by this time was identified with the struggle in Kansas, passed through

32. "Our Public Schools," *Kansas Daily Tribune*, October 13, 1867; Board of Education, "Lawrence, Kansas, Second Annual Report for the Year Ending 31 July 1869," copied by Pauline B. Elniff in *The Pioneer* 10 (July 1987), 153; U.S. Census, 1880, Kansas, Douglas County, Lawrence, total: 1,997 non-white; Kansas *Compiled Laws* (1879), 843; Cox, *Blacks in Topeka*, 27–28; Chaudhuri, "We All Seem Like Brothers and Sisters," 282; Carper, "The Popular Ideology of Segregated Schooling," 256–63.

33. Sheridan, "Charles Henry Langston," 275–79; "Address to the Citizens of Kansas," *Kansas Daily Tribune*, February 12 and 19, 1867; Sister Jeanne McKenna, "With the Help of God and Lucy Stone," *Kansas Historical Quarterly* 35 (Spring 1970): 13–26.

34. D. W. Wilder, *The Annals of Kansas, 1541–1885* (Topeka, Kans.: T. Dwight Thatcher, Kansas Publishing House, 1886), 463; Taylor, *In Search of the Racial Frontier*, 126. The Douglas County vote on the proposition to strike the word "Male" from the constitution's suffrage clause was 652 for to 1,464 against; a state constitutional amendment providing equal suffrage for Kansas women was finally ratified in November 1912.

35. Mark Scott, "Langston Hughes of Kansas," *Kansas History: A Journal of the Central Plains* 3 (Spring 1980): 5–7.

Cleveland while Langston was there and Langston may have been influenced by his example to cast his future with Kansas. Later in Lawrence, Langston served as grandmaster of the Colored Masons, president of a "colored benevolent society," and continued his political activity until his death in 1892 at age seventy-two. His grandson, poet Langston Hughes, wrote that his grandfather gave fine speeches, but never cared much about money and "let his farm and his grocery store in Lawrence run along."[36]

Another important leader of the Lawrence black community, Thomas W. Henderson, arrived in Lawrence in 1868. Born into slavery in North Carolina and also educated at Oberlin, the twenty-five-year-old Henderson lived in Missouri before coming to Lawrence as pastor of St. Luke AME Church. The new minister and his young family found a vibrant African American community whose church members welcomed them with a surprise party, donations, and a new parsonage. The new pastor soon presided at three marriages, and in a few years began to edit the *Colored Radical*, published for a few months in Lawrence. Henderson became a member of the Lawrence School Board in 1871 and later acted as the crusading editor of the *Colored Citizen* in Topeka. He also lived in and served churches in Leavenworth and Topeka. Before Henderson left Kansas for St. Louis in October 1879, he spoke of Kansas as "the grandest, greatest, and freest of all the States," and he supported, with some later caution, the black migration that was streaming into Kansas after the end of Reconstruction in the South.[37]

36. Scott, "Langston Hughes of Kansas," 3–6; Brandt, *The Town That Started the Civil War*, 187; Sheridan, "Charles Henry Langston"; "Funeral of C. H. Langston," *Lawrence Daily Journal and Evening Tribune*, November 22, 1892; Langston Hughes, *The Big Sea: An Autobiography* (New York: Hill and Wang, 1963), 13; Langston owned the grocery with Richard Burns, *Lawrence City Directory and Douglas County Gazetteer, 1890–1891* (St. Louis, Mo.: Benson Bros., [1890]), 46, 105, 201.

37. *Kansas Daily Tribune*, December 3, 1868; Shogrin, *Douglas County, Kansas, Marriages*; "Collected Biographical Clippings," 1:320, Library and Archives Division, Kansas Historical Society, Topeka, Kansas; "Schools," *Directory of the City of Lawrence, for 1871* (Lawrence: J. T. Atkinson, 1871), 12, 4th Ward, Wm C. Rote, Rev. T. W. Henderson; "The Power of the Press," *Republican Daily Journal and Daily Kansas Tribune* (hereafter *Republican Daily Journal*), May 13, 1879; "Mr. Henderson's Report," *Republican Daily Journal*, May 17, 1879. In a February 7, 1876, letter to the *Leavenworth Times* Henderson asked "when the white population would 'throw aside their hatred of us black citizens, because of color, and give our children a chance'" (Carper, "The Popular Ideology of Segregated Schooling," 260). Henderson was associated with William L. Eagleson, who moved the *Colored Citizen* from Fort Scott to Topeka in July 1876 and promised his readers "a paper that will benefit the colored people of Kansas and adjoining States, and help them maintain their rights and privileges; to live as men should live, honest, moral and upright." In his first Topeka issue, Eagleson assured his readers that Henderson too would "show no quarter to the enemies of the colored race, but will make a fair square fight for their every right" (*Colored Citizen*, July 26, 1878).

The influx of 26,000 Exodusters into Kansas tested the tolerance of the state's white population and the resilience of its black communities. On April 16, 1879, "a large assemblage of colored people" met in Lawrence's St. Luke AME Church "to take some action for the relief of the destitute colored immigrants now at Wyandotte." At the meeting Christopher C. James, who was born in Michigan and became the first black policeman in Lawrence, was selected as chairman of the Citizen's Relief Committee. Soon James felt compelled to explain that he and Charles Langston were not encouraging the Exodus; they were only trying to relieve the suffering of some of those who had already arrived by finding them work among the farmers of Douglas and surrounding counties. And James later reported that several refugees had been settled in "Mr. Langston's neighborhood." Relief officials in Topeka confronted similar situations and criticisms. At least in Lawrence, white residents seem to have been relatively accepting of James's explanation and active role in relief efforts, as he held a seat on the Lawrence Board of Education and a job with the U.S. Postal Service and a local newspaper called him "one of the most reliable and intelligent colored Republicans."[38]

During the spring of 1879 about 225 refugee Exodusters arrived by train in North Lawrence where they were sheltered in an old schoolhouse and sustained by donations of cornmeal and bacon. On April 25 a meeting of prominent white and black Lawrence leaders resolved to extend a welcome and formed an interracial committee of seven men to secure donations. The two black men on the committee, Alex Gregg and Ishmael Keith, were selected as liaisons to the refugees, many of whom had resolved to migrate as a group to the black settlement of Nicodemus in Graham County, Kansas.[39]

Gregg and Keith symbolized the economic and social maturity of the black community in Lawrence. By 1875 the fifty-one-year-old Gregg had his own shoe shop and his family resided in an eight-room house in a mostly

38. "Immigration Aid Meeting," *Republican Daily Journal*, April 18, 1879; "Call for Public Meeting" and "Card from Mr. James," *Republican Daily Journal*, April 23, 1879; "Refugee Committee Meeting," *Republican Daily Journal*, May 7, 1879; "Personal," *Lawrence Daily Journal and Daily Kansas Tribune*, July 3, 1879. Superintendent John M. Brown of the Kansas Freemen's Relief Association testified before the Kansas Senate that the association's activity was not intended to encourage further immigration. Cox, *Blacks in Topeka*, 57, 73.

39. "Refugee Meeting Last Night: Resolutions and Organization," *Republican Daily Journal*, April 25, 1879; "Meeting of Lawrence Refugee Relief Committee," *Republican Daily Journal*, April 27, 1879.

white Lawrence neighborhood. The seventy-year-old Keith, who was identified as a gardener but owned real estate worth thirty thousand dollars in North Lawrence, was the wealthiest black man in the area. Gregg, born in Kentucky in 1824 to a black mother and white plantation owner, had been taken as a slave to Missouri in 1851. During the Civil War, Gregg escaped to Lawrence with his second wife and six children, where he participated in Republican politics, the Prohibition club, and helped organize the annual Emancipation Day celebration in August 1881.[40] Although born in Georgia, Keith migrated to Lawrence by way of Ohio, where his five children were born and where he had served on the board of directors of Wilberforce University. By 1875 his daughter Judith was one of four black teachers in the Lawrence public schools, and when Ishmael Keith returned to Ohio his son, Green Keith, took over his father's produce farm just north of Lawrence. Like Alex Gregg, the younger Keith participated in Republican politics and also represented North Lawrence on the Lawrence City Council. Green Keith was held in such high regard at the time of his death in 1915 that Lawrence city offices closed in his honor and flew the American flag at half-mast.[41]

Despite the political participation and financial accomplishments of black men such as Alex Gregg and the Keiths, the black community as a whole did not share in these achievements. African American leaders in Topeka and Lawrence were distressed that many blacks could not find jobs and the Republican Party, which controlled the cities' patronage positions, was not often willing to consider blacks. The *Colored Citizen* charged that the only blacks holding government positions in Kansas were one postal clerk in Lawrence, a postal night-clerk at Atchison, one mail carrier in Leavenworth, and a single position at the state prison. In May 1879 a mass meeting of African Americans at Lawrence protested "the action of the City Council in not appointing a colored man to any office at their disposal." The meeting's eight leaders included shoemakers Alexander Gregg and Henry Fuel, and blacksmith Troy Strode.[42]

Other black immigrants to the state had not been successful in locating their families once they arrived. "Aunt Cynthia" Scruggs, a former slave of Nathaniel Scruggs of Jackson County, Missouri, pleaded in the *Lawrence Daily Journal* for information on the whereabouts of her three daughters, Francis Ann, Virgin Mary, and Tamatha, who were "all sold before the war" and "have gone the old lady knows not wither." According to the 1850 census, the fifty-eight-year-old Nathaniel Scruggs owned thirteen slaves, among whom were likely Cynthia and her family. Whether Cynthia ever located her daughters is not known, but she is an example, in the words of historian David Blight, of one of the "thousands of black women [who] spent their aging lives trying to reassemble families dislocated by emancipation's diaspora."[43]

Single black women, such as Cynthia Scruggs, were among the poorest in the community. Douglas County officials opened a "Poor House" south of Lawrence in 1869. Some poverty-stricken adults, black and white, refused to go to this institution. An 1879 newspaper article, "Buzzard's Roost," highlighted the terrible conditions in a downtown Lawrence hovel fashioned from an old dye house where thirty or forty "colored persons, mostly women and children," including infants, had been living. Many left when ordered by police to "quit the premises," but some stayed asserting that "they preferred the life they were leading to going to the poor farm." Officials worked to find homes for children sent to the "Poor House," as evidenced by a report in the local newspaper that a "colored girl eight years old" was among four children needing placement out of the facility. By 1881 this county institution housed only "seventeen inmates . . . many of whom are colored," and most in ill health.[44]

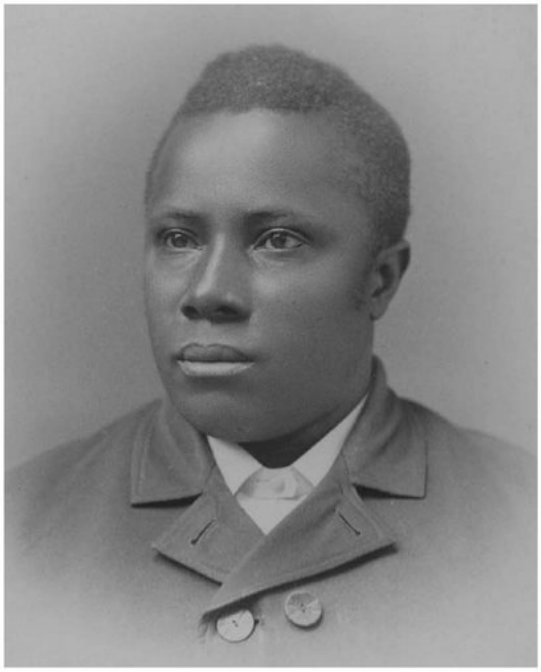
40. The Greggs lived at 903 Tennessee. The announcement for the Emancipation Day celebration, which featured a speech by Kansas Governor John P. St. John, advised that "all parties seeking to do business in the [Bismarck] grove that day will apply to A. Gregg, Lawrence." For additional biographical information on Alex and Mary Gregg, see Kansas State Census, 1875, Douglas County, Lawrence, 2: Gregg; 5: Keith; Schick "The Black Community," 1:5–6; *Lawrence Daily Journal and Daily Kansas Tribune*, July 28, 1881; "Silver Wedding," *Western Recorder*, March 21, 1884, reprinted in Shogrin, *Douglas County, Kansas, Marriages*, 182.

41. Green Keith, 5th Ward Delegate, "Republican Primaries and Convention," *Lawrence Daily World*, Sept. 22, 1893; "Honor Colored Citizen," *Lawrence Journal World*, September 8, 1915.

42. Robert G. Athearn, *In Search of Canaan: Black Migration to Kansas* (Lawrence: Regents Press of Kansas, 1978), 55, 194; "Indignant," *Republican Daily Journal*, May 27, 1879; Kansas State Census, 1875, Douglas County, Lawrence, 2: Alexander Gregg, age fifty-one, shoemaker, born in Kentucky; 3: Henry Fuel, age thirty-three, born in Missouri; Kansas State Census, 1865, Douglas County, Lawrence, 8: Troy Strode, age forty-one, born in Tennessee.

43. David Blight, *Race and Reunion: The Civil War in American Memory* (Cambridge: The Belknap Press of Harvard University Press, 2001), 312; *Lawrence Daily Journal*, August 13, 1878; Annette Wenger Curtis, *Jackson County Missouri in Black and White*, vol. 1, *Census of Slaves, Their Owners, and "Free Colored," 1850–1860* (Independence, Mo.: Annette Wenger Curtis, 1995). The woman, "Aunt Cynthia Scruggs," may be Jane Scruggs—a seventy-year-old black female "washer," who was born in Virginia and came to Kansas from Missouri—listed in the Kansas State Census, 1875, Douglas County, Lawrence, 8.

44. "Buzzard's Roost: A Night Among the Horribly Poor," *Lawrence Daily Journal and Kansas Daily Tribune*, July 31, 1879; "County Asylum," *Kansas Daily Tribune*, January 27, 1869; "Our County Poor," *Lawrence Daily Journal and Kansas Daily Tribune*, February 3, 1881.



Black lawyer John Lewis Waller, born into slavery in Missouri and subsequently educated in Iowa before moving to Kansas, practiced law in Lawrence and established himself as a vocal advocate of the fair treatment of African Americans. A member of the Lawrence School Board in 1882, Waller also championed integrated schools, Republican politics, and the temperance cause. In March 1883, months after a black client of his was lynched before he could stand trial, Waller founded the Western Recorder, *"devoted especially to the interest of the race." In July 1884, after moving his newspaper to Atchison, Waller, pictured here between 1887 and 1888, devoted his energies to electing blacks to state offices.*

On the most extreme end of the spectrum between success and failure in Lawrence's African American community were three black men lynched by a Lawrence mob in 1882. Poverty, as well as racial animosity, contributed to the lynchings and the events that led up to them. The initial victim of these circumstances was Margaret "Sis" Vinegar, the fourteen-year-old daughter of Pete Vinegar, a father of seven who had migrated to North Lawrence from Arkansas after the Civil War. He had difficulty supporting his large family, especially after the 1873 death of his wife, and his motherless children often begged for food and clothing or engaged in petty crimes. "Sis" Vinegar turned to prostitution. When David Bausman, a forty-two-year-old white widower, was seen engaging in sexual relations with the black teenager, several men beat Bausman to death and threw his body into the Kansas River.[45] The murder came to light when three boys fishing in the river noticed a human hand protruding from the water. As news spread, Bausman's mutilated body was dragged from the river, and, after an investigation, the Douglas County sheriff arrested three African American men, including Pete Vinegar, holding them in the jail located near the river. The June 10, 1882, issue of the local newspaper reported the fates of these men under the boldfaced headline "HUNG."

> At one o'clock last night fifty or more men made their appearance at the jail and demanded admittance. . . . The lynching party had come armed with sledge hammers and cold chisels and cut their way through every barrier . . . Pete Vinegar, George Robertson and Isaac King were each swung over the bridge and their bodies left dangling over the muddy Kaw. . . . As the vigilance committee came back this crowd cheered them lustily.[46]

Since Margaret Vinegar was suspected of plotting with the accused men to rob Bausman, she was also jailed. Although the lynch mob spared her life, she was never free again. Black lawyer John L. Waller spent years trying to arrange a pardon for Margaret Vinegar, but she died in the Kansas state prison at Lansing of consumption at age twenty-one. Pete Vinegar, who may have had nothing to do with the murder, was buried in the Pauper's Field at the city-owned Oak Hill Cemetery.

These lynchings were not the first such extralegal punishment in Douglas County, nor were they the last in Kansas. Accusations of horse stealing sealed the fate of six whites in this manner during the 1850s and one in 1860. Thomas Corlew, a white man believed to have been an accomplice of Quantrill's raiders, was hung in Lawrence on August 22, 1863, by an enraged citizenry the day after the massacre. Three black men accused of rape were lynched in Geary County in 1867, and in 1869 three African American soldiers of the Thirty-Eighth United States Colored Infantry Regiment, accused of murder in the frontier town of Fort Hays, were similarly dispatched. In 1888, two black men accused of murder were lynched in Labette County. That a disproportionate number of Kansas lynchings involved black men bears out larger, nationwide patterns. Historian Eric Foner found that in the United States between 1880 and 1930, 88 percent of victims of lynching were African American men. The lynching of Pete Vinegar, Isaac King, and

45. Cindy Schott and Kathy Scott Gates, *Boys, Let Me Down Easy: Murder and Lawlessness in a Small Town* (Lawrence, Kans.: the authors, 2005), vii, viii, 3–10.

46. Schott and Gates, *Boys, Let Me Down Easy*, 9, 19–21; "Hung," *Lawrence Daily Journal and Kansas Daily Tribune*, June 10, 1882.

George Robertson in Lawrence, the last such incident of "mob justice" in Douglas County, falls into the early part of this period.[47]

Within days of the Lawrence lynchings, Waller, who had been born into slavery in Missouri and subsequently educated in Iowa before moving to Kansas, chaired a meeting of black men at the Douglas County courthouse. The assembled men condemned the murder of Bausman and praised the brave conduct of William Harper, "one of our colored citizens, who himself captured George Robertson and delivered him to the sheriff." Among others attending were Christopher C. James, who also aided in the capture of the accused; two black barbers, one of whom was William Gray, a veteran of the First Kansas Colored; a black Baptist minister; a white newspaper editor; and former editor, John Speer, who would represent Lawrence in the Kansas House of Representatives during the 1883 session. Several resolutions came from this meeting, one of which cautiously objected to the mob action: "As law abiding citizens, we view with alarm the spirit of lawlessness, which under the garb of upholding and purifying the law, often violates the first principle of justice."[48]

Congregational minister Richard Cordley, who had moved from Lawrence to a church in Emporia, denounced this tragedy, which he felt had disgraced Lawrence. He excoriated the Lawrence editor: "You say you 'are sorry it [the lynching] was deemed necessary.' It was not necessary. There was not a shadow of necessity for it." Cordley concluded, "The blood of every law abiding citizen should tingle with shame, and his face blush with horror at such a deed." In March 1883, months after the lynching, Waller founded the *Western Recorder*, "devoted especially to the interest of the race." Besides printing news of the black community in his four-page paper, Waller discussed the 1882 lynching, deploring the fate of Pete Vinegar against whom no charges were filed and criticizing the jailers who offered no resistance to the mob.[49]

47. Genevieve Yost, "History of Lynchings in Kansas," *Kansas Historical Quarterly* 2 (May 1933), 182–219; Eric Foner, *Forever Free: The Story of Emancipation and Reconstruction* (New York: Alfred A. Knopf, 2005), 218; James N. Leiker, "Black Soldiers at Fort Hays, Kansas, 1867–1869: A Study in Civilian and Military Violence," *Great Plains Quarterly* 17 (Winter 1997): 11–13.

48. "Law and Order," *Lawrence Daily Journal and Daily Kansas Tribune*, June 13, 1882; the men mentioned in the article were identified in *Lawrence City Directory of the Business Firms, Incorporated Companies, Manufacturing Interests, Inhabitants and Enterprises in the City of Lawrence, Kansas for 1883*, 45, 97, 150, 168, 175, 181. See also, Wilder, *The Annals of Kansas, 1541–1885*, 1018.

49. "The Rev. Dr. Cordley. On the Lynching of the Murderers of Bausman," *Lawrence Daily Journal and Daily Kansas Tribune*, June 15, 1882; Schott and Gates, *Boys*, vii, viii, 3–10; "Salutatory," *Western Recorder*, Lawrence, March 17, 1883.

Sherman Harvey, son to David and Rebecca Brooks Harvey, graduated from the University of Kansas in 1889 and worked as a Lawrence school teacher and principal and later as Douglas County Clerk. In 1898, during the Spanish-American War, Sherman and his brother Frederick, now a doctor, joined the Twenty-Third Kansas Volunteers, serving as officers in the all black regiment. After the war Sherman studied law at the University of Kansas and though he did not finish he later took and passed the Kansas bar. He left the United States for the Philippine Islands in April 1902 and for nineteen years plied his profession there before returning to the United States. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

Waller, a member of the Lawrence School Board in 1882, also championed integrated schools, Republican politics, and the temperance cause. In 1883 he penned a long article on "Decoration Day" in which he lamented that black Union veterans were left out of the observances. "There are more than a hundred colored soldiers in and around Lawrence," wrote editor Waller, "but neither they nor their families have anything to do with the deliberations of this most solemn occasion." In July 1884, after moving his newspaper to Atchison, Waller devoted his energies to electing blacks to state offices.[50]

50. "Decoration Day," *Western Recorder* (Lawrence), June 7, 1883; "Our Bow," *Western Recorder* (Atchison), June 27, 1884; Randall B.

Perhaps responding to leaders such as Waller, Charles Langston, and Thomas Henderson, Lawrence began to integrate its schools, but in a peculiar, halfway manner. When a high school and grammar school were opened, both blacks and whites attended the same classes, though poor children of both races were often forced to drop out of the upper grades when their families needed the money they could earn by working. In most primary schools white and black children attended school in separate classrooms in the same building through the third grade, but from fourth grade and up classes were mixed. However, in North Lawrence where a number of black families had settled, the school board—despite the presence of member Thomas W. Henderson who favored integration—maintained two "6th Ward" elementary schools: the black school named Lincoln, the white, Woodlawn. Similar arrangements took place in other Kansas cities, although black parents filed some dozen court cases against segregation before the U.S. Supreme Court held it unconstitutional in the *Brown v. Board of Education* case in 1954.[51]

Long before segregation ended, members of Lawrence's black community continued to seek education for their children, support their churches, develop their own organizations, and acquire property, all with an eye toward providing for the second generation of their families. For example, Jesse Dillard was born into slavery in Henry County, Virginia, in 1826 or 1827, and despite being illiterate when he arrived in Lawrence in 1868, he became a respected property owner and made sure his daughter received an education. With five hundred dollars, Dillard purchased residential lot 56 on Louisiana Street where he eventually built a handsome two-story Queen Anne style house. In May 1872 the *Daily Kansas Tribune* printed a letter from Dillard's employer, the Lawrence, Leavenworth and Galveston Railroad, congratulating him on his wedding and noting the company's gift of a "beautiful silver castor." By 1876 Dillard was conductor on a special Pullman car on the Atchison, Topeka and Santa Fe's route between Kansas City and Pueblo, Colorado. He left the railroad after a few years and thereafter was employed as a janitor for the Lawrence National Bank. On the occasion of his sixty-ninth birthday in 1895, the leading white Lawrence newspaper, which did not often report on African Americans, noted, "At the conclusion of a very enjoyable supper Mr. Dillard was presented a rocking chair, which was given by a few of his gentlemen friends as a token of their respect to him, and with the hope of his living long to enjoy its comforts."[52]

Though they had no formal education themselves, Jesse and Frances Dillard, like David and Rebecca Harvey, believed in schooling for their children. The Dillard's daughter Mary graduated from Lawrence schools and then the University of Kansas in 1896. She became a teacher in the all black primary class within Pinckney School, where young Langston Hughes was enrolled when he was seven or eight years old. After taking graduate work at the University of Kansas in English and special education, Mary Dillard became principal of Lawrence's all black Lincoln school.[53]

Mary Dillard, along with Frederick D. G., Sherman, and Ed Harvey and Fred, Curtis, and Sadie Stone, represented the second generation of African American families in Lawrence. In 1889, a month after Sherman Harvey graduated from the University of Kansas, he wrote to the *American Citizen*, a black Topeka newspaper:

> Let us stay in America, where we belong; and let us go to work. The great obstacle to overcome is

Woods, "After the Exodus: John Lewis Waller and the Black Elite, 1878–1900," *Kansas Historical Quarterly* 77 (Summer 1977): 172–79, 186; Woods, *Black Odyssey: John Lewis Waller and the Promise of American Life, 1878–1900* (Lawrence: The Regents Press of Kansas, 1981), 22–65. Waller accepted an appointment as U.S. Consul to Madagascar in 1891.

51. *Directory of the City of Lawrence, for 1871* (Lawrence: J. T. Atkinson, 1871), 12; Deborah Dandridge and Katie Armitage, "In Pursuit of Freedom and Equality: Kansas and the African American Public School Experience" (museum exhibit, Brown Foundation, Topeka, Kansas, 1993).

52. Shogrin, *Douglas County, Kansas, Marriages*, 29; "Matrimonial," *Daily Kansas Tribune*, May 29, 1872; "Sixty-Ninth Birthday Anniversary," *Lawrence Daily Journal and Evening Tribune*, December 16, 1895; Dillard house, 520 Louisiana Street, in David Benjamin and Dennis Engslinger, "Resurvey of Old West Lawrence Report," (cultural resource report prepared for the City of Lawrence, Kansas 1991), 13. The Dillard house is listed on the Lawrence Register of Historic Places, Pinckney National Historic District 1, http://www.lawrenceplanning.org/documents/pinckney1.pdf and http://www.lawrenceplanning.org/documents/HR-Pinckney1.pdf.

53. Dave Ranney, "Building on 140 years of history," *Lawrence Journal World*, August 14, 2005; "The Kansas Memorial," Dillard, Old Settlers Register, 1879, reprinted in Dary, *Lawrence*, 392; Elfriede Fischer Rowe, "School 60 Years Ago," *Wonderful Old Lawrence* (Lawrence: The World Co., 1971), 3–31; "Deaths and Funerals: Miss Mary Jane Dillard," *Lawrence Journal World*, November 25, 1954. Langston Hughes stated that he entered second grade in Lawrence 1908. At that time Mary Langston lived at 732 Alabama Street in the Pinckney School area, where she taught; see *Lawrence and Douglas Co., Kan., Directory, 1902–1903* (St. Louis, Mo.: Chittenden Directory Company, 1902), 82; *R. L. Polk & Co.'s Lawrence City Directory, 1905* (Sioux City, Ia.: R. L. Polk & Co., 1904), 87; *Polk's Lawrence City Directory, 1907* (n.p., [1906]), 83; *Polk's Lawrence City Directory, 1908* (Sioux City, Ia.: R. L. Polk & Co., 1908), 92; *Polk's Lawrence City Directory, 1911* (Wichita, Kans.: R. L. Polk & Co., 1910), 102. Mary Jane Dillard is listed as principal of Lincoln School in *Polk's Lawrence City Directory, 1913–1914* (Lawrence, Kans.: R. L. Polk & Co., 1913), 94, and *Polk's Lawrence City Directory, 1915* (Lawrence, Kans.: R. L. Polk & Co., 1915), 104. Dillard died at age eighty in 1954 and is buried in Oak Hill Cemetery. "Deaths and Funerals," *Lawrence Journal World*, November 25, 1954.

Not all of the Harvey children shared in the family's success. The light-skinned Anna Brooks, born into slavery in 1850 in Arkansas, never found as prominent a place in Lawrence as did her Kansas-born brothers. She found work as a domestic and waitress and lived with her half-brother Ed Harvey in her later years. Image courtesy of the Kansas Collection, Kenneth Spencer Research Library, University of Kansas Libraries, Lawrence.

> prejudice; another great drawback to the Afro-American is lack of energy and stick-to-itveness. The breaking down of prejudice is the great end to be attained; money, education and morality are the means by which this end must be accomplished.[54]

A short time later, with the People's Party on the rise in Kansas, Harvey spoke at a Republican gathering and was invited to run as the party's candidate for Douglas County clerk. He lost the race, but the superintendent of the Lawrence schools asked him to take over the black class within New York School and Harvey became principal of Lincoln School. In 1892 he again ran for local office and won election as clerk of Douglas County District Court. Two years later, he was reelected by nearly seven hundred votes and served until 1897. Sherman Harvey's brother, Frederick D. G. Harvey, had to leave Kansas to study medicine because blacks were not admitted to the University of Kansas Medical School. He graduated from Meharry Medical School in Nashville, Tennessee, and for a time practiced medicine in that state.[55]

When the United States entered the Spanish American War in 1898, Frederick Harvey, Sherman Harvey, and John Waller joined the Twenty-Third Kansas Volunteers, and served as officers in the all black regiment. The African American press in Kansas, which reported on black regiments being called into service in the weeks leading up to the war, sympathized with the oppressed people of color in Cuba. Yet many black leaders viewed military service as a means to protection and status amidst the rising tide of prejudice and discrimination in late nineteenth-century Kansas and the nation.[56]

Captain Sherman Harvey and Dr. Frederick Harvey, the regiment's assistant surgeon, spent the winter of 1898–1899 in Cuba, mostly guarding Spanish prisoners of war before they were repatriated to Spain. After being discharged Frederick Harvey returned to Kansas City, Kansas, and eventually to Lawrence where he practiced medicine. Sherman Harvey entered the School of Law at the University of Kansas but only stayed for a year and a half. With this training and his past experience in the county clerk's office, he took and passed the Kansas bar. Harvey had urged his fellow citizens to "stay in America where we belong," though he was apparently changed by his wartime experience in Cuba and left the United States for the Philippine Islands in April 1902. Although he was unsure that his Kansas law license would be of use half a world away, he adapted to the multiethnic Philippine culture and for nineteen years plied his profession there before returning to the United States.[57]

54. "We Shall Stay," *American Citizen* (Topeka), July 19, 1889; *R. L. Polk's Lawrence City Directory, 1905*, 18: New York School Teachers, Miss Sadie Stone; Pinckney School Teachers, Mary J. Dillard; *Polk's Lawrence City Directory, 1915*, 295: Fred M. Stone, Stone and Mason Grocery; Curtis Stone, restaurant.

55. Sherman Allen Harvey, memoir, 3–7, typescript, National Military Home, Los Angeles, California, 1933, Kansas Collection, University of Kansas Libraries, Lawrence; Harvey, "Story of His Mother Rebecca Brooks Harvey," Harvey Family Collection, Kansas Collection; Sherman Harvey employed Carrie Langston, daughter of Charles and Mary Langston, in the clerk's office.

56. William B. Gatewood, Jr., "Kansas Negroes in the Spanish American War," *Kansas Historical Quarterly* 37 (Autumn 1971): 300–13; *Kansas Troops in the Volunteer Service of the United States in the Spanish and Philippine Wars: Mustered in under the First and Second Calls of the President of the United States, May 9, 1898–October 28, 1899* (Topeka, Kans.: W. Y. Morgan, State Printer, 1900), 219, 225, 228; John Hope Franklin, *From Slavery to Freedom: A History of Negro Americans* (New York: Vintage Books, 1969), 418–39.

57. Christopher C. Lovett, "'To Serve Faithfully': The Twenty-Third Kansas Volunteers and the Spanish-American War," *Kansas History: A Journal of the Central Plains* 21 (Winter 1998–1999): 271–72; Ed Harvey memoir, Harvey Family Collection, Kansas Collection; Sherman Harvey memoir, Harvey Collection, Kansas Collection, Spencer Research Library, University of Kansas Libraries, Lawrence, 10; "To Locate in Manila," *Topeka Plaindealer*, March 14, 1902; John P. Tharp, "Black Farmer's Family Tree," *Kansas City Times*, May 1, 1977.

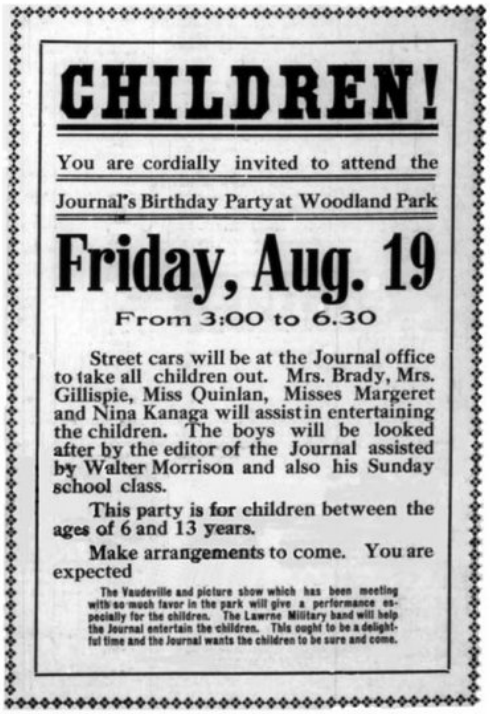
George William "Nash" Walker, born in Lawrence in 1872 to single mother Alice Hayden, left Kansas around 1892 and, after traveling for a time with a medicine show, landed in San Francisco where he met Bert A. Williams, with whom he formed the soon-to-be-famous vaudeville duo, Williams (left) and Walker (right). He worked not only as an entertainer, songwriter, and recording artist, but also a civil rights activist, who fought segregation laws by securing first-class bookings for his shows. At the height of his fortune in 1904, Walker built a home in Lawrence for his mother, but seven years later he retired from show business and died that same year in Islip, New York. Image courtesy of the Yale Collection of American Literature, Beinecke Rare Book and Manuscript Library, New Haven, Connecticut.

Like his brothers, Ed Harvey grew up viewing the new University of Kansas building on Mt. Oread from a distance. Having entered the university directly from the racially-integrated country school at Blue Mound, he played football and graduated in 1894. At the turn of the century, he went to Washington, D.C., as secretary to Congressman Justin D. Bowersock, a Lawrence Republican, but Harvey returned to the family farm after the death of his father and spent the rest of his life in rural Douglas County. Active in church and community, Harvey served as secretary of the Douglas County Farmer's Institute, the Taxpayers League, and as a member of the Blue Mound School Board. Although the Harvey family is a remarkable example of how quickly black families in Douglas County could improve their situations, having leapt in one generation from slavery to the professions, not all of the Harvey children shared in the family's success. The light-skinned Anna Brooks, born into slavery in 1850 in Arkansas, never found as prominent a place in Lawrence as did her Kansas-born brothers. She found work as a domestic and waitress and lived with her half-brothers in her later years.[58]

Historian Rayford W. Logan has labeled the 1890s through to the opening of the twentieth century, when the status of blacks in American society declined due to betrayals of their civil rights, "The Nadir." Although assaults on blacks and incidents of racial hostility in Kansas and in some northern cities were not as horrific as in the South, during this period race riots and lynchings increased in both regions. After 1900 Lawrence entered a period of slow growth and job opportunities decreased as the barbwire factory closed and two drug manufacturers moved to Kansas City, Missouri. With the loss of factory jobs the black population decreased in proportion to whites, receding from 25 percent of the total in 1890 to less than 17 percent in 1920. There continued to exist a number of successful black-owned businesses and several black teachers taught in the Lawrence schools. There were no black football players at Lawrence High School, however, and the school had a separate all black basketball team. Blacks were seldom mentioned in the Lawrence newspapers, except for reports of criminal activity or the heralding of black entertainer George William "Nash" Walker.[59]

58. Harvey, "Story of his Mother Rebecca Brooks Harvey," Harvey Family Collection, Kansas Collection; Kansas State Census, 1865, Douglas County, Wakarusa Township, 4: Anna Brooks, age fifteen, born in Arkansas; Kansas State Census, 1875, Douglas County, Lawrence, 10: Anna Brooks, age twenty-five, domestic, born in Arkansas. These data indicate the family did not consider Anna to be David Harvey's daughter although one city directory designated her as Harvey, "Anna Harvey, waiter": *Johnson & McKinney's Lawrence City Directory, 1879*, 85. U.S. Census, 1930, Wakarusa Township: Anna Brooks, age eighty, living in Edward Harvey household. Anna Brooks was probably the daughter of a white Arkansas slave owner who forced himself on her enslaved mother. The author had unrecorded conversations with Harvey descendents in 1980 and later.

59. Rayford W. Logan, *The Betrayal of the Negro from Rutherford B. Hayes to Woodrow Wilson* (New York: Colliers Books, 1967), 62; U.S. Census, Kansas, Douglas County, 1890, 1900, 1920; Kenneth Middleton, *The Industrial History of a Small Midwestern Town* (Lawrence: University of Kansas School of Business, 1948); Blackmar and Burgess, *Lawrence Social Survey*, 11–16, 31–42; Donald B. Zavelo, "The Black Entrepreneur in Lawrence, Kansas, 1900–1915" (honors thesis, University of Kansas, 1975); Franklin, *From Slavery to Freedom*, 439–54.



CHILDREN!

You are cordially invited to attend the Journal's Birthday Party at Woodland Park

Friday, Aug. 19

From 3:00 to 6.30

Street cars will be at the Journal office to take all children out. Mrs. Brady, Mrs. Gillispie, Miss Quinlan, Misses Margeret and Nina Kanaga will assist in entertaining the children. The boys will be looked after by the editor of the Journal assisted by Walter Morrison and also his Sunday school class.

This party is for children between the ages of 6 and 13 years.

Make arrangements to come. You are expected

The Vaudeville and picture show which has been meeting with so much favor in the park will give a performance especially for the children. The Lawrne Military band will help the Journal entertain the children. This ought to be a delightful time and the Journal wants the children to be sure and come.

In late summer 1910, the Lawrence Daily Journal *lavishly promoted its "birthday" with a party for Lawrence children at Woodland Park, a new amusement venture on the eastern edge of town. Along with a large advertisement, printed on August 17 and pictured here, inviting "children between the ages of 6 and 13" to the party, the newspaper printed a notice, "About That Party," in which the white editor clarified that "The Journal knows the colored children have no desire to attend a social event of this kind and that they will not want to go. This is purely a social affair and of course everyone in town knows what that means."*

Born in Lawrence in 1872 to single mother Alice Hayden, Walker left Kansas in his early twenties and eventually became part of the famous traveling vaudeville duo, Williams and Walker. Early in 1902, Walker returned to Lawrence in triumph as the Lawrence paper exclaimed, "Nash Walker comes in a Blaze of Glory." The paper described Walker, who grew up in poverty, as a "former Lawrence bootblack." But this "ragged street urchin" was welcomed "home" with much fanfare. At the height of his fortune in 1904, Walker built a home in Lawrence for his mother, but seven years later he retired from show business and died of syphilis in Islip, New York. After his body was returned to Lawrence for burial, a racially-mixed, overflow crowd attended his funeral in a flower-filled Warren (Ninth) Street Baptist Church. Walker's friend and contemporary, Frederick D. G. Harvey, was among the pallbearers and a young Langston Hughes attended, recalling, "I got my hand slapped for pointing at the flowers, because it was not polite for a child to point."[60]

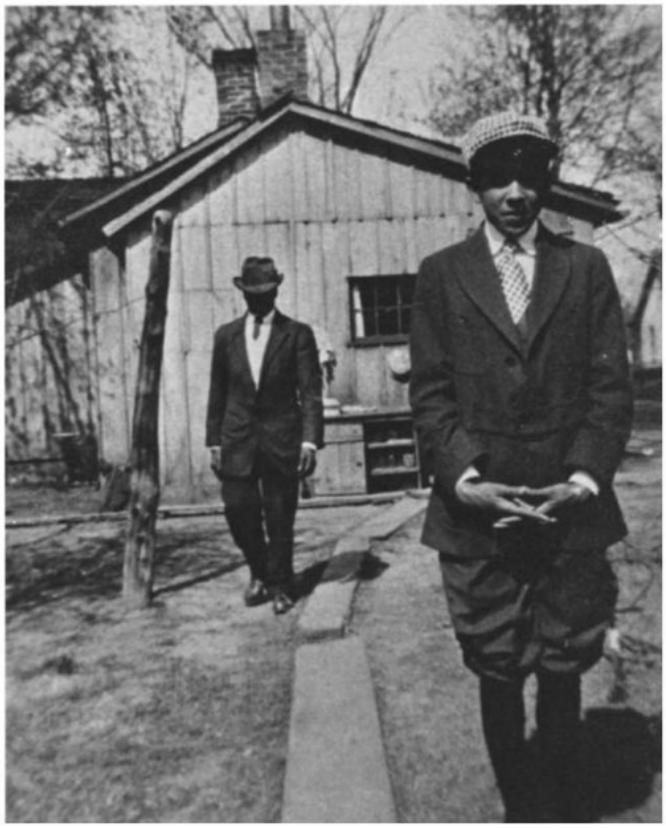
Aside from this commemoration of a black man who had gained acceptance in white society by entertaining it, white tolerance of blacks at social gatherings in Douglas County was limited. Late in the summer of 1910, the *Lawrence Daily Journal* lavishly promoted its "birthday" with a party for Lawrence children at Woodland Park, a new amusement venture on the eastern edge of town. Along with a large advertisement inviting "children between the ages of 6 and 13" to the party, the newspaper printed a notice, "About That Party," in which the white editor clarified that the invitation extended only to white children. "The Journal has been asked if the colored children will be in attendance," he wrote. "The Journal knows the colored children have no desire to attend a social event of this kind and that they will not want to go. This is purely a social affair and of course everyone in town knows what that means."[61] Langston Hughes, who was nearly nine years old and living with his grandmother, Mary Langston, wrote of this hurtful incident in his autobiographical novel, *Not Without Laughter*. In Hughes's story when black children walked to the park and lined up to enter, a tall white man turned them away, saying "this party's for white kids."[62]

A year after the "Children's Day" incident, black leaders united, as they had in 1882, to defend their

60. Kansas State Census, 1875, Douglas County, Lawrence, 41: N. Walker, age twenty-seven, porter; 1–2: Sarah Hayden, age forty-four, washer; Alice Hayden, age twenty; Wm Hayden, age ten; Geo Walker, M[ale], B[lack], age three; "A Good Show and a Big House," *Lawrence Daily Journal*, February 12, 1901; "Home Again! Nash Walker Comes in a Blaze of Glory After Winning Fame," *Lawrence Daily World*, January 14, 1902; "Williams and Walker," *Lawrence Daily Journal*, January 14, 1902; "Concluded, Is Life of Famous Comedian," *Lawrence Daily Journal*, January 7, 1911; and "Impressive: Were the Ceremonies Yesterday Which Marked the Final Tribute Paid to George (Nash) Walker: Enormous Crowd Present," *Lawrence Daily Journal*, January 16, 1911. The church, now Ninth Street Baptist, still stands, as does the house Walker built for his mother Alice Hayden Myers at 401 Indiana Street. When Walker's mother was about to lose another home in 1931, a charity show was organized on her behalf, (Lawrence) *Douglas County Republican*, May 18, 1931; Langston Hughes, *Langston Hughes Reader* (New York: George Braziller, Inc., 1958), 330. For biographical information on Walker see Ann Charters, *Nobody: The Story of Bert Williams* (New York: Macmillan, 1970), 21–97, 116; Eric Ledell Smith, *Bert Williams: A Biography of the Pioneer Black Comedian* (Jefferson, N.C.: McFarland, 1992), especially 229–30; Jim Haskins, *Black Theater in America* (New York: Thomas Y. Crowell, 1982).

61. *Lawrence Daily Journal*, August 17, 1910.

62. *Lawrence Daily Journal*, August 17, 1910; Langston Hughes, "Children's Day," in *Not Without Laughter* (New York: Collins, 1969), 195.



In 1914 the young Langston Hughes and his friend John Taylor, grandson of the black city councilman David Logan, protested discrimination at their school. The white eighth-grade teacher had seated all the black students in one row prompting Hughes to write "Jim Crow Row" on cards that he and Taylor tossed out the window. Hughes is pictured here outside a Lawrence home, perhaps 731 New York Street. Image courtesy of the estate of Langston Hughes, by permission of Harold Ober Associates Incorporated.

community as law abiding. Dr. Harvey, Councilman Green Keith, four ministers, and a businessman signed a public letter that deplored the "Fact That Colored People Are Censured for Major Portion of Crime in Lawrence," which they believed to be "absolutely unfair to our race." They noted,

> We have for more than fifty years played our part in the industrial, social and moral development of this community. Our brain and brawn have done no little to bring Lawrence to her present delectable height. In honest toil, we have paved the streets, beautified her parks, erected her old and modern buildings—quarrying the stone from the summits of hills over-looking our beautiful city—constructed her sewers, laid her water conduits, planted and cultivated her groves, in fact, have largely made Lawrence a city . . . of beauty.[63]

The writers of this letter took pride in the African American community's accomplishments, but their statement also indicated that, despite their achievements, opportunities for blacks in the city had ebbed.

In 1914 the young Langston Hughes and his friend John Taylor, grandson of the black City Councilman David Logan, protested discrimination in school. The white eighth-grade teacher had seated all the black students in one row prompting Hughes to write "Jim Crow Row" on cards that he and Taylor tossed out the window. The boys were called to the principal's office and expelled from school. To argue for their reinstatement, Dr. Harvey accompanied the black youths back to the school, spoke to the principal, and the boys returned to class.[64]

Not only in the public schools but also at the University of Kansas blacks began to be segregated, if not excluded. Although the Harvey brothers had played on integrated athletic teams at the university in the 1880s and 1890s, after the turn of the century white attitudes changed and black athletes were no longer welcomed onto intercollegiate sports teams. In the 1920s the Harvey brothers, all University of Kansas alumni, visited with Chancellor Ernest Lindley "to tell him that blacks did not have a very good chance at the university." Painfully aware that opportunities had decreased for blacks since his college years, Ed Harvey told his son that Lindley "did not believe blacks needed to get an education." Sherman Harvey sadly realized that black students, once welcomed at the university, were now being humiliated at his alma

63. "Are Law Abiding," *Lawrence Journal World*, February 23, 1911.

64. The author had several interviews with John Taylor in 1976, wherein he related this story of the "Jim Crow Row." Taylor's grandfather, David Logan, represented North Lawrence on the City Council. *R. L. Polk Lawrence City Directory, 1911*, 196.

mater. The effects of discouraging blacks from attending the university were felt throughout the community. As just one example, after Dr. Harvey died in 1923 no other black physician practiced medicine in Lawrence until the late twentieth century.[65]

During the Civil War African Americans had flocked to Kansas in pursuit of freedom and liberty, but fifty years after the Emancipation Proclamation their legacy was mixed. In Lawrence, although many first generation black settlers did well, and the second generation produced talented, dedicated leaders, by the second decade of the twentieth century the black community was suffering. This was in part due to natural transitions in the community. By 1910 first generation black leaders and civil rights activists, such as Charles Langston, and businessmen, such as Alexander Gregg and Daniel Stone, had passed from the scene, as had former soldiers Joseph Bowers, Absalom Dimery, William Gray, Moses Jenkins, and Henry Copeland. No leader replaced Charles Langston, who had come to Kansas with education and ideals, or Ishmael Keith, who came with education and money. Black veterans of the Spanish-American War, who had fought on foreign soil, were dying out or, like Sherman Harvey, choosing to live elsewhere. The decline of the black community in Lawrence was also affected by the attitudes of their white neighbors. When black crime made headlines in the white press, all members of the black community became suspect.[66]

National policies towards blacks also influenced their lives in Kansas. As sectional reconciliation of the North and South gained momentum in the late nineteenth century, concern for the welfare of the formerly enslaved faded. Racial prejudice was pervasive throughout the North and the border states, such as Kansas, where blacks were usually consigned to segregated theatres, restaurants, and public facilities. Black men had the vote, but school segregation remained in place. Only after the U.S. Supreme Court found the "separate but equal" doctrine as applied to public schools unconstitutional in 1954 did the vestiges of segregated education begin to disappear in Douglas County and throughout Kansas. From the mid-nineteenth through the twentieth century, overt and subtle discrimination endured. Despite the election of some black men to local and state offices, the contributions of former Union soldiers, the success of businessmen, the achievements of families such as the Harveys and the Dillards, and the fame of George "Nash" Walker, the ideal of Kansas as the freest state, so hopefully expressed in 1879 by T. W. Henderson, had not been fulfilled. Perhaps the irony of this failure was greater in Kansas, where hopes had been so high.

And not for no reason, for as historian James N. Leiker observed, Kansas had seen both racial hostility *and* cooperation. This was demonstrated in Douglas County, where fugitive slaves were given aid and Exodusters provided relief. But in the city of Lawrence, lynchings occurred and discrimination often prevailed. Douglas County fit the pattern that Leiker summed up as the tension between ideals and practice: paradoxically Kansas's "racism had been neither consistent nor monolithic."[67]

The freedom and equality that Charles and Mary Langston sought when they settled in Kansas would not be realized even in the lifetime of their grandson, Langston Hughes, who left Lawrence in 1915 and died in 1967. The aspirations of pioneers—of Hughes's own family, of the Harveys, of the Civil War refugees who settled in Douglas County and other communities nationwide—resounded in the author's works. Their hopes, unfulfilled yet alive, were heard in his call to his country: "Let America be America again. / Let it be the dream it used to be. / Let it be the pioneer on the plain / Seeking a home where he himself is free."[68] KH

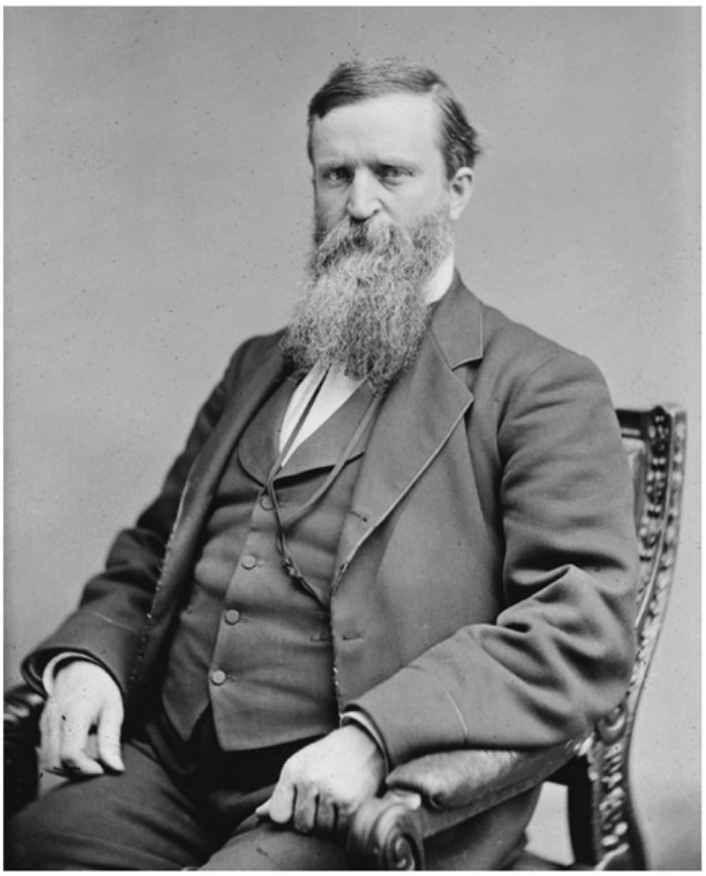
65. Tharp, "Black Farmer's Family Tree"; William M. Tuttle, Jr., "Separate but Not Equal: African Americans and the 100-year Struggle for Equality in Lawrence and the University of Kansas, 1850s–1960," in *Embattled Lawrence: Conflict and Community*, ed. Dennis Domer and Barbara L. Watkins (Lawrence: University of Kansas, Continuing Education, 2001), 139–51; "The Harvey Family," Harvey Family Collection, Kansas Collection; Edward S. Harvey, "Rebecca Brooks Harvey," ed. Margaret Lynn, typescript, Edward Harvey Collection, Kansas Collection, Spencer Research Library, University of Kansas Libraries, Lawrence.

66. "Are Law Abiding, Colored Citizens Says [*sic*] Their Race Obeys Laws," *Lawrence Daily Journal*, February 23, 1911.

67. James N. Leiker, "Race Relations in the Sunflower State. Review Essay," *Kansas History: A Journal of the Central Plains* 25 (Autumn 2002): 221, 236; see also Rusty Monhollon and Kristen Tegtmeier Oertel, "From Brown to Brown: A Century of Struggle for Equality in Kansas," *Kansas History: A Journal of the Central Plains* 27 (Spring–Summer 2004): 116–33.

68. Langston Hughes, "Let America Be America Again," in *The Collected Poems of Langston Hughes*, ed. Arnold Rampersad (New York: Alfred A. Knopf, 1994), 189.

"The Lion of the Land"



James Baird Weaver, a Civil War hero, former congressman from Iowa, and presidential candidate of the Greenback Party in 1880, was elected to the U.S. House of Representatives as a fusion candidate of the Greenback and Democratic parties in 1884. Photograph courtesy of the Library of Congress, Prints & Photographs Division, Washington, D.C.

Kansas History: A Journal of the Central Plains 31 (Autumn 2008): 176–193

[In Progress] Kansas history: a journal of the central plains

James B. Weaver, Kansas, and the Oklahoma Lands, 1884–1890

by Thomas Burnell Colbert

At the Pioneer Law Makers of Iowa reunion in 1909, Edward H. Gillette delivered an address on the life and achievements of his longtime friend and political ally, James Baird Weaver. He remarked that, "If the people of Iowa paint General Weaver for the hall of fame, the people of Oklahoma should chisel him in marble and plant his statue in their capitol with the legend upon it: 'General James B. Weaver, the Father of Oklahoma.'" A year later, Luther B. Hill's *A History of the State of Oklahoma* included the reminiscences of Sidney Clarke, a former congressman from Kansas, agitator for white settlement in Oklahoma, and Oklahoma City booster, who wrote, "If I were called upon to name one man to whom the people of Oklahoma owe the greatest debt of gratitude because of unselfish devotion to their interests in all the early stages of the controversy [over opening Oklahoma to white settlers], I should name Gen. James B. Weaver of Iowa."[1] Today, probably few in Oklahoma, Iowa, or Kansas remember the roles that Weaver played in securing legislation for white settlement of the Unassigned Lands (also known as the Oklahoma lands) in Indian Territory and in establishing Oklahoma City. That reason alone makes his a story worth telling, though Weaver's part in opening Indian Territory to white settlement is also important because it falls into the wider context of American Western history and the closing of the southern Great Plains frontier.

In 1884 Weaver—a Civil War hero, former congressman, and presidential candidate of the Greenback Party in 1880—was elected to the U.S. House of Representatives as a fusion candidate of the Greenback and Democratic parties.[2] Weaver returned to the nation's capital not only as a seasoned spokesman for reform but also as perhaps the best political orator of the time, and he hankered to fight for the

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1. Edward Stiles, *Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa* (Des Moines, Iowa: Homestead Publishing Company, 1916), 147; Luther B. Hill, *A History of the State of Oklahoma* (Chicago: Lewis Publishing Company, 1910), 1:180.
2. For Weaver's earlier political career, see Fred Emory Haynes, *James Baird Weaver* (Iowa City: State Historical Society of Iowa, 1919), 19–216; Thomas Burnell Colbert, "Disgruntled 'Chronic Politician' or Man of Political Integrity: James Baird Weaver and Republican Party in Iowa, 1857–1877," *Annals of Iowa* 49 (Winter/Spring, 1988): 187–207; Colbert, "Political Fusion in Iowa: The Election of James B. Weaver to Congress in 1878," *Arizona and the West* 20 (Spring, 1978): 25–40; Mark A. Lause, *The Civil War's Last Campaign: James B. Weaver, the Greenback-Labor Party & the Politics of Race and Section* (Lanham, Md.: University Press of America, 2001); Robert B. Mitchell, *Skirmisher: The Life, Times, and Political Career of James B. Weaver of Iowa* (Roseville, Minn.: Edinborough Press, 2008).

Economic depression had gripped the nation since 1873, and many debt-ridden farmers became eager to establish new farms in the West. As the government's use of Indian Territory came under question, would-be homesteaders—dubbed "Boomers"—congregated in Kansas. Consequently, in late 1879, David L. Payne, a former Kansas legislator and frontiersman, organized Payne's Oklahoma Colony and the Oklahoma Town Company. A few of the company's number are pictured here on an 1883 venture into the Unassigned Lands. Federal soldiers deemed them trespassers and forcibly removed the Boomers from the territory.

causes he embraced. Although several issues received his attention once back in Congress, he especially focused on the dispute over the Unassigned Lands—three million acres in the heart of the Indian Territory which the federal government controlled due to treaties with the Creeks and Seminoles at the end of the Civil War and held in abeyance for removing tribes to the territory. However, no tribes had been placed on the land, leading to protests against the government's inaction in the territory after dissident mixed-lineage Cherokee lawyer and railroad lobbyist Elias C. Boudinot published a letter in the *Chicago Times* in 1879 exposing the situation, stating that the land was now public domain.[3]

Economic depression had gripped the nation since 1873, and many debt-ridden farmers became eager to establish new farms in the West. As the government's use of Indian Territory came under question, would-be homesteaders—dubbed "Boomers" by Dr. Morrison Munford, who owned the *Kansas City* (Missouri) *Times* and had for some time championed opening the territory to white settlers—congregated in Kansas. Consequently, in late 1879, David L. Payne, a former Kansas legislator and frontiersman, organized Payne's Oklahoma Colony with the Oklahoma Town Company and Wichita businessmen who anticipated profiting from outfitting and trading with the land seekers. However, when Payne and his followers moved onto the Unassigned Lands, federal soldiers removed them as trespassers.[4]

The federal government justified this action on the grounds that the settlers had violated the Intercourse Act of 1834, noting that this land was part of Indian Territory and subject to agreements made with the tribes. The ejected settlers remonstrated that the Indians in question were hypocritical and duplicitous, for cattlemen were paying some tribes to graze their herds illegally in Indian Territory. In particular, Payne turned his attention to the Cherokee Strip Live Stock Association of cattlemen, which was created in the border town of Caldwell, Kansas, in 1883. The Cherokee Nation leased the association grazing rights on the Cherokee Outlet (generally known as the Cherokee Strip), a portion of their lands that, although belonging to the tribe, was not to be settled by Cherokees or whites; instead, according to a post-Civil War agreement, the Outlet was to be held open for future Indian reservations. The association then sublet parts of the range to its member ranches. Payne argued that the Cherokee Strip Live Stock Association's

3. *Chicago Times*, February 17 and March 31, 1879.

4. Stan Hoig, "Boomer Movement," http://digital.library.okstate.edu/encyclopedia/entries/B/BO011.html; Carl Coke Rister, *Land Hunger: David L. Payne and the Oklahoma Boomers* (Norman: University of Oklahoma Press, 1942), 52.

lease was illegal and that the ranchers were a monopoly of beef producers hoarding land that could be used by landless farmers.[5] As Payne fulminated against the cattlemen and the federal and tribal governments, Boomers undertook "invasions" of the Unassigned Lands. First lead by Payne and then William Couch, a former Wichita businessman who had experienced substantial economic loss in the 1870s, they made illegal forays onto the disputed territory.[6]

Several reasons no doubt fueled James Weaver's interest in the Oklahoma question in the early 1880s. Weaver became animated by the specter of poor, home-seeking farmers combating not only the conservative, unsympathetic national government but also the Five Civilized Tribes who, with their friends in Washington, opposed settlers entering Indian Territory and wealthy cattlemen who monopolized potential cropland for livestock grazing. He understood this conflict as one between the rights of the people and the power of special interests. And although it is possible that he had heard of the Boomers from his parents, residents of Kansas beginning in 1859, Weaver was personally influenced by Samuel C. Crocker. A Greenbacker originally from Iowa, Crocker had become a prominent spokesman for the Boomers, publishing his opinions on the matter as editor of the *Oklahoma War-Chief* and later the *Industrial Age*, both of which promoted the Boomer movement and were published in Caldwell, Kansas. Crocker spent the winter of 1884–1885 in Iowa advocating the Boomer cause and soliciting followers.[7]

Weaver was also influenced by the U.S. Army's removal, in the terribly cold January of 1885, of several hundred Boomers from the Unassigned Lands. Couch and twelve other Boomers were arrested, and, although the charges were soon dropped, news of the incident began to spread. By moving into Indian Territory and occasioning their arrest and expulsion, the Boomers drew attention to their cause and aroused public sympathy as newspapers told of their plight. Weaver asked his close confidant Edward Gillette—a former Greenback congressman from Iowa and co-editor with Weaver of Des Moines's *Iowa Tribune*, the leading Greenback newspaper in the state—to journey to Kansas and find out what exactly had transpired. As the public began increasingly to see them as victims rather than rough ne'er-do-wells, the Boomers switched their efforts from invading Indian Territory to securing legislation that would legally open the area to non-Indian settlement. Weaver became one of their allies and urged readers of the *Iowa Tribune* to send him petitions, which could be cut out of the newspaper, calling for the opening of the Unassigned Lands.[8]

Even before the arrests and Weaver's petition drive, activities in Congress seemed to bode better for the Boomers. The Senate Committee on Indian Affairs began looking into the Cherokee Outlet lease. In early February, Boomers met in Topeka, Kansas, and drafted a "Resolution for Homesteader Rights" and sent Couch to Washington to deliver it.[9] On February 15, 1885, Representative Thomas Ryan, a Republican from Topeka who had favored the opening of Oklahoma lands as a potential benefit to Kansas commerce since reading Boudinot's 1879 letter, reintroduced a bill that would have opened certain unsettled areas of Indian Territory. Soon thereafter, one of Ryan's Kansas colleagues, Congressman Bishop Perkins (R., Oswego), submitted a bill proposing the purchase of the Outlet from the Cherokees and the opening of the Oklahoma district to settlers. In early March, a rider to the Indian Appropriations Act based on Perkins's bill, calling for the federal government to begin talks with the Cherokees, Creeks, and Seminoles to allow white settlement on the lands they ceded to the federal government in the 1866 treaties, was passed by both houses and signed by the president.[10]

5. William W. Savage, Jr., *The Cherokee Strip Livestock Association: Federal Regulation and the Cattleman's Last Frontier* (Columbia: University of Missouri Press, 1973), 21; Roy Gittinger, *The Formation of the State of Oklahoma, 1803–1906* (Norman: University of Oklahoma Press, 1939), 144. Gittinger's early history of Oklahoma was first published in 1917 as University of California Publications in History 6.

6. On the Boomer movement, see Rister, *Land Hunger*, and Stan Hoig, *David L. Payne: The Oklahoma Boomer* (Oklahoma City: Western Heritage Books, 1980).

7. Dan W. Perry, "Colonel Crocker and the Boomer Movement," *Chronicles of Oklahoma* 13 (September 1935): 274. The *Oklahoma War Chief*, edited by A. W. Harris and first published on January 12, 1883, at Geuda Springs and then South Haven, Kansas, on the "Oklahoma Border," was established as the "official organ of Payne's Oklahoma Colony." It was moved to Arkansas City and published as the *Oklahoma Chief*, B. J. Zerger, editor, from February 3, 1885, to June 11, 1885; Samuel Crocker took over editorship on June 18, 1885, and published the colony's organ as the *Oklahoma War-Chief* from Caldwell until August 12, 1886.

8. *Message from the President of the United States Transmitting Communications of the Secretary of War and the Secretary of the Interior, Relating to Certain Lands in the Indian Territory Acquired by Treaty from the Creek and the Seminole Indians*, 48th Cong., 2nd sess., January 28, 1885, S. Exe. Doc. 50, 7, 8; Rister, *Land Hunger*, 193; Samuel Crocker, "Autobiography," manuscript, Oklahoma Historical Society, Oklahoma City, 189; (Des Moines) *Iowa Tribune*, February 4, 11, and 18, 1885; *Topeka Daily Capital*, March 7, 1885.

9. Savage, *The Cherokee Strip Livestock Association*, 94; Rister, *Land Hunger*, 193.

10. Morris L. Wardell, *A Political History of the Cherokee Nation, 1838–1907* (Norman: University of Oklahoma Press, 1938), 306; Hoig, *David L. Payne*, 52–53; Gittinger, *The Formation of the State of Oklahoma*, 156.

William Couch, pictured here (back row, center) with a group of Boomers, led "invasions" into the Unassigned Lands. These illegal forays into the disputed territory were in violation of the federal government's arrangements with Indian peoples, so Couch, Weaver, former Kansas Congressman Sidney Clarke, and others lobbied Congress for legislation favorable to white home seekers. Image from the collections of the Oklahoma State Historical Society, Oklahoma City.

On March 9, 1885, amidst the backdrop of increasing support for the Boomer cause, Weaver and former Republican Congressman Sidney Clarke, spoke with newly inaugurated President Grover Cleveland. They hoped that Cleveland, the first Democrat elected president since before the Civil War, would support their cause, as he was not required to uphold any unofficial position accepting the cattlemen's lease established by the previous Republican administration.[11] In fact, one of Cleveland's first acts as president had been to sign the bill authorizing negotiations in Indian Territory for the purpose of buying ceded land for whites to settle. In doing so, the federal government had initiated the first steps toward breaking up Indian Territory.[12] Clarke told the president that Boomers were law-abiding citizens who had been mistreated and that "many parts of the West" were "at white heat" over the Oklahoma controversy. Weaver noted that he had personally received petitions signed by over fifteen thousand citizens asking that the lands be opened for settlement. He also showed Cleveland a map that illustrated the locations of cattle outfits illegally using the land.[13] Two days later, Weaver, Clarke, and Gillette met with Attorney General Augustus Garland concerning the arrest of forty-seven Boomers in Arkansas City, Kansas. They pleaded the Boomers' case and requested that no further arrests be made.[14]

11. H. Craig Miner, *The Corporation and the Indian: Tribal Sovereignty and Industrial Civilization in Indian Territory, 1865–1907* (Columbia: University of Missouri Press, 1975), 131.

12. Rister, *Land Hunger*, 193; Edward Everett Dale and Gene Aldrich, *History of Oklahoma*, 3rd ed. (Edmund, Okla.: Thompson Book and Supply Company, 1969), 240; Gittinger, *The Formation of the State of Oklahoma*, 156.

13. *Chicago Tribune*, March 10, 1885.

14. *Chicago Times*, March 12, 1885; *Topeka Daily Capital*, March 12, 1885; *Arkansas City Traveler*, March 18, 1885. For a brief discussion of the involvement of "colored" troops of the Ninth Cavalry from Fort Riley, Fort Sill, and other posts in federal efforts to contain the Boomers, see William A. Dobak, "Fort Riley's Black Soldiers and the Army's Changing Role in the West, 1867–1885," *Kansas History: A Journal of the Central Plains* 22 (Autumn 1999): 223–27.

Their efforts had mixed results. On March 13 Cleveland signed a statement condemning the actions of the Boomers. However, Weaver and Clarke telegraphed Couch that Cleveland's "proclamation of yesterday is intended to eject cattle syndicates on one hand and suspend on the other the settlement of the country pending negotiations [with the Creeks and Seminoles]. . . . We deem it best for all parties to await contemplated actions."[15] No doubt feeling that political momentum and public support were now on their side, the Boomers continued to push their agenda. Fifteen hundred Boomers signed petitions in March 1885 requesting that Weaver and Clarke be appointed to the treaty negotiation commission to acquire Indian land.[16] But neither was chosen. In late March, Weaver telegraphed Couch that he had met with Secretary of the Interior L. Q. C. Lamar and left believing that a negotiating committee would soon be established but that it would be one favoring cattlemen over homesteaders. He received the latter information, Weaver said, from a member of the Cherokee Strip Live Stock Association who was a friend of U.S. Senator Preston B. Plumb of Kansas.[17]

On April 22, 1885, six to eight hundred Boomers held a mass meeting in Arkansas City. Digesting Cleveland's attitude and hoping to continue to capitalize on their image as good American citizens waiting for justice from their government, the Boomers agreed to postpone plans for future incursions into Indian Territory since Weaver, Clarke, and Couch had all concurred that the cattle operations would be evicted from Indian Territory and negotiations would begin to acquire government ownership of Indian land. They decided to focus their energies on persuading Congress to open the Oklahoma lands as soon as possible. And in their resolutions, they duly noted Weaver's efforts on their behalf.[18]

In May an energized Weaver pressed the Boomer cause by presenting the Department of Interior with a multitude of documents and petitions, the first of many such papers he would submit over the next few years, the greatest number of which came from Iowa and Kansas.[19] Weaver enjoyed a certain amount of clout in Washington as a leading Greenbacker who cooperated with Democrats. In fact, Cleveland supposedly courted his favor by giving him considerable control of federal patronage in Iowa.[20] Therefore, Weaver probably felt himself to be in a strong political position to press the Boomers' cause. Of course, Weaver and those who favored opening the lands for settlement continued to face concerted opposition, including that of lobbyists for the Cherokee Strip Live Stock Association who worked against Boomer legislation. Although the cattlemen's advocates denied such activity, Couch reported back to the Boomers in Kansas that they were "turning heaven and earth bottom side up to defeat" any Oklahoma bill while "trying to make it appear that there never has been any cattle in Oklahoma."[21]

Before Congress reconvened in December 1885, Weaver telegraphed Clarke to send to him "as early as possible certain important documents." Weaver, Representative William McKendree Springer (D., Ill.), and Senator Charles H. Van Wyck (R., Nebr.) urged Clarke to draft a bill establishing a territorial government for Oklahoma. Clarke conferred with Couch and then drafted a legislative proposal, which Weaver introduced in the House on December 21 as Van Wyck presented the same bill to the Senate. It called for the organization of the Indian Territory and the Public Land Strip (also known as No Man's Land or the Oklahoma Panhandle) into the Territory of Oklahoma. It provided for a temporary government, allotments of homesteads to Indians, and white settlement. In the House the bill died in the Committee on Territories and received no further attention.[22]

Weaver reintroduced the bill on January 18, 1886, when it was again referred to the Committee on Territories. That same day Representative Richard Wellington Townshend (D., Ill.) submitted a separate Oklahoma bill. Weaver and Clarke addressed the committee on February 1. According to Couch, who observed, the meeting

15. *Chicago Times*, March 15, 1885; *Wichita Eagle*, March 14, 1885; *Arkansas City Traveler*, March 18, 1885; *Arkansas Valley Democrat* (Arkansas City, Kansas), March 27, 1885; *Arkansas City Republican*, March 21, 1885.

16. Gittinger, *The Formation of the State of Oklahoma*, 146; Rister, *Land Hunger*, 202; *Kansas City Evening Star*, March 21, 1885.

17. *Chicago Times*, March 27, 1885; *Arkansas Valley Democrat*, March 27, 1885; *Arkansas City Republican*, April 11, 1885.

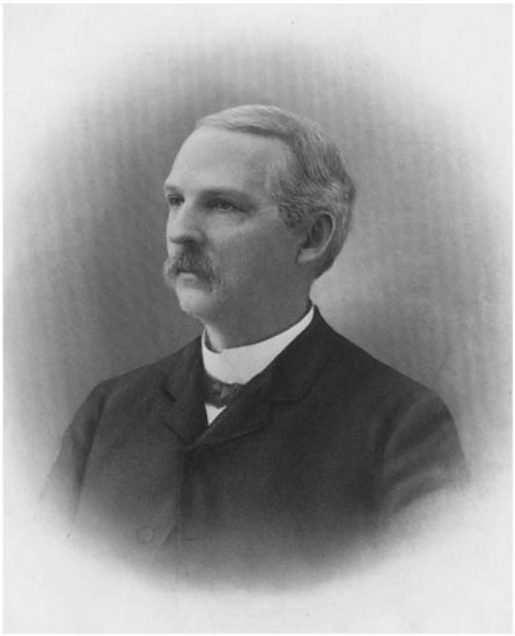
18. *Report of the Secretary of the Interior*, 49th Cong., 1st sess., 1886, H. Doc. 12, 59–60; *Globe Democrat* (St. Louis), April 23, 1885; *Arkansas City Traveler*, April 22 and 29, 1885.

19. On May 29, 1885, Weaver deposited 125 papers pertaining to "Oklahoma" with the Bureau of Indian Affairs (Record Group 75, Special Case 111, National Archives, Washington, D.C.).

20. (Des Moines) *Iowa State Register*, July 3, 1885; Haynes, *James Baird Weaver*, 289.

21. Joseph B. Thoburn and Muriel H. Wright, *Oklahoma: A History of the State and Its People* (New York: Lewis Historical Publishing Company, Inc., 1929), 2:529; William L. Couch to A. E. ("Arch") Stinson, May 2 and 8, 1886, Thomas N. Athey Collection, Oklahoma Historical Society, Oklahoma City (hereafter cited as "Athey Collection").

22. W. L. Couch to A. E. Stinson, December 8, 1885, Athey Collection; Hill, *A History of the State of Oklahoma*, 176–77; *Territory of Oklahoma*, HR 584, 49th Cong., 1st sess., *Congressional Record* 17 (December 21, 1885): H pt. 1:384.



Sidney Clarke was a three-term U.S. congressman from Lawrence, serving from March 4, 1865, until March 3, 1871. Originally from Southbridge, Worcester County, Massachusetts, the Republican journalist and politician moved to Kansas Territory in 1859 and enlisted as a volunteer at the beginning of the Civil War. He was subsequently appointed assistant adjutant general of volunteers and later served as captain and assistant provost marshal general for Kansas, Nebraska, Colorado, and Dakota Territory. In Lawrence on the morning of August 21, 1863, Clarke managed to elude the Confederate guerrillas commanded by the infamous William C. Quantrill and survive the Lawrence raid. Clarke failed in his bid for reelection to a fourth term in Congress, where he had chaired the Committee on Indian Affairs, but returned to Kansas and in the late 1870s served a term in the state legislature. Throughout his later political career Clarke agitated for white settlement in Oklahoma, and in 1889 he moved to Oklahoma City, where he engaged in railroad building and politics and died on June 18, 1909.

made for a "real hot time."[23] The two came back to the committee again on February 17 and 27. At the same time, they also appeared before the committee to advocate for the Townshend bill, which would have consolidated some of the tribes, created a territorial government, established federal courts, and allotted land to Indians in severalty. When a Reverend Sutherland of Washington, D.C., who came before the committee to defend Indian rights, challenged Townshend, Weaver jumped into the fray. "The discussion between Sutherland and Weaver," the *Chicago Times* reported, "was very animated at times, and they afforded the committee at least as much amusement as instruction. Both quoted scripture to emphasize their arguments, and each tried to show that he was better versed in scripture and in law than the other." The committee reportedly decided that Weaver's bill, rather than Townshend's, should be "the basis of the legislation which the committee will recommend to the house." After appearing before the committee, Weaver optimistically reported to the *Iowa Tribune*, "We expect to get our Oklahoma bill reported favorably this week. . . . Clarke and I each made an hour's speech closing the argument."[24]

Before the Committee on Territories made a final decision, the House debated the Indian Appropriations bill on March 11. Weaver took the floor and pointed out that the government no longer recognized the tribes as separate nations but as its wards. Moreover, he contended that "the condition of this Indian Territory . . . constitutes one of the foulest blots upon civilization in this country." Give the Indians homesteads, he declared, and open the remainder of the land to white settlers. With regard to the cattlemen who rented space on the Cherokee Outlet north of the Unassigned Lands, he asserted, "The real battle is whether the poor man seeking a home . . . should not have the right to go there taking his family, the church, and the school house, or whether he should be excluded by the rich foreign and domestic cattle syndicates that are there in violation of the law." Pausing only for applause, Weaver thundered on, reiterating that creating a new federal territory was the answer to all of the problems of Indian Territory. At this juncture, some congressmen began to chide him by asserting that the Boomers were freebooters and lawless vagabonds, which elicited a heated diatribe from Weaver in defense of the homesteaders.[25] William Couch, who happened to be in Washington at the time, praised Weaver's words. He sent a copy to A. E. "Arch" Stinson, the secretary of Payne's Oklahoma Colony in Kansas, saying, "We want to get his speech out over the country to enlighten the people. It has done a great deal of good here."[26]

23. W. L. Couch to A. E. Stinson, February 2, 1886, Athey Collection; *Oklahoma Territory*, HR 4842, 49th Cong., 1st sess., *Congressional Record* 17 (January 28, 1886): H pt. 1:956; Thoburn and Wright, *Oklahoma*, 530; *Territory of Oklahoma*, HR 315, 49th Congress, 1st sess., *Congressional Record* 17 (December 21, 1885): H pt. 1:375, 384.

24. *Chicago Times*, February 25, 1886; *Oklahoma War Chief* (Caldwell, Kansas), February 18, 1886; *Iowa Tribune*, March 3, 1886.

25. *Indian Appropriations Bill*, HR 5543, 49th Cong., 1st sess., *Congressional Record* 17 (March 11, 1886): H pt. 3:2306, 2307, 2317.

26. W. L. Couch to A. E. Stinson, March 13, 1886, Athey Collection.

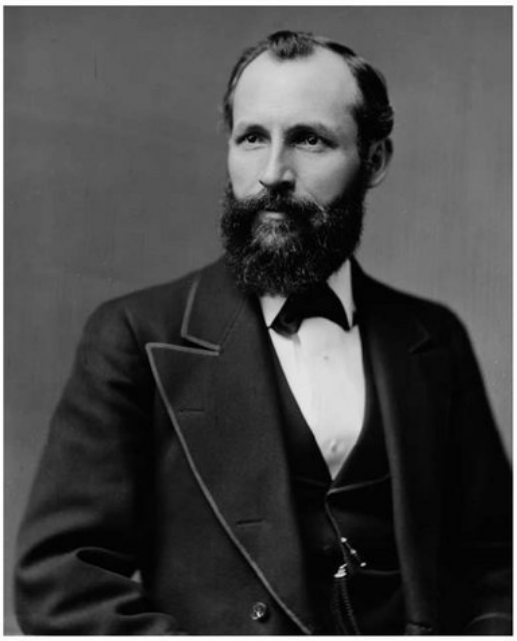
Despite his spirited remarks, the Committee on Territories rejected Weaver's Oklahoma bill and decided to draft a compromise measure, calling for the Unassigned Lands, the Cherokee Outlet, and the Public Land Strip to be opened to white homesteaders. Unlike Weaver's proposal, the bill did not stipulate that all of the Indian Territory be organized into a new federal territory. Nonetheless, a minority on the committee argued that it would be unfair to force the Indians to sell their unsettled lands to the government.[27] Congressman William Steele Holman, an Indiana Democrat, led the fight against the territory bill. He called for a new Indian commission, as Cleveland had done in December, to formulate a treaty with the tribes for some of their land. His proposal went before the House on April 20, and Weaver, wanting to give legislators who supported the Oklahoma bill a chance to force it through the House before a vote could be called on Holman's bill, interjected that the issues involved were so important that the body should resolve itself into a committee of the whole. Since time did not allow for such an action that day, discussion of Holman's bill was postponed, and a thankful Couch reported to Boomers in Kansas that Weaver had "tackled" the bill and "fought it so hard that all the time they had was expired."[28] On May 1 the House resolved itself into a committee of the whole to debate the Oklahoma bill, but no agreement resulted. The Holman bill came forward on May 15, and Weaver argued that a commission reporting to the Department of Interior would not be subject to Congress and did not have the authority to place more Indians on Oklahoma lands. Again due to the efforts of Weaver and his cohorts, the Holman bill faltered.[29]

Holman and his crowd were not the only opponents that confronted Weaver and the supporters of an Oklahoma bill. For their part, the Five Civilized Tribes feared the ultimate loss of tribal sovereignty if whites were allowed to settle on the Unassigned Lands. Earlier, in mid-June of 1885, Cherokee Principal Chief Dennis W. Bushyhead called for a meeting of tribal representatives at Eufaula in the Creek Nation. Bushyhead asserted that that

27. *Organization of the Territory of Oklahoma*, 49th Cong., 1st sess., 1886, H. Rep. 1684, 1, 2, 7, 20.

28. *Iowa State Register*, December 9, 1885; Dora Ann Stewart, *Government and Development of Oklahoma Territory* (Oklahoma City: Harlow Publishing Co., 1933), 40–41; Gittinger, *The Formation of the State of Oklahoma*, 166–67; *Indian Commission*, HR 6973, 49th Cong., 1st sess., *Congressional Record* 17 (April 20, 1886): H pt. 4:3641–43; W. L. Couch to A. E. Stinson, April 22, 1886, Athey Collection.

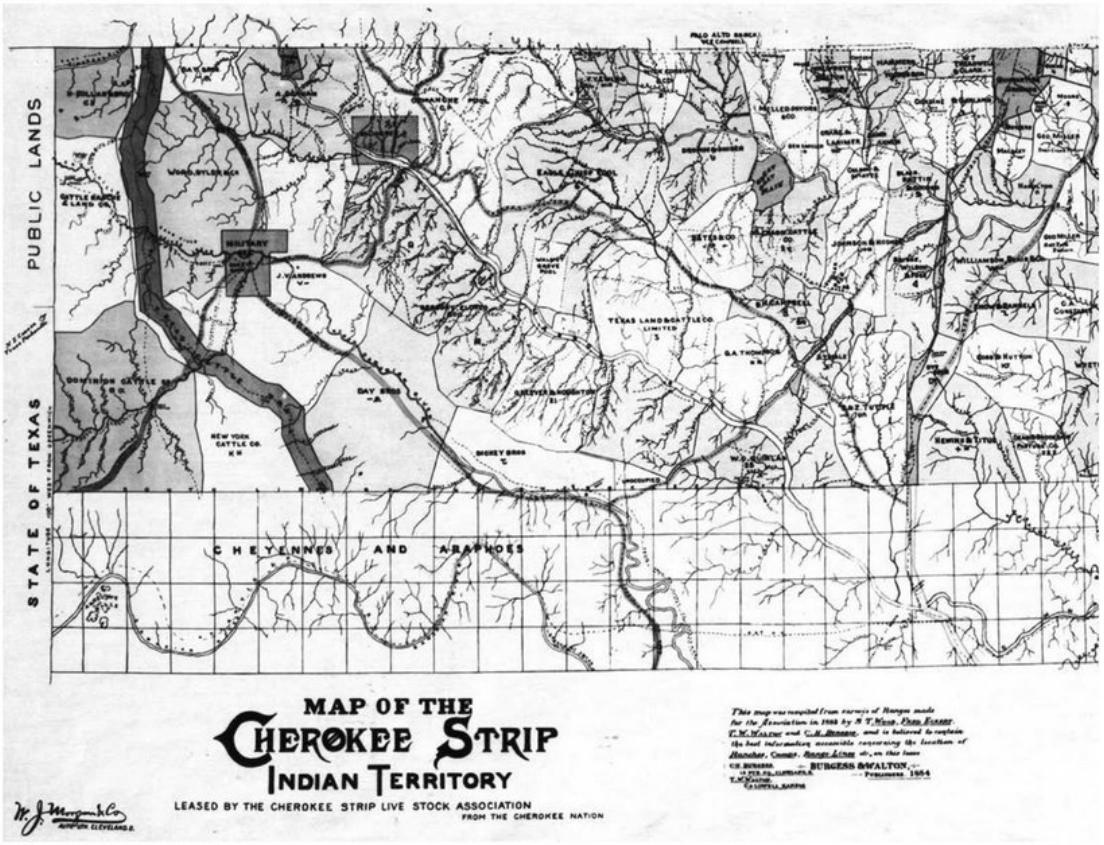
29. W. L. Couch to A. E. Stinson, May 2, 1886, Athey Collection: *Indian Commission*, HR 6973, 49th Cong., 1st sess., *Congressional Record* 17 (May 15, 1886): H pt. 5:4551, 4554, 4557.



William McKendree Springer, a ten-term Democratic representative from Illinois who served from March 4, 1875, until March 3, 1895, worked with Weaver to push legislation through Congress that would open the Unassigned Lands to white settlement. Springer, who chaired the Committee on Territories during the Fiftieth Congress and the powerful Committee on Ways and Means for the Fifty-First, failed in his bid for reelection in 1894 and resumed the practice of law in Washington, D.C. Springer subsequently was appointed by the Democratic president, Grover Cleveland, as judge for the northern district of Indian Territory and chief justice of the U.S. Court of Appeals of Indian Territory. Photograph courtesy of the Library of Congress, Prints & Photographs Division, Washington, D.C.

year's Indian Appropriations Act allowing the president to negotiate for Creek, Seminole, and Cherokee lands presented "a thorough, sweeping, and radical change in political relations between the Indian and the government of the United States." In turn, the delegates decided at that time not to enter into any negotiation with the United States over the sale or session of land, for opening the Indian Territory to white settlers was "incompatible with the rights, interests, and future security of the people of the Indian Territory."[30] Subsequently, in 1886 representatives of the Five Civilized Tribes delivered a

30. Hill, *A History of the State of Oklahoma*, 199–200; Wardell, *A Political History of the Cherokee Nation*, 306.

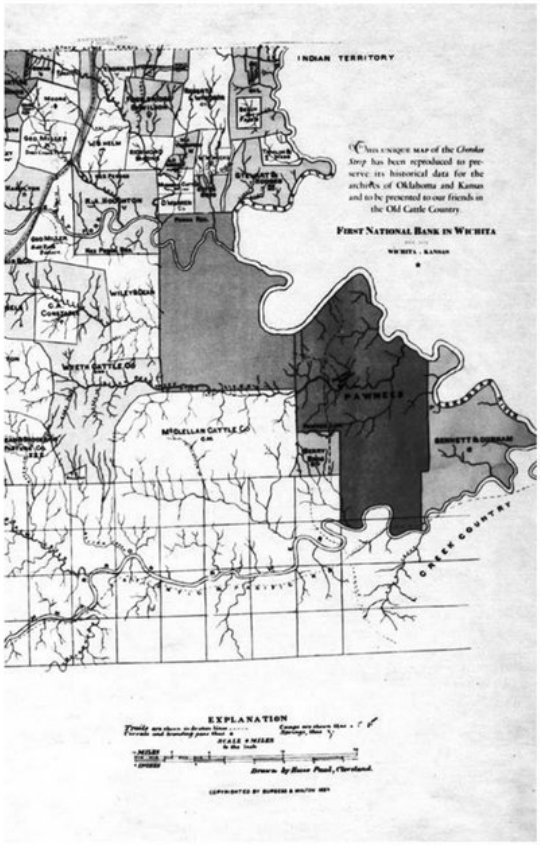


The Cherokee Strip Live Stock Association leased grazing rights for cattlemen on the Cherokee Outlet from the Cherokee Nation. The association then sublet parts of the range to its member ranches, as represented on this map put out by the association in 1884. Boomers and their supporters argued that the association's lease was illegal and that the ranchers were a monopoly of beef producers hoarding land that could be used by landless farmers. At the same time that Weaver and other Boomer supporters were fighting their cause in Congress, the friends of the Cherokee Strip Live Stock Association lobbied against Boomer legislation.

reply to Weaver's arguments before the Committee on Territories. They pointed out that the Weaver bill stated that the United States had control over land to which Indians did not have "absolute title," but most Indians held land under "possessory interest" rather than legal title. They further argued that by more than ten to one Indians would not want to reside in a federal territory, especially since the Weaver bill said that to vote or hold office in the territory a person would have to be a citizen and the recent *Elk v. Wilkins* court case reasserted that Indians could not be citizens of the United States. They consequently described Weaver's bill as a "scheme to disenfranchise the whole Indian people, and to vest the entire civil, political, and legislative power of the territory, in the bad white men who will flock into the country, as buzzards into a battle field."[31]

Regardless of his critics and political opponents, Weaver remained undeterred and returned to Iowa in the fall of 1886 to prepare for another election campaign.

31. House Committee on Territories, *Reply of the Chickasaw, Choctaw, Seminole, Creek, and Cherokee Indians to the Arguments Submitted by Hon. J. B. Weaver and Hon. Sidney Clarke, in Favor of the Bill to Organize the Territory of Oklahoma*, 49th Cong., 1st sess., 1886, HR 4842, 3, 5, 7, 11.



Once more, he won renomination by acclamation at both the Greenback and Democratic conventions, while the state Greenback platform condemned cattlemen for using Indian land and called for the opening of the Oklahoma lands to white settlers. In the general election, Weaver defeated his Republican opponent by 618 votes.[32] Returning to Washington, Weaver continued to press for the House to take up his Oklahoma bill. Weaver's position was further buttressed by the Kansas legislature, which in early February sent Congress a resolution, urging that the unused lands in Indian Territory be opened to white settlement and directing the state's congressional delegation to aid in securing such legislation. On February 14, 1887, Weaver attempted to force the issue by proposing that February 18 "be set apart for the consideration of the bill for the organization of the Territory of Oklahoma; and the discussion of said bill shall continue from day to day until said bill is disposed of." His resolution failed to pass.[33]

On March 21, 1887, Weaver, joined by Congressman Springer, again spoke with Cleveland. They reminded the president that Congress had authorized him to negotiate for land with the Creeks, Seminoles, and Cherokees, a role which he had accepted. They also again stated their belief that the tribes allowed cattlemen to lease illegally Indian land for grazing. Furthermore, they remonstrated, "No higher duty can devolve upon American statesmen than to protect the public domain from monopoly and to build up new communities and States on our western frontier."[34] A month after Weaver and Springer met with Cleveland, Sidney Clarke said that he was convinced that "the president, the interior department, and leading members of both branches of congress now see that the unoccupied land in the Indian Territory should be opened to the people." Success, he opined, would come in the next congressional session, and even the cattlemen and their supporters knew that it would be inevitable.[35] In the midst of the land and Indian policy disputes, the Dawes Severalty Act of 1887 (or the General Allotment Act) passed Congress in February and was signed by Cleveland. It authorized the president to select reservations for termination, distributing the land in severalty to tribal members in amounts of 80 or 160 acres. The land not distributed would be open to white settlement. The Five Civilized Tribes, however, succeeded in having their nations and some others in Indian Territory excluded from the legislation.[36] Nonetheless, the Dawes Act surely encouraged the Boomers and their political supporters. In Iowa, Weaver and the Greenbackers wrote a state party platform that again

32. Clyde Orval Ruggles, "The Greenback Movement in Iowa" (master's thesis, University of Iowa, 1909), chapter 12; *Iowa Tribune*, August 18 and November 3, 1886; Haynes, *James Baird Weaver*, 258.

33. *Petitions and Memorials*, Res. 20, 49th Cong., 2nd sess., *Congressional Record* 18 (February 5, 1887): H pt. 2:1425; *Oklahoma*, 49th Cong., 2nd sess., *Congressional Record* 18 (February 14, 1887): H pt. 2:1737.

34. James B. Weaver and William W. Springer to President Grover Cleveland, March 21, 1887, box 5, folder 130, Sidney Clarke Papers, Carl Albert Congressional Research and Studies Center Congressional Archives, University of Oklahoma, Norman (hereafter cited as "Sidney Clarke Papers").

35. *Caldwell* (Kansas) *Journal*, April 21, 1887.

36. Gittinger, *The Formation of the State of Oklahoma*, 169. While much has been written on the Dawes Act, for an introductory understanding of this important legislation, see D. S. Otis, *The Dawes Act and the Allotment of Indian Lands* (Norman: University of Oklahoma Press, 1973); Wilcomb E. Washburn, *The Assault on Tribalism: The General Allotment Law (Dawes Act) of 1887* (Philadelphia: J. P. Lippincott Company, 1975).