A Black Odyssey

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The black community in Kansas actually began taking shape between 1860 and 1870 when several thousand Negroes moved to the state. Newly emancipated slaves who had come to view the home of John Brown as something of a promised land, a haven from oppression and exploitation, made up the bulk of the immigration. Even before the end of the Civil War, rumors began circulating among Negro contrabands that blacks and whites lived side by side in Kansas, free of animosity, and that the climate and soil were as beneficent as the racial atmosphere. These ex-slaves were joined by a smaller number of free blacks from the North who perceived Kansas to be a land of political and especially economic opportunity. Mining, railroading, the meat-packing industry, land development, and other areas of endeavor beckoned to Negroes who for generations had been relegated to menial jobs in the North. The census of 1870 showed a total black population of 17,108, a gain of 16,481 and an increase of over twenty-seven times the 1860 number. These immigrants, in spite of their large numbers and the fact that most were initially destitute, were able to find work and become self-sustaining. A significant number, taking advantage of the Homestead Law, moved to rural areas and began farming, but most settled in the larger towns of eastern Kansas such as Leavenworth, Atchison, Topeka, and Lawrence.\(^1\)

The train that brought John Waller west from Cedar Rapids that day in May, 1878, made its first scheduled stop in Kansas in Leavenworth; Waller chose to go no farther. Situated on the Kansas-Missouri border,
just west of the Missouri River, Leavenworth was one of the largest, oldest, and wildest towns in Kansas. Established by a group of Missouri slaveholders in June, 1854, the community subsequently became one of the principal proslavery centers in the state prior to the Civil War, and it remained a stronghold of the Democratic party in Kansas throughout the last quarter of the nineteenth century. The federal military reservation, the state prison at nearby Lansing, several coal mines, the levees, and a number of small manufacturing establishments served as the foundation of Leavenworth's economy and supplied the town with an abundance of skilled and semiskilled jobs. The site of several breweries and distilleries, Leavenworth was the antiprohibition capital of the state; and even after passage of the prohibitory amendment in 1880, two hundred saloons continued to operate. Intimidated by the voting power of Leavenworth inhabitants and the economic clout of the liquor interests, Kansas governors, both Republican and Democratic, proved unwilling to enforce the ban on alcohol—much to the chagrin of the drys. "I realize that 'tis almost like subduing the South," complained a W.C.T.U. official to Governor E. N. Morrill in 1896, "but that law [prohibition] was meant for Leavenworth too." 

Despite the city's politics and its relative lawlessness (a situation that invariably spelled trouble for blacks), Negroes were drawn by the abundance of jobs and flocked to Leavenworth in the 1860s. By the end of the decade the black community was the largest in the state, numbering nearly 5,000. The black population, most of whom were employed in the mines, at the prison, on construction jobs, or on the levees unloading steamboats, lived almost exclusively in two enclaves, one in the south, known as Cincinnati, and one in the northern part of the city. Despite the fact that most blacks had lived in Leavenworth only a few years, social organization among the Negro populace was fairly complex, and by 1870 a cluster of separate institutions had emerged. There were five black churches: the African Methodist Episcopal (the largest), the First Baptist, the Mount Olive Baptist, the Independence Baptist, and a small Catholic congregation, Holy Epiphany. Serving the cultural and economic needs of the population were at least three literary societies and a number of fraternal and benevolent lodges.

As soon as he got his bearings Waller took a room at a boarding house on the south side of Metropolitan Avenue between Thirteenth and Fourteenth streets. Fully convinced that he could support himself practicing law, Waller made arrangements for an office, hung out his shingle, and began advertising in the Topeka Colored Citizen (Leavenworth had no black newspaper during this period). Presenting letters of recom-
mendation from Hubbard, Clark, and Deacon to Judge Robert Crozier, Waller was duly admitted to practice in the First Judicial District.\textsuperscript{5}

Professionally and hence economically, Waller's first year in Leavenworth was one of struggle and disappointment. In late nineteenth-century America virtually all black professionals faced a daily struggle for financial survival, and lawyers perhaps fared worst of all. Negro attorneys suffered from the fact that many communities were oversupplied with lawyers, that Negroes could rarely afford to resort to litigation, and that the prejudice shown blacks in general by whites led Negroes to believe that they would fare much better in court with a white lawyer than a black. Moreover, blacks were often as suspicious as whites of the qualifications of Negro lawyers. Typically, Waller's practice suffered because of prejudice exhibited by both whites and blacks. In August the young attorney became embroiled in a controversy with Charles H. Langston, a prominent black resident of Lawrence, over the qualifications of Negro professionals. During an industrial and business convention held in Kansas City in the summer of 1878, Langston had exhorted his fellow blacks to avoid Negro lawyers and doctors who did not have a degree from a professional school. Leavenworth blacks must have taken Langston's advice in seeking legal aid because Waller's practice languished. Indeed, so precarious became his position that Waller wrote a lengthy letter to the \textit{Colored Citizen} in rebuttal. "Some of our most worthy young men are not able to remain at a professional school the five or six years that are necessary to graduation; \ldots one half the white lawyers admitted to the bar \ldots came \ldots holding the same kind of certificates he [Langston] so ardently denounces."\textsuperscript{6} Waller's protest did nothing to improve his business. When he did persuade a Negro client to hire him and when the case came to court in Leavenworth, Waller, no less than his colleagues in other regions, suffered from the prejudice, often blatant, displayed by white lawyers and jurists.\textsuperscript{7}

There were, however, some successes. In August Waller began catering to the several hundred black veterans of the Grand Army of the Republic living in Kansas. Many of these men, he discovered, had just claims against the government for back pay not received or against lawyers who had compelled the War Department to disburse back wages and then cheated their clients out of a portion. On August 9 a "Notice to Colored Soldiers" appeared in the \textit{Colored Citizen}. "If you have any claim against the government for bounty or back pay," it read, "John L. Waller, the colored lawyer of Leavenworth proposes to collect for you at greatly reduced rates."\textsuperscript{8} The appeal brought Waller a number of cases, one of which led him into a courtroom confrontation with one of
Leavenworth's most prominent white citizens. In October, 1878, William Clark, a veteran of the Seventh United States Colored Infantry, called on the "colored lawyer of Leavenworth" and, presenting his discharge papers, asked Waller if he had received all that was due. Waller compared Clark's discharge with those of one Joseph Carris who had served in the same regiment and who was enlisted and mustered out on the same dates as Clark. His client, Waller discovered, was $100.00 short. An inquiry directed to the auditor of the Treasury in Washington brought news that Clark had been allowed $351.64, the same as Carris. If Clark had not received said amount he should recover from the lawyer who had represented him at the time.9

Clark had a good case, but Waller must have been hesitant to press the matter, for the veteran had been represented originally by Colonel Thomas Moonlight, one of Leavenworth's leading white attorneys, a man who would twice receive the Democratic nomination for governor. Ironically, he was the commander of one of Kansas' two colored regiments during the Civil War. Moonlight's prestige notwithstanding, Waller decided that if he were going to maintain his credibility with the black community, he would have to proceed. The black attorney brought suit for exactly $100.00 in district court—and won.10

Perhaps out of disappointment with the volume and character of his cases, but most certainly because he was an educated black with a rapidly developing race consciousness and a strong sense of personal destiny, Waller inevitably turned to the activity perhaps most typical of upwardly mobile blacks during the post-Reconstruction era—politics. Because the black community, even in the West, existed at the caprice of the white, politics assumed special significance for Negroes. As William Chafe has pointed out, the attitude of white politicians toward their black counterparts served as a barometer of the white citizenry's feelings toward the race and as a signal to the populace in general of the Negroes' status within the larger society. Thus, blacks came to view recognition of individuals through patronage and political office as tantamount to recognition of and protection for the entire race. Waller fully shared this point of view. Like so many of his contemporaries, he was firmly convinced that, once Negroes were excluded from voting and holding office, they would be vulnerable both economically and legally to white supremacists.11 "I would not care a fig for my citizenship," he remarked in 1888, "if I did not have the right to vote."12 In short, Waller viewed political activism as a means for enhancing his personal status among both blacks and whites, and as a technique of racial uplift.

Not surprisingly, Waller pledged his allegiance to the Republican
party as the group most likely to allow the Negro a voice in its affairs and to reward loyalty through elective and appointive public office. Protection and recognition were the primary reasons Waller joined the party and the yardsticks by which he continued to measure the organization and its leaders. During his twenty years as a Republican, he labored unceasingly to see that only those who were proven friends of the Negro reached the top. He denounced Chester A. Arthur in 1882 and 1883 for his treatment of black officeholders and his lily-white policies in the South. "We challenge his right as the executive of this country to experiment upon the colored citizens of these United States, for the purpose of advancing his own chances for the future," he wrote in 1883. Just because Arthur was a Republican president and he, Waller, was a loyal member of the same party, he would not condone the "infamous acts" and "wholesale insults" visited upon the black community by the chief executive.

Whenever Republicans strayed from their traditional commitment to democracy and human rights, the black Kansan never failed to remind the party leadership of its duty. When, for example, James G. Blaine advised southern blacks in the 1880s to abjure all topics except the tariff, Waller wrote to President Harrison that he admired Blaine and respected his opinion, but "[I am] not willing to close my mouth and eyes to the frauds committed against the suffrage of nearly a million colored voters in this country." An editorial in the Western Recorder, the first of Waller's newspapers, perhaps best summed up his views on political loyalty and his adopted party. "We have acted with the Republican party all the time, not because of the name . . . but from a principle. . . . While we do not favor everything championed by the Republican party, yet we are satisfied beyond all doubt that the party is in advance of all others in the development of one of the grandest civilizations known in the annals of history." He would remain loyal to the party of Lincoln, he continued, "but we expect to claim . . . our right to the class or kind of men we want for office."

Although Waller embraced the Republican party primarily because it promised a degree of participation and protection to Negroes, there were other dimensions to the relationship. He, like many of his educated contemporaries, identified with the conservative leadership within the party. The American creed of free enterprise, self-reliance, and unlimited material acquisitiveness expressed by Republican leaders seemed to Waller to be the key not only to his own progress but to that of the race as a whole.

If Waller saw opportunity in the party of Lincoln, Kansas Republicans in turn perceived political profit in the Negro vote in general and
Waller in particular. Although blacks never comprised more than 4.75 percent of Kansas' total population in the nineteenth century, they formed anywhere from 15 percent to 30 percent, varying over time, of the inhabitants of the state's five largest counties. In 1880, for example, Douglas County (Lawrence) was 17.4 percent black, Shawnee (Topeka) 22.6 percent, and Wyandotte (Kansas City) 31.5 percent. The black vote was of obvious importance in city and county elections in these areas, and it could be vital in statewide contests in case a party stalemate developed.

More than likely the attribute that first brought John Waller to the notice of Kansas Republicans was his speaking ability. His powerful voice, his education, and his seemingly imperturbable self-confidence made him an effective, at times awesome, orator. W. F. Jaques, a white man who lived some six years in Kansas City while Waller was active in state politics, recalled the Negro lawyer's impact on him: "He is one of the most eloquent men your correspondent ever heard address an audience. . . . In fact, his ability as an orator and public speaker is such that to our mind no one could listen to him speak any length of time without being convinced that no mediocre mind is housed beneath his black skin." His addresses at black social functions and public ceremonies were often historical, tended to engender race pride, and were heavily laced with flowery phrases. During the course of a speech given at Blue Rapids in 1883 in which he paid tribute to the black soldiers who had fallen in the Civil War, Waller gave full reign to his voice and imagination. "Their [Union veterans'] Graves are all covered with autumn leaves, they are at peace now, sleeping sublimely sweet, they are still on guard, watching in their stillness, the destiny of our country, they clinch as in battle the musket and the sabre. . . . Oh grandest and most sacred patriotic dead! let the Nation rest in peace upon their sacred and hallowed ashes; come here all Nations and assist this great people in doing honor and adoration to these sacrifices, these blood offerings to Union, Liberty, and fraternal universal freedom." His political addresses, particularly when delivered to racially mixed audiences, tended to be shorter and more hard-hitting, with an emphasis on logical argument.

By the time Waller arrived in Kansas black Republicans were already numerous and well organized. Every city of any size had a Negro "flambeau" club which mobilized local blacks for torchlight parades and rallies, and every black precinct had a Republican "captain" ready to turn out the vote on election day. In the late 1870s there was no clearly recognized leader or boss among the state's black Republicans; instead the black and tan's quota of nominations and appointive offices was
controlled by a quadrumvirate of ambitious and colorful politicians. Heading the list was the intensely race-conscious and militant William Bolden Townsend of Leavenworth, who was born a slave near Huntsville, Alabama, in 1855. He and his mother, after being manumitted by their master, who was also William's father, moved to Kansas in 1857. Townsend completed a common school education, taught for a period, and became increasingly active in Republican politics. When Waller met him, Townsend held an appointive post in the Leavenworth Post Office and controlled black Republican patronage throughout the county. He would later edit two race journals and earn a law degree from the University of Kansas. The second member of the quartet was John M. Brown of Topeka. A graduate of Oberlin College in Ohio, Brown first entered public life in Mississippi where he taught school, served as sheriff of Coahoma County, and became colonel of the First Mississippi Colored Militia. Migrating to Kansas sometime in the mid-1870s, he settled in the state capital and began a lifelong quest to be recognized by the Republican party as the political spokesman for Kansas blacks. A 100-acre farm, acquired somewhat mysteriously while he was serving as general superintendent of the Kansas Freedmen's Relief Association from 1879 to 1881, provided "the Colonel" with a handsome income throughout his life.21

Next in importance to Townsend and Brown in black Republican circles were William L. Eagleson and T. W. Henderson, co-editors of the Topeka Colored Citizen. Eagleson, considered one of the pioneer black journalists of the West, was born in St. Louis in 1835. Completing his apprenticeship to a printer, he quit St. Louis, headed west, and in 1872 established the Colored Citizen in Fort Scott, Kansas. (He moved the paper to Topeka some six years later.) Political opportunist extraordinaire, Eagleson was always on the lookout for the main chance. In the late 1880s he would defect to the Democrats and become an ardent advocate among blacks of "political independence."

T. W. Henderson, an ordained minister, was born in Greensboro, North Carolina, and migrated to Kansas from Oberlin, Ohio, in 1868. He was pastor of the A.M.E. churches in Lawrence and Topeka respectively and served as chaplain of the House of Representatives in the early 1880s. A leader of the black community in Topeka, Henderson would found along with Eagleson the Kansas Colored Emigration Bureau and would become one of the black directors of the Kansas Freedmen's Relief Association.22

Townsend and Waller became close friends and political allies almost as soon as the Iowan arrived in Leavenworth. They remained so for thirteen years until a political disagreement ended their relationship. Waller was evidently never close to Brown—few men were—but he
managed to remain in Brown's good graces until 1890. One of the most experienced and ruthless politicians in the state, a man particularly adept at interracial politics, Brown would stop at nothing to control the black vote and whatever patronage Republicans were willing to distribute among Kansas Negroes. Waller evidently got along well with Eagleson and Henderson initially, but their penchant for political independence would soon lead to mutual alienation.\textsuperscript{23}

Largely at the urging of Townsend, Brown, Eagleson, and Henderson, Cyrus Leland, chairman of the Republican state central committee, invited Waller to tour eastern Kansas in October, 1878, and speak in support of the Republican ticket then headed by gubernatorial candidate John P. St. John. The Republican slate swept Kansas, and Waller received the plaudits of both blacks and whites for his efforts on the stump.\textsuperscript{24} Waller may or may not have realized it, but the campaign of 1878 marked the beginning of a twenty-two year political career during which he would become one of the most prominent black politicians in Kansas.