

“For My Race Against All Political Parties”: Building a Radical African-American Activist Foundation in Baltimore, 1870s-1885

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On the evening of September 30, 1885 members of the Colored Advisory Council crowded into Baltimore’s Douglass Institute to discuss the upcoming mayoral election. “We have upon us a political campaign,” the organization’s president, Joseph E. Briscoe intoned, “the most important for years. Our action,” he continued, “will determine our political status for many years to come.”¹ The Colored Advisory Council first organized in 1878. Although its founders intended the group to be non-partisan, they had heretofore largely supported the Republican Party. In the wake of the Civil War and Reconstruction, African Americans across the nation invested their hopes in the party of Lincoln. But by 1885 things had changed in Baltimore, changes years in the making. African Americans had long been clamoring for more than token recognition by Baltimore and Maryland’s Republican Party but their pleas had fallen upon deaf ears. Now, the collective patience of an ascendant group of black radicals had run thin.

The events of late September 1885 were the proverbial straw that broke the camel’s back. During the Republican primaries, African Americans attempted to gain representation in the party’s State Committee. Even by late nineteenth-century Baltimore standards, the 1885 Republican primaries were a debacle that culminated in one evening of political pandemonium during voting day. Most of the bedlam at the Republican primaries surrounded the thorny issue of race. After a black man

¹ “Revolt of Colored Voters,” The Baltimore Sun 01 Oct. 1885, p. 6.

defeated a white candidate in the ninth ward, the white aspirant quickly re-nominated himself in a different precinct, challenging another African-American hopeful. Although the *Baltimore Sun* played coy, it appears that white primary attendees intimidated the beleaguered black candidate into withdrawing from the contest. In the sixteenth ward, African-American voters had to scrap tooth and nail for representation. When one African-American attendee declared blacks to be equal with whites, and then demanded representation on the Maryland Republican's central committee, he triggered a prolonged verbal battle. After much debate, the Republican leadership finally assented, only to see many whites leave the hall to avoid pledging their support to candidates that would allow blacks to serve on the central committee. Nor were white Republicans reticent about employing a bit of subterfuge. In the city's fifth ward, party loyalists shifted the primary's location to an "obscure corner of the Seventh Ward," to limit black participation.²

A little over one week after the primaries, Briscoe looked over his audience at the Douglass Institute and railed against the party that had consistently failed black Baltimoreans. "Our political condition has grown from bad to worse," Briscoe exclaimed, "until the treatment of the colored people by the so-called republican party of Maryland has become a byword and a reproach which can no longer be tolerated by any intelligent or self-respecting colored man." For Briscoe the time had come to look beyond existing political parties in the hope of bringing amelioration to the plight of African-Americans. Many shared his sentiments. By the end of the speech, Briscoe told his audience that, "I am, as I have always been, for my race

² "Republican Primaries," *The Baltimore Sun* 22 Sept. 1885, p. 4 and "Extract: From a Speech Delivered by Isaac Myers," *The Baltimore Sun* 26 October 1885, p. 1.

against all political parties.” That evening the Colored Advisory Committee ordered their members to break with the party of Lincoln by organizing clubs “with a view of rebuking the republican bosses.”³ Even Republican loyalists, like the venerable Isaac Myers, could see the writing on the wall. Myers—Baltimore’s leading black activist, labor leader, and loyal Republican—later gave his assent to the idea of African-American voters turning their backs on the Republican Party.⁴

African American’s rebuke of the Republican Party represented only one of the ways that black activism was changing in 1880s Baltimore. This article traces the emergence of radical African-American activism in Baltimore between the late 1870s and 1885. For black Baltimoreans, these years represented a crucial period when a new set of community activists slowly emerged to challenge not only racist white policies, but also established community leaders who had seized the mantle of uplift with the fall of slavery.⁵ Baltimore’s black radical activists, many of whom had recently arrived in the city and had experienced the horrors of slavery in their youths, disavowed a gradual approach to change. These activists agitated for far-reaching transformations that they felt were promised as a result of Reconstruction. Men like Harvey Johnson, Joseph S. Briscoe, H.J. Brown, and P.H.A. Braxton pushed Baltimore’s black community in new directions. Rather than pursuing a path of reform that relied wholly on self-improvement, unionization, and fealty to the Repub-

³ “Revolt of Colored Voters: The Advisory Council Repudiates the Republican Primaries,” The Baltimore Sun 01 Oct. 1885, p. 6.

⁴ “Extract: From a Speech Delivered by Isaac Myers,” The Baltimore Sun 26 October 1885, p. 1. Myers noted that, “The colored voters are justified in the course they are taking. It is a new departure, and one very far-reaching in its results. Injustice in the recent primaries by white Republicans makes us the victims of treachery in our brother’s house.”

⁵ Willard B. Gatewood briefly examines some of the “black aristocrats” who led reform efforts in the 1880s. See: Willard B. Gatewood, Aristocrats of Color: The Black Elite, 1880-1920 (Bloomington, IN: Indiana University Press, 1990).

lican Party, black radicals attacked inequality through independent political action, the pulpit, and eventually through the courts. These new activists broadened the parameters of community action, created spaces within their churches, and incorporated the concerns of women, children, and men into a program of racial uplift. The scope of their efforts, in turn, also opened up political agitation to women who would figure prominently in many black activist efforts in Baltimore.⁶ The fight for representation in electoral politics—heretofore the focus of most black activism in the 1870s—would subsequently be only one aspect of a larger fight. In many ways it became a minor part of the struggle.⁷

This is the story of the intellectual and political fracturing of Baltimore's black community in the early 1880s; by the beginning of the next decade the *New York Age* lamented that the city's African-American population had a "serious lack of unity."⁸ Such fracturing is deserving of more historical attention. In too many cases, the "African-American community" is treated as a monolithic bloc—especially in discussions of politics—in both historical analyses and modern political discourse. Like Baltimore's white, working-class community, the "black community" was eco-

⁶ Gatewood describes uplift programs in the 1880s, especially those coordinated by black elites as consisting of day schools, free kindergartens, beneficial societies, and relief efforts for poor African Americans. In some cases, elite black women ran organizations like the Empty Stocking Circle and the Fresh Air Circle. See: Gatewood, *Aristocrats of Color: The Black Elite, 1880-1920*, 76. On political reform activities, including those by Myers see: William George Paul, *The Shadow of Equality: The Negro in Baltimore, 1864-1911* (Unpublished PhD dissertation: University of Wisconsin, 1972). For an examination of women's activism, and various forms of stratification in the late nineteenth and early twentieth century black communities see: Leslie Brown, *Upbuilding Black Durham: Gender, Class and Black Community Development in the Jim Crow South* (Chapel Hill, NC: The University of North Carolina Press, 2008). Brown effectively argues that this stratification actually sparked activist initiatives and greater participation.

⁷ The descriptor of "radical" is used advisedly. Although when viewed in hindsight the vision and work of these activists might seem tepid, at the time their activism was a sharp departure from previous programs of racial uplift.

⁸ Quoted from Gatewood, *Aristocrats of Color: The Black Elite, 1880-1920*, 78. Original quote appears in: *New York Age*, 18 July 1891.

nomically, politically, and socially diverse. It is much more accurate to describe Baltimore's black population as politically, economically, generationally, and religiously stratified. This was particularly true in the 1870s and 1880s. Recently, historians have established that this period produced a proliferation of strong community activism among African Americans.⁹ The legacy and meaning of Reconstruction still hung in the balance. The battles fought by Baltimore's black radical activists against African-American moderates and segregationists helped shape the city's race relations and offered new activist directions.

Frederick Douglass cast a long shadow in the city of Baltimore throughout the 1860s and 1870s. Although the famous abolitionist had long since left the city, his legacy continued to influence black reformers both in scope and in style. As black Baltimoreans attempted to secure their rights, and adjust to post-Civil War realities, Isaac Myers rose to prominence as the city's leading African-American activist. Born in Baltimore in 1835, Myers spent the early part of his life working as a caulker on the city's waterfront. Myers' life as a free black waterfront laborer working in a slave state shaped his political beliefs and social activism. From at least the 1850s, Myers steadfastly believed that unionization and self-improvement provided the path to citizenship and racial uplift. After the Civil War, Myers added loyalty to the Republican Party as another important aspect of his reform agenda. In the wake

⁹ See, for instance: Evelyn Brooks Higginbotham, Righteous Discontent: The Women's Movement in the Black Baptist Church, 1880-1920 (Cambridge, MA: Harvard University Press, 1993); Glenda Elizabeth Gilmore, Gender and Jim Crow: Women and the Politics of White Supremacy in North Carolina, 1896-1920 (Chapel Hill, NC: The University of North Carolina Press, 1996); Steven Hahn, A Nation Under Our Feet: Black Political Struggles in the Rural South from Slavery to the Great Migration (Cambridge, MA: The Belknap Press of Harvard University Press, 2005); Paul Ortiz, Emancipation Betrayed: The Hidden History of Black Organizing and Violence in Florida from Reconstruction to the Bloody Election of 1920 (Berkeley: University of California Press, 2005); and Brown, Upbuilding Black Durham.

of emancipation, he helped organize an African-American labor conference that eventually led to the formation of the National Colored Labor Union. Throughout the 1860s and 1870s, Myers continued his efforts by forming alliances with white laborers and the white Republican establishment, as well as promoting a series of ideas to advance the black community economically.¹⁰ In a statement that neatly encapsulated Myers' point of view, he once told an audience, "The colored man will not enjoy equal rights with the whites until they are mechanics and merchants of means. Then the men put their prejudices in their pockets."¹¹

Throughout the latter half of the 1860s and 1870s, black activists in Baltimore followed Myers' lead by primarily seeking amelioration through the Republican Party. This strategy hinged on the belief that steadfast loyalty, and black male votes, would ensure that Republicans served Baltimore's African-American community.¹² This was a strategy that was doomed to fail. In Baltimore the Republican Party remained impotent and disorganized.¹³ Even if the Republicans had been organized in Maryland, they showed little inclination to fully incorporate African Americans into the political, social, and cultural life of the city. Aside from a few token positions in the Republican Party hierarchy, and a scant number of federal positions, the two major parties in Baltimore effectively blunted the power of blacks without resorting to discriminatory

¹⁰ For information on Myers' most famous venture see: Bettye C. Thomas, "A Nineteenth Century Black Operated Shipyard, 1866-1884: Reflections Upon Its Inception and Ownership," The Journal of Negro History Volume LIX, No. 1, Jan. 1974, p. 1-12. More information about Myers' life and activism can be found in: Graham, Baltimore: The Nineteenth Century Black Capital and Paul, The Shadow of Equality, esp. Ch. 5.

¹¹ "Local Matters," The Baltimore Sun 27 March 1879, p. 4.

¹² Bettye Collier-Thomas, "Harvey Johnson and the Baltimore Mutual United Brotherhood of 1885-1910," in Kenneth L. Kusmer, ed. Black Communities and Urban Development in America, 1720-1990, Volume 4, part 1 (New York: Garland Publishing, Inc. 1991) 215.

¹³ The best source of information about African Americans relationships to the Republican and Democratic Parties can be found in: Paul, The Shadow of Equality, esp. Ch.5 and Ch. 6.

legislation.¹⁴ Despite these shortcomings, Myers and many black activists consistently clung to this strategy throughout the decade.

While Myers counseled patience and conciliation during the 1870s a burgeoning group of black activists was becoming increasingly impatient. In 1872, a young minister named Harvey Johnson moved to Baltimore and changed the shape of black activism in the city. Unlike Myers, Johnson was born into slavery in Fauquier County, Virginia in 1843. It is unclear when he was manumitted; when asked about his life as a slave Johnson only replied “I can only think of it with a righteous indignation.” He would say very little else about his bondage but the experience profoundly shaped his later life. In 1868 Johnson found his calling in the church and he moved to Washington, D.C. to enroll in Wayland Seminary. After four years at Wayland, Johnson moved to Baltimore to accept a pastorate at the small Union Baptist Church. With a congregation of 250 members, Johnson’s move hardly attracted any notice.

Within the next decade, Johnson’s influence became a driving force in racial politics in Baltimore. One contemporary biographer perhaps captured Johnson’s energy and determination best. “I have met with men more learned and of longer experience,” wrote A.W. Pegues, “but I can recall no one more earnest, more thoroughly devoted to what he believes to be his duty, more aggressive, broadminded, and fearless than Rev. Harvey Johnson.”¹⁵ It did not take long for Johnson to step into the spotlight and articulate his frustration with the glacial pace of civil rights reform. At a meeting to discuss Republican mismanagement of the Freedman’s Bank, which cost numerous black Baltimoreans

¹⁴ Brackett, Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery, p. 19-20. For more information on partisan politics and the black voter see: Paul, The Shadow of Equality: The Negro in Baltimore, 1864-1911, ch. 6.

¹⁵ A.W. Pegues, Our Baptist Ministers and Schools (Willey & Co: Springfield, MA 1892) 291.

their savings, Johnson exclaimed, “When the commissioners talked to the colored men who had been duped, telling them to have patience, it was sheer nonsense on their part.”¹⁶

Johnson’s arrival in Baltimore in the early 1870s profoundly shaped the city and African-American activism in the years to come. Under Johnson’s watch, the small Union Baptist Church grew exponentially. By 1875 Union Baptist’s membership nearly quadrupled to 928 and by 1887 it exploded to some 2,200 parishioners, which made it the largest black church in Maryland. More importantly, Johnson’s church became the epicenter for a proliferation of black churches across the city and state in the 1870s and 1880s. By 1877, Johnson and Union Baptist had established four Sunday Schools, sent four members to Seminary and established a mission at Westminster, Maryland.¹⁷

The churches not only marked a growing Baptist movement in the city but they also helped sow the seeds for a more aggressive form of activism. At each of the affiliated churches, Johnson’s political allies served as ministers, helping to broaden the reach and appeal of his more radical agenda. In early February 1878 twelve members of the Union Baptist Church formed the Calvary Baptist Church. A little more than a year later, the parishioners of Calvary Baptist called on Patrick Henry Alexander (P.H.A.) Braxton to serve as their pastor. Like Johnson, Braxton hailed from Virginia and was born into servitude during the dying days of the antebellum South. With the fall of the Confedera-

¹⁶ “Local Matters,” The Baltimore Sun 15 Sept. 1874, p. 4 and Paul, 199.

¹⁷ A. Briscoe Koger, “Dr. Harvey Johnson: Minister and Pioneer Civic Leader” (A. Briscoe Koger: Baltimore, 1957); George F. Adams, History of Baptist Churches in Maryland Connected with the Maryland Baptist Union Association (J.F. Weishampel, Jr: Baltimore, 1885) 131, 184; A.W. Pegues, Our Baptist Ministers and Schools (Willey & Co: Springfield, MA 1892) 89, 291; “Progress of the Emancipated Race,” The Phrenological Journal of Science of Health, 85. Maryland State Archives, “Rev. William Moncure Alexander: Personal Life” in The Road from Frederick to Thurgood, Black Baltimore in Transition. <http://www.msa.md.gov/msa/stagser/s1259/121/6050/html/26141000.html>; Paul, The Shadow of Equality: The Negro in Baltimore, 1864-1911, 198.

cy, Braxton worked in the “stave business” before becoming a county constable. In the meantime, he studied law, which eventually landed him a job in the United States Custom House in Low Cedar Point, Virginia. It was here that Braxton converted to the Baptist church and was commissioned to preach. When Braxton arrived in Baltimore he took over the reins of a small church that met in a carpenter shop and consisted of only ten members. Within two years, however, he began to collect funds to build a proper church and increased the membership to 125 members.¹⁸

One of Johnson’s allies also helped build Sharon Baptist Church in 1882. The church’s founder, William Moncure Alexander, was another Virginian who met Johnson as a young man in the 1870s. Inspired by Johnson’s example, Alexander enrolled at Wayland Seminary before returning to Baltimore in 1882 to found Sharon Baptist.¹⁹ In total, at least fourteen churches and eleven ministers sprung from Union Baptist Church and Johnson’s mentorship.²⁰ The surge in the number of Baptist Churches was indicative of a wider trend in the increase in both churches, fraternal organizations, and benefit societies in the city.²¹

The network of Baptist churches that spread across the city and state furnished important public spaces in which African Americans could congregate, plan, commiserate, and carve out a collective identity in the city. As Evelyn Brooks Higginbotham notes, for African Americans in the late nineteenth century, the church “functioned as a discursive, critical arena—a public sphere in which values and issues were aired, debated, and

¹⁸ William J. Simmons, *Men of Mark: Eminent, Progressive and Rising* (Cleveland: Press of W.W. Williams, 1887), 1049-50 and George F. Adams, *History of Baptist Churches in Maryland*, 188.

¹⁹ “Funeral of Reverend Wm. M. Alexander on Monday,” *Baltimore Afro-American* 11 Apr. 1919, p. A1 and “Sharon Baptist Church,” *Baltimore Afro-American* 17 Feb. 1912, p. 7.

²⁰ A. Briscoe Koger, “Dr. Harvey Johnson—Pioneer Civic Leader,” (Baltimore: Self-Published, 1957) 3.

²¹ Brackett, *Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery*, p. 43-8.

disseminated throughout the larger black community.”²² By the 1880s, Baptist churches in Baltimore augmented the political space that was offered through the black owned and operated Douglass Institute. The Union Baptist Church, for instance, hosted temperance meetings, political gatherings, and celebrations to honor legal triumphs.²³ Sharon Baptist Church, under the guidance of Alexander, furnished the location for the first African-American school in the city and in the 1890s began to publish the *Baltimore Afro-American* newspaper.²⁴ At the Calvary Baptist Church, blacks gathered for meetings and to hear speeches about a variety of topics. Calvary hosted rallies for public education, political agitation, and women met there to plan mission work.²⁵

The church also served as an important site of fraternization for black Baltimoreans in the late 1870s and early 1880s. In the years following the Civil War, Baltimore was a city of migrants and strangers. This was especially true for African Americans. According to one estimate, Baltimore’s black population swelled by 12,000 during the 1860s, added another 14,000 in the 1870s, and then 25,000 during the 1880s. By 1890, the African-American population in the city stood at approximately 77,000; up from the 28,000 blacks who lived in the city just three decades earlier.²⁶ In many ways, the church’s ministry reflected the changing demographics of the city:

²² Higginbotham, *Righteous Discontent*, p.7.

²³ On the Douglass Institute see: Karen Olson, “Old West Baltimore: Segregation, African-American Culture, and the Struggle for Equality,” in Fee, Shopes, et al, *The Baltimore Book: New Views on Local History* (Philadelphia: Temple University Press, 1991) 63-4. On black churches’ multiple uses, see, for instance: “For Prohibition,” *The Baltimore Sun* 14 Jul. 1886, p. 6; “Rights of Colored People,” *The Baltimore Sun* 29 Nov. 1887, p. 6; “City News in Brief,” *The Baltimore Sun* 21 Jun. 1889, p. 4.

²⁴ Wanda L. Dobson, “Sharon Baptist Church: A Hub of Black Cultural Heritage in Baltimore,” *The Baltimore Sun* 16 Jan. 1977, SM5.

²⁵ “The Colored People,” *The Baltimore Sun* 27 May 1887, p. 6; “A Political Sermon: What a Colored Minister has to Say on Government and Parties,” *The Baltimore Sun* 29 Aug. 1887, p. 6; “Women’s Home Mission Society,” *The Baltimore Sun* 16 May 1888, p. 1.

²⁶ Brackett, *Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery*, p. 26.

Johnson, Braxton, and Alexander all hailed from nearby Virginia. As African Americans poured into the city from the Virginia and Maryland countryside, there is little doubt that the church served as a space to meet neighbors, become acquainted with the city, and seek assistance (financial as well as spiritual) if necessary.

Although Myers remained the most prominent black reformer in Baltimore in the 1870s, just below the surface the political climate was changing as Johnson, Braxton, and Briscoe (among others) laid the groundwork for a more radical form of activism. It was during this decade that African Americans in Baltimore made their first halting steps at either bolting the Republican Party or building independent organizations to agitate for equality. In 1868, 1876, and 1877 a sizeable contingent of black voters either sought new political solutions by organizing independently or by forging alliances with other political organizations, including the Democratic and Workingmen's parties. African Americans, including Myers, also made concerted efforts to reform public education and gain employment for black teachers.²⁷

It was also during these years that Johnson began his first forays into political and social activism. In 1876, James H. Wolff and Charles S. Taylor, two aspiring black attorneys, attempted to open a practice at the Douglass Institute. While impossible to say with certainty—not much is known of their motivations—it is likely that they hoped to use their efforts as a test case to challenge Maryland's law prohibiting African Americans from the state bar. The two men soon attracted notice and the state courts prohibited them from practicing. It is not clear whether the men knew Johnson or coordinated their ac-

²⁷ See Chapter 1 for more information on the move by African Americans to gain acceptance in the Workingmen's Party. On the 1868 and 1876 efforts, see: Paul, *The Shadow of Equality: The Negro in Baltimore, 1864-1911*, ch. 5-6. On black education reform see: Bettye C. Thomas, "Public Education and Black Protest in Baltimore, 1865-1900," in Kenneth L. Kusmer, ed. *From Reconstruction to the Great Migration, 1877-1917, Volume 4 part 1* (New York: Garland Publishing, Inc, 1991) 203-13.

tions with him, but Johnson immediately sprung to their defense and began a fund-raising effort to get their case tried before the court of appeals. Although Wolff and Taylor eventually lost their case, Johnson continued his efforts to get black men admitted to the Maryland Bar.²⁸

By the end of the 1870s, tensions in the black community became increasingly public. On March 26, 1879, black Baltimoreans gathered at the Douglass Institute to discuss how best to commemorate the ten-year anniversary of the Fifteenth Amendment, its current meaning, and the state of equality in Maryland and the nation more broadly. In many ways the meeting offered a glimpse into the new political realities emerging in Baltimore's black community. One of the items on the agenda was a resolution asking the city's black churches to help celebrate the anniversary of the amendment's passage. During the discussion, one of the attendees objected to the proposal on the grounds that it was too political. This objection opened up a wider debate on the floor.

One of the more outspoken attendees that evening was Dr. Henry Jerome (H.J.) Brown. Unlike Johnson, Braxton, and Alexander, Brown hailed from Baltimore and had deep roots in the city. A self-described radical, Brown was an uncompromising advocate for equality throughout his life.²⁹ The debates surrounding the commemoration of the fifteenth amendment had to have special resonance for Brown who struggled in the late 1860s to ensure that African Americans gained voting rights after the conclusion of the Civil War. During Maryland's Reconstruction, Brown took a leading role at the Colored

²⁸ Not much is known about this case. Occasionally it is referenced in the Baltimore Afro American, but only in broad outlines of Johnson's life and work. After the case, Wolff left to practice in Massachusetts and Morris in New York City. See: "Forty Years Pastor of Union Bapt. Church," The Baltimore Afro-American 19 Oct. 1912, p. 7. It does seem that Wolff at least kept up with Johnson's activities. Ten years later when Johnson helped successfully challenge the Maryland Law prohibiting black attorneys, Wolff wrote him a letter of congratulations. See: Harvey Johnson, Nations from a New Point of View, (National Baptist Publishing Board: Nashville, TN 1903) p. 22.

²⁹ "Young Men Need More Backbone," The Baltimore Afro-American 27 Dec. 1913, p. 2.

Border States Convention that sought to organize black Republicans in Maryland, New York, New Jersey, Pennsylvania, West Virginia, and Missouri in the fight for racial equality. He was also involved in various political meetings to ensure that black Baltimoreans supported Reconstruction efforts. By the end of the decade, Brown's efforts paid off. In 1870 Brown served as one of the principal organizers, and the master of ceremony, for the enormous parade (which attracted over 20,000 spectators and participants) celebrating the Fifteenth Amendments' ratification in 1870.³⁰

Ten years later, however, Brown was wondering if the promise of Reconstruction had been squandered. After listening intently to the debates about the Fifteenth Amendment, he rose to speak. Brown informed the gathering that he would not want to celebrate the adoption of the amendment because it had not been, according to the *Baltimore Sun*, "practically carried out in the Southern States, where even in his native Maryland he and men of his race cannot go to the polls without risk of assault and violence."³¹ Brown's remarks ignited a firestorm. George Myers rose in response to caution patience, noting that, "What is delayed is not lost." Others echoed Myers' sentiments. One attendee, Leonard Trehorn complained that Baltimoreans should not hold off celebrating because blacks in the South could not vote. Finally, Lemuel Griffin felt it appropriate to celebrate the amendment two days after Easter, crediting the amendment with resurrecting the political fortunes of African Americans. As debate died down the resolution to

³⁰ "Border State Colored Convention in Baltimore," *The New York Times* 05 Aug. 1868, p. 1; "Border State Negroes," *The New York Times* 07 Aug. 1868, p. 2; "Colored Border State Convention," *The Baltimore Sun* 05 Aug. 1868, p. 1; and "Colored Border State Convention," *The Baltimore Sun* 06 Aug. 1868, p. 1. On Brown's other political activities, see, for instance: "Maryland Radical State Convention," *The Baltimore Sun* 15 May 1867, p.1 and "Political Meeting of Colored Men," *The Baltimore Sun* 06 Aug. 1869, p. 4. On the Emancipation Day parade see: "The Fifteenth Amendment," *The Baltimore Sun* 20 May 1870, p. 1.

³¹ "Local Matters," *The Baltimore Sun* 27 March 1879, p. 4.

commemorate the amendment was adopted, with one dissenting voice (most likely that of Brown).³²

The debate on this resolution reflected not only the growing split in Baltimore's black community but also the beginning of a transition in African-American activist leadership and thought more generally. On the one hand, men like Myers counseled patience and fealty to the Republican Party despite years of disappointment. On the other hand, activists like H.J. Brown, were increasingly vocal about their frustration with the lack of progress toward true equality. Brown and his supporters were quickly running out of patience, and they were less willing to wait on the sidelines in hopes that white political parties would advance the cause of equality.

By the early 1880s, many black Baltimoreans had grown tired of Myers' leadership and began to organize to seek political redress through other means. In January 1880 a group of "dissatisfied Colored Republicans" held an indignation meeting at the Douglass Institute to protest their status in the Republican Party and the lack of any patronage jobs. Brown in particular railed against the party and African American's lack of equality. At one point in his speech, he claimed that black voters, who he asserted made up 2/3 of the party were relegated to the status of "dromedaries and pack-horses for their white allies." Brown called upon black Baltimoreans to organize in order to gain effectual representation in the Republican Party. By the end of the evening the atmosphere became so tense that a fight almost

³² "Local Matters," The Baltimore Sun 27 March 1879, p. 4.

broke out when one member of the audience tried to interrupt Brown several times.³³

The next year black Baltimoreans, including Harvey Johnson and representatives from various churches, called a statewide convention to demand that some offices in the Republican Party be reserved for African Americans.³⁴ If the convention in January 1880 was heated, it proved to be just a prologue to the excitement that took place in March 1881. From the outset, the tension was palpable at the convention. After nominating a temporary president, the floor exploded into a cavalcade of commotion as some attendees began to loudly clamor for full representation in the Republican Party. The more radical contingent also demanded that at least half the jobs in the state government be awarded to blacks and that the current state department heads be removed from office. For a short while things seemed to calm down but then Brown's supporters began clamoring for him to make a speech. The *Baltimore Sun* reported that, "So much excitement ensued that speech making was declared to be ended."³⁵

By the end of the evening the schism growing in the black community became even more apparent. During the convention the "committee on resolutions" had retired to formulate their platform. When they finally returned to the stage it became clear that the committee could not reach an agreement and instead presented a "minority" and "majority" report. The "minority" report, which was ultimately rejected, called on the convention to appeal to President Garfield to make "compe-

³³ "Dissatisfied Colored Republicans—They," *The Baltimore Sun* 15 January 1880, p. 1.

³⁴ "Colored Men Wanting Office," *The Baltimore Sun* 22 March 1881, p. 1.

³⁵ "Colored Republican Convention—Claims of Colored Men to Office—Little Harmony and Much Confusion," *The Baltimore Sun* 25 March 1881, p. 1.

tency rather than color the test for office.” It further recommended that any current officeholder who did not adhere to such a policy be removed at once and replaced with “men who are free from race prejudice.” The majority report, delivered by Myers, was much more tepid. It read, in part, “That we renew our fealty to the great national republican party, and that our thanks are due to his Excellency James A. Garfield, President of the United States, for the liberal policy toward our race as expressed in his inaugural address of March 4, 1881.” While the majority statement complained about the lack of federal jobs granted blacks in Maryland, it hedged by claiming that this state of affairs was local in nature.³⁶

By 1882 Baltimore’s radical black activists had gathered significant momentum. Although they had as yet been successful in forcing substantive change in the Republican Party—and indeed faced substantial pushback from more conservative blacks—they continued to organize and force issues about inequality into wider discussion. Throughout the year, Johnson, Brown, and Briscoe organized political meetings to discuss a variety of issues and form organizations to affect change outside of the traditional parties. In May, at a meeting that Johnson presided over to “discuss the conditions and grievances of the colored people of Maryland, to put them on guard against the tricksters who have duped them for twenty years past, and to organize in strength and unity” African Americans formed the Order of Regulators.³⁷ That August, black Baltimoreans across the city formed the “colored advisory council” to “promote the interests of colored people politically and in other re-

³⁶ “Colored Republican Convention—Claims of Colored Men to Office—Little Harmony and Much Confusion,” The Baltimore Sun 25 March 1881, p. 1.

³⁷ “Development of the Colored Race,” The Baltimore Sun 23 May 1882, p. 1.

spects.” These organizations only existed for a short time and experienced limited successes. Their advent, however, marked black activists’ initial efforts to incorporate a wider vision of equality that went beyond political parties.³⁸

With the formation of the “Order of Regulators” and the “colored advisory council” radical activists took a step away from Myers and the Republican Party. Across the city, a substantial number of citizens were also questioning the role of partisan politics, especially given the Democratic Party’s dominance in the city government. With a slate of judicial elections on tap in November, some black Baltimoreans began to call for an “independent judiciary movement” in an effort to wrest control of the courts from the hands of the Democratic machine that controlled judicial appointments.³⁹ Given the relationship between the Democrats and black voters, it is not surprising that black radicals were attracted to the movement. In fact, they had plenty of reason to support the independent movement. In announcing their support, the Colored Advisory Council noted the need for drastic change since “colored citizens have been murdered with impunity by roughs, who were allowed to escape punishment by the patent process of ‘packed juries.’” Briscoe further pointed out, “We have not been able to obtain justice in the present courts of the city, for when a person enters these courts as an alleged criminal his very color has more than once sealed his doom.” Finally, H.J. Brown also weighed in, claiming that the

³⁸ “Colored Republican Meetings,” The Baltimore Sun 18 Aug. 1882, p. 1.

³⁹ “The Committee of One Hundred and the Judiciary Question,” The Baltimore Sun 17 Aug. 1882. For more information on the independent judiciary movement see: “A New Judiciary Ticket,” The Baltimore Sun 09 Oct. 1882, p. 1; “To the People of Baltimore,” The Baltimore Sun 14 Oct. 1882, p. 1; and “Independent Judges,” The Baltimore Sun 19 Oct. 1882, p. 1.

independent movement represented “an exciting and impending public crisis” and a “fight of the people against the corruptionists.”⁴⁰

1882 turned out to be an important transitional year for African-American radicals. That year witnessed the emergence of new leadership, chiefly Johnson and Briscoe, and new organizations like the Order of Regulators and The Colored Advisory Council. Certainly, the split was important and real. The occasional, vocal arguments that punctuated black political meetings testified to this fact. Many—white and black—opposed to the emerging African-American leadership felt threatened.⁴¹ Even Frederick Douglass initially criticized the leaders of the black radical faction in Baltimore. In a speech delivered in Denton, Maryland, he chastised the radical reform faction for abandoning the Republican Party. Denigrating the radicals as men who “strutted around with cigars in their mouths” he told his audience that, “Ingratitude would be a dangerous thing, for when we cut loose from the party that gave us freedom we give notice that whatever the democratic party should do would excite in us no gratitude whatever.” He then dismissed the independent movement as “nonsense.”⁴² But focusing solely on the divisions developing within the black community, misses the larger import of what was happening in the early 1880s. Myers’ program of self-improvement was essentially two pronged: political advancement through fealty to the Republican Party and economic advancement through entrepreneurship and unionization. While he recognized structural ine-

⁴⁰ “The Colored Advisory Council,” The Baltimore Sun 31 Oct. 1882, p. 1; “Colored Citizens on the Issues,” The Baltimore Sun 04 Nov. 1882, p. 4; “Mass-Meeting of Colored Citizens,” The Baltimore Sun 02 Nov. 1882, p. 1.

⁴¹ Whites, for instance, responded by funding an opposition newspaper to counteract the influence of the newly minted black publication, the Vindicator. See: “Politics in Maryland,” The Baltimore Sun 11 Aug. 1883, p. 1.

⁴² “Fred. Douglass on the Stump,” The Baltimore Sun 01 Nov. 1883, p. 1.

qualities in the law and in social relations, he counseled patience and respectability. Myers narrowly focused on traditional understandings of families that envisioned men as the breadwinners and means of advancement. He rarely discussed gender inequity and likely assumed that women would be simply benefit by community uplift programs.

Across Baltimore, however, new community activists and everyday citizens were laying the groundwork for a more expansive program of reform that reached beyond partisan, electoral politics. These reform efforts encompassed men and women, community and politics. Men and women were building fraternal organizations, new churches, and activist organizations to help with community uplift. African Americans across the city established a series of newspapers that helped build a sense of an imagined community. Newspapers like the *Vindicator*, one of the earliest examples, spread political news written by black journalists. By the mid-to late 1880s a number of short-lived newspapers existed in the city, although they rarely survived more than a few years of publication. In fact, many African Americans joked that the city was a “grave-yard for colored newspapers.” Nevertheless, the papers—both secular and religious—were read and probably shared and discussed in workplaces, churches, and homes throughout the city.⁴³ Together the building of community institutions, newspapers, and churches helped engender a sense of co-

⁴³ Baltimore had a number of short-lived newspapers in the early to mid-1880s, including the *Vindicator*, the *Star*, *The Colored Citizen* (edited by Isaac Myers), and the *Baltimore Beacon*. Unfortunately, no extant copies exist. *The Christian Recorder* reported of the founding of the *Baltimore Beacon*. See: “Baltimore is to Have a New Paper, Published in the Interest of her Colored Citizens,” *The Christian Recorder*, 12 Jan. 1882. Isaac Myers also briefly edited a paper called *The Colored Citizen*. See: “The Colored Citizen of Baltimore, Isaac Myers, Editor-in-Chief,” *The Christian Recorder*, 13 Sept. 1883. A brief description of the short-lived black newspapers can also be found in: Brackett, *Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery*, p. 241-2.

hesion in a city that had become home to vast numbers of newcomers. It also helped establish a black political voice free from the influence of white editors.

The rhetoric espoused by radicals also went far beyond issues of political representation and unionization. Most of the radicals were unafraid to address structural inequalities and level critiques at white authorities regardless of political parties. For instance, in 1883 at a convention of independent Republicans, Briscoe told the attendees that they did not owe “allegiance to any party that would not advance the educational and political welfare of the colored men.” He then listed ways in which black voters had helped the Republican Party but received little in return. In other cases, Briscoe reminded his audience that what was at stake was not simple partisan politics but the rights of African Americans. At one convention Briscoe remarked that they were not “called in the interest of the republican or the democratic party but in the interest of the colored race.”⁴⁴

Yet, by far the biggest difference in the radicals’ agenda was in the ways in which they attacked issues affecting the entire community, not just working and voting males. By 1883, some in the radical faction were already casting a wider net. One of their earliest targets was the so-called Maryland “Bastardy law.” With roots reaching back to 1781, the law originally protected all “free women” from abandonment by giving them the right to bring criminal charges against a child’s father and force him to pay an \$80 a year stipend. But in 1860 the Maryland legislature

⁴⁴ “A Colored Convention,” The Baltimore Sun 14 Sept. 1883, p. 5 and “The Colored Convention,” The Baltimore Sun 29 Aug. 1883, p. 1.

amended the law to exclude African-American women.⁴⁵ At a convention in August 1883, Briscoe, according to the *Baltimore Sun*, “denounced” the law for failing to “protect the virtue of colored females.”⁴⁶ Others went even further. The Reverend P.S. Henry not only assailed the bastardy law but also denounced the city’s policy of not admitting black lawyers and not hiring black teachers in the public schools. For Henry, the answer to these problems existed outside the realm of partisan politics and his statement on the matter foreshadowed the development of black protest in the years to come. Henry noted, “The churches are taking hold of the question, and soon it will spread to every section. I do not counsel secrecy in our manner of dealing with this subject, but if oath-bound societies are necessary to its success let us have them. Again, I repeat,” Henry finished, “we want to have our sons admitted to the bars of our courts, we want colored teachers in the colored schools of this city, and we want the virtue of the colored women protected equally with that of the white.”⁴⁷

Whether he knew so at the time or not, Henry charted the course for black radicals in the coming years. With the groundwork laid between 1880 and 1884, Baltimore’s new leadership embarked on an ambitious program that would chart the beginning of the first full-fledged post-Reconstruction movement in the city. Already black radicals had begun distancing themselves from the Republican Party, creating their own organizations, and examining a host of issues affecting the community at large. The question that loomed large was what steps to take next. They

⁴⁵ Henry J. McGuinn, “Equal Protection of the Law and Fair Trials in Maryland,” *The Journal of Negro History*. Vol. 24, No2., Apr. 1939, p. 146-150.

⁴⁶ “The Colored Convention,” *The Baltimore Sun* 29 Aug. 1883, p. 1.

⁴⁷ “Development of the Colored Race,” *The Baltimore Sun* 23 May 1882, p. 1.

had not yet undertaken any reform efforts nor directly challenged the white power structure. The time may not have been right in 1882 or 1883, but it was in 1884.

Black radicals first turned their attention to reforms in the city's legal structure. It proved to be a prudent decision. If black reformers were going to attempt to move beyond electoral politics they needed to have advocates in a court system that not only barred them from participation but also was rife with prejudices and inequalities. Since 1867, African Americans were not only barred from practicing law in the state but also found it difficult, in some cases impossible, to serve as jurors. When the courts in Maryland selected jurors they did so from two separate lists: "white male taxables" and the poll books. Since the poll books contained the names of many African Americans, counties simply used the former list to populate their jury pools.⁴⁸

In 1884 and 1885 two court cases demonstrated both the efficacy of using the courts to address inequality and also the perils of a discriminatory justice system. The first of these cases stemmed from a day trip aboard the "Steamer Sue," which plied the waters between Maryland and Virginia during the late nineteenth century. In August 1884, four black Baltimorean women, Martha Stewart, Winney Stewart, Mary M. Johnson, and Lucy Jones, purchased first-class accommodations on the "Steamer Sue" for a trip to Kinsall Landing, Virginia. As the evening progressed and the women grew tired they attempted to retire in the first-class sleeping cabin that they reserved. As they made their way to the rooms, the steamer's employees

⁴⁸ Brackett, *Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery*, p. 68. Henry J. McGuinn puts the date for the statute excluding African American attorneys at 1876. See: "The Courts and the Occupational Status of Negroes in Maryland," *Social Forces*. Vol. 18, No. 2. Dec. 1939, p. 256.

refused to allow the women entrance, instead offering them “first class” accommodations reserved for blacks in another part of the ship. The women refused and instead decided to protest by staying up in the ship’s saloon for the entire night.⁴⁹

The incident on board the “Steamer Sue” and the subsequent lawsuit has become a forgotten footnote in the historiography of the fight for equality in the United States. When mentioned, historians have been content to note the case’s similarities to the more famous *Plessey v. Ferguson* and acknowledge its forerunner status in relation to later civil rights’ cases.⁵⁰ This retelling of events, while basically correct, downplays or neglects the complexity of the case, the motivations of the libellants, and the shrewdness of Baltimore’s black activist community. From the extant evidence, it is clear that the actions of the four women were deliberate and it is possible, even probable, that Harvey Johnson was involved in the case from the outset. The four women arrested were all parishioners of Johnson’s Union Baptist Church, Baltimore’s premier black activist institution. The women also knew from experience that they were likely to be barred from the white first-class cabin. In the summary of the trial’s verdict, the judge in the case noted that, “On previous trips on the same steam-boat, [the women had] been denied access to the after cabin.” More importantly, the women knew from firsthand experience that the conditions in the “colored” first class cabins were not comparable to the white cabins, a key point in

⁴⁹ Accounts of the “Steamer Sue” case taken from: “District Court, D. Maryland. The Sue,” *Westlaw* 2 Feb. 1885 22F.843; Koger, “Dr. Harvey Johnson: Minister and Pioneer Civic Leader, 9-10; “Colored Passengers,” *The Baltimore Sun* 03 Feb. 1885, p. 6. For information on *Hall v. DeCuir* see: Joseph R. Palmore, “The Not-So-Strange Career of Interstate Jim Crow: Race, Transportation, and the Dormant Commerce Clause, 1878-1946,” *Virginia Law Review*. Vol. 83:1773, p. 1773-1817.

⁵⁰ See, for instance: Brackett, *Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery*, p. 70-1; Koger, “Dr. Harvey Johnson: Minister and Pioneer Civic Leader, 9-10; Paul, *The Shadow of Equality: The Negro in Baltimore, 1864-1911*, 205-207.

their eventual lawsuit. In their testimony the women noted that the cabin, “Was offensively dirty; that the mattresses in the berths were defaced; that the sheets were wanting or solid, and that there were no blankets and no conveniences for washing.” The women also claimed that access to the colored first class cabin was obstructed by the presence of cattle. In light of these facts, the women’s actions were particularly interesting in the ways that it manipulated categories of race, gender, and respectability. Throughout the ordeal the women remained demure and respectable, a fact noted by the judge in the case. Rather than loudly protest their treatment the women simply refused to relocate to the “colored” first class cabin, and took up quarters in the ship’s saloon. As black females, their presence in the white male space of the saloon must have been remarkable. The women likely knew that their femininity and respectable manner would make for a stunning contrast in the rougher, male space of the ferry’s saloon.⁵¹

Johnson—and presumably the women and other black activists—also recognized that the case spoke to the foundations of black equality in the post-Reconstruction period. Although Johnson was not a trained attorney he read widely, especially tracts concerning the Constitution and the Reconstruction amendments. Johnson firmly believed that the Fourteenth and Fifteenth amendments were of paramount importance to the prospects of achieving equality. He was also certain that the Constitution held the keys for achieving equality. The problem, in Johnson’s es-

⁵¹ District Court, D. Maryland. “The Sue,” Westlaw 2 Feb. 1885 22F.843; Koger, “Dr. Harvey Johnson: Minister and Pioneer Civic Leader, 9-10; “Colored Passengers,” The Baltimore Sun 03 Feb. 1885, p. 6.

timation, was not with the laws as written but with the interpretations of the statutes on the books.⁵²

As the historian C. Vann Woodward has pointed out, race relations immediately following Reconstruction “were an unstable interlude before the passing of these old [slavery] and new traditions [legal equality] and the arrival of the Jim Crow code and disfranchisement.”⁵³ For Johnson, the “Steamer Sue” case went to the heart at further defining the contested legacy of Reconstruction. Already, the Supreme Court had begun to dismantle some of the protections of the “Reconstruction Amendments,” especially in the so-called “Slaughter House Cases” and *Hall v. DeCuir* that took place in the 1870s. In the “Steamer Sue” case, *Hall v. DeCuir* figured prominently. In 1870, a steamboat company operating in Louisiana and Mississippi denied an African-American woman named Josephine DeCuir the right to sit in a “white dining hall.” DeCuir sued the ship’s captain, John Benson, for violating an 1869 Louisiana state law that ensured equal accommodations. When the case eventually reached the Supreme Court, the Chief Justices ruled that the state law was, in the words of one scholar, “an inappropriate regulation of interstate commerce.” The ruling, in effect, denied states the right to pass laws that prohibited racial segregation on interstate carriers. Nevertheless, questions still remained. In delivering his concurrence to the Court’s verdict, Justice Nathan Clifford set the stage for later battles over segregation on public transportation. Since, according to Justice Clifford,

⁵² Koger, “Dr. Harvey Johnson: Minister and Pioneer Civic Leader,” 9-10.

⁵³ C. Vann Woodward, *The Strange Career of Jim Crow* (New York: Oxford University Press, 2002) p. 32. Joseph R. Palmore, “The Not-So-Strange Career of Interstate Jim Crow: Race, Transportation, and the Dormant Commerce Clause, 1878-1946,” *Virginia Law Review*. Vol. 83:1773, p. 1773-1817.

Congress had not passed legislation dealing with segregation on interstate travel the carriers needed to rely upon a common law understanding of “reasonableness.”⁵⁴ The ruling in the case, especially Clifford’s justification, limited the Fourteenth Amendment’s Equal Protection Clause and set the stage for future attempts at segregating public transportation.

The “Steamer Sue” case sought to challenge the implications of *Hall v. DeCuir*. The verdict, handed down by the District Court Judge spoke to the case’s deeper implications. On the one hand, the case concerned a simple question of “fact”: whether or not the ship’s operators provided accommodations to the women in the “colored” first class cabin equal to those enjoyed by whites. The second, and thornier, issue concerned the question of law. At this point the case became more muddled. Since, as the court noted, the steamer plied waters between two states the jurisdiction in the case defaulted to the federal government. In 1884, Congress had still not acted on legislation regulating whether the races could be separated on public transportation. This inaction left ship operators free to impose “reasonable” restrictions, an outgrowth of *Hall v. DeCuir*. “Reasonableness,” however, was still an unsettled legal matter. Black radicals thought they had a solution. In their legal treatise examining 1870s and 1880s legal cases, entitled *Justice and Jurisprudence*, the Brotherhood of Liberty pointedly asked, “how can that proposition (reasonableness) be determined otherwise than by ascertaining, whether or not the rule or regulation complained of

⁵⁴ Palmore, “The Not-So-Strange Career of Interstate Jim Crow: Race, Transportation, and the Dormant Commerce Clause, 1878-1946,” *Virginia Law Review*. Vol. 83:1773, p. 1773-1817 and Barbara Young Welke, *Recasting American Liberty: Gender, Race, Law and the Railroad Revolution, 1865-1920* (Cambridge: Cambridge University Press, 2001) p. 337-42.

conforms to the organic laws of the nation?" The answer to the question could be found in the Fourteenth Amendment.⁵⁵

The court's decision turned out to be bittersweet for black radicals. African-American activists almost certainly hoped that the case would challenge *Hall v. DeCuir* and restore the Fourteenth Amendment. Instead, the judge noted the difficulty in determining the "reasonableness" of regulation but deferred to previous rulings concerning whether segregation violated the Fourteenth Amendment. The judge then decided to only determine if the steamboat provided the women with equal accommodations. "The separation of the colored from the white passengers," the judge wrote, "goes to the verge of the carrier's legal right, and such a regulation cannot be upheld unless bona fide and diligently the officers of the ship see to it that the separation is free from any actual discrimination in comfort, attention, or appearance of inferiority." The court, in other words, reaffirmed the right of the steamboat operators to provide separate accommodations but only if they were equal. The only salvation was that in this regard, the judge found the "Steamer Sue" to be lacking. Therefore, on the grounds that the accommodations provided the women were unequal, he ruled that the steamboat operators could not enforce separation of the races; a narrow ruling that fell far short of challenging *Hall v. DeCuir*.⁵⁶ Despite the disappointment, the case provided black activists with a legal victory and a way to directly challenge segregationist policies. It was a first step but bigger victories remained on the horizon.

⁵⁵ Brotherhood of Liberty, Justice and Jurisprudence: An Inquiry Concerning the Constitutional Limitations of the Thirteenth, Fourteenth, and Fifteenth Amendments, 297.

⁵⁶ District Court, D. Maryland. "The Sue," Westlaw 2 Feb. 1885 22F.843; "Colored Passengers," The Baltimore Sun 03 Feb. 1885, p. 6.

If the suit against the “Steamer Sue” produced mixed results, the verdict in a second case (delivered just weeks later) proved more beneficial to black Baltimoreans. For over a decade, black radicals had been intermittingly fighting to see an African-American attorney admitted to Maryland’s Bar. After Harvey Johnson’s efforts in 1876, another black lawyer named Charles Taylor, who had already been practicing in Boston, unsuccessfully applied to the Maryland Bar the next year. Afterwards the issue seemingly lay dormant.⁵⁷ Then in March 1884, a Baltimorean named Richard King unsuccessfully petitioned the State Senate claiming that the exclusion of black lawyers was in violation of the Constitution.⁵⁸ Like their efforts to bring suit against the “Steamer Sue”, the quest to get African Americans admitted to the Maryland Bar had wider implications for the black community. In presenting his petition before the State Senate, King linked the exclusion of black lawyers with other injustices occurring in the city and state. He noted, for instance, that trades unions were excluding black men and women and that Baltimore’s public schools were excluding black teachers. Because of this, the *Baltimore Sun* reported, King claimed that, “The colored people are not treated as American citizens in Maryland.”⁵⁹

Although King’s efforts ultimately failed, he garnered positive press coverage and introduced the issue of black legal inequality into the public discourse of Balti-

⁵⁷ Brackett, Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery, p. 74; “Colored Lawyers in Maryland Courts,” *The Baltimore Sun* 09 Feb. 1885, p. 2. The court decided that the legal profession was limited to white males over the age of twenty-one and that admission to the Bar was not a right but a privilege to be bequeathed by State Legislatures.

⁵⁸ “Colored Men as Lawyers,” *The Baltimore Sun* 12 Mar. 1884, p. 5; “From Washington,” *The Baltimore Sun* 21 May 1884, p. 1. It is unclear whether the two events were related, but apparently the Maryland State Senate had a bill before them that would allow African Americans to become lawyers. The editorial urged the senate to pass the law.

⁵⁹ “From Washington,” *The Baltimore Sun* 21 May 1884, p. 1.

more's newspapers. King's efforts received a positive hearing from the *Baltimore Sun* who came out in strong support of admitting African Americans to the Maryland Bar. In an editorial that playfully poked fun at lawyers' lack of morality, and congratulated Maryland's progress since Reconstruction, the paper stated that, "The law has no right to keep a colored man from earning his bread in any honest way he may see fit, provided that he shows himself able to meet the requirements imposed on all other classes of citizens." The *Sun* then remarked that, "The law as it stands formed only one part of a system that has passed away, and which no one wishes to bring back."⁶⁰

Despite the *Sun's* optimism, the "system that has passed away" had hardly vanished from Baltimore. Black radicals knew that the courts were the lynchpin holding up the structure of inequality and they had plans on pursuing a more aggressive legal approach. When black radicals once again took up efforts to get a black attorney admitted to the Bar in early 1885 they had a foundation and some public support to launch their efforts. In February, Charles S. Wilson sought to gain admittance to the Maryland Bar.⁶¹ There is no doubt that the Wilson case was important to black radicals. Wilson and his supporters cobbled together more than \$200 to try the case.⁶² After Wilson appeared before the Supreme Bench of Baltimore in a preliminary hearing, a number of prominent Baltimoreans in the legal community voiced support for the admittance of black lawyers. Baltimore's Mayor, Ferdinand Latrobe publically supported Wilson's efforts by proclaiming that, "all

⁶⁰ "Colored Men as Lawyers," *The Baltimore Sun* 07 Feb. 1884, p. 2.

⁶¹ Alexander, "The Brotherhood of Liberty or Our Day in Court. Including the Navassa Case," 6.

⁶² Brackett, Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery, 76.

restrictions on the freedom of citizenship should be removed.” Latrobe was far from alone in this matter. Judge Charles E. Phelps termed the exclusion of African Americans from the Bar as a “relic of barbarism.”⁶³ Wilson also received support from many of the city’s daily newspapers. Once again, the *Baltimore Sun* led the charge, calling on the state to end the exclusionary practice. “Sooner or later all restrictions on the freedom of citizenship must disappear, and there is no reason why the legal profession should be the last to recognize the inevitable.” *The Baltimore American* also backed Wilson’s efforts.⁶⁴

On February 14, 1885 Wilson’s attorney, Alexander H. Hobbs, appeared before the Supreme Bench of Baltimore to argue the case. Hobbs’ arguments in favor of Wilson’s admission revealed what was at stake. Hobbs contended that the Maryland law excluding African Americans from the Maryland Bar was in violation of the Fourteenth Amendment. Specifically, Hobbs cited the first section of the amendment which read, in part, “no State shall make or enforce any law which shall abridge the privileges or amunities of the citizens of the United States, nor shall any State deprive any person of life, liberty or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.” Since the amendments placed the races on an equal footing, Hobbs maintained, blacks

⁶³ “Colored Lawyers,” The Baltimore Sun 10 Feb. 1885, p. 5; “Local Matters,” The Baltimore Sun 09 February 1885, p. 6.

⁶⁴ “Colored Lawyers in Maryland Courts,” The Baltimore Sun 09 Feb. 1885, p. 2. Brackett, Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery, 74-5.

could not be excluded from liberties enjoyed by whites. Hobbs further pointed out that states could not pass laws in conflict with federal policy.⁶⁵

In many ways, the stakes in the Wilson's case matched those in the "Steamer Sue" trial. On the one hand, Wilson's suit could serve as a test case to determine whether the courts offered a viable vehicle to shape race relations in the city. Already, the "Steamer Sue" case demonstrated that direct action through the courts at least held the potential to affect legal change quickly and more efficiently than political agitation. If the judges decided that state laws could not discriminate against blacks because of the protections laid forth in the Fourteenth Amendments, black radicals could then begin to chip away at other social injustices. If African Americans could gain admission to the bar, black activists would also have the benefit of having attorneys dedicated to fighting inequality in future actions.

On March 19, 1885 the court announced their verdict in the Wilson case. Citing numerous precedents, the court sided with Wilson. The decision read, in part, that "To deter any class of citizens from its membership is not only to prevent their engaging in a lawful calling, but, in the language of the Supreme Court, tends to degrade and stigmatize the whole class by depriving them of a privilege which all other citizens possess and of the equal protection of the law." *The Baltimore Sun* immediately celebrated the verdict in an editorial published the next day as "in keeping with the progressive sentiment of the age."⁶⁶ For black radicals, the verdict in the

⁶⁵ "Can Colored Men Be Lawyers," *The Baltimore Sun* 16 Feb. 1885, 6. Brackett, Notes on the Progress of the Colored People of Maryland Since the War: A Supplement to the Negro in Maryland: A Study of the Institution of Slavery, 76.

⁶⁶ "Admitted to the Bar," *The Baltimore Sun* 20 Mar. 1885, p. 1 and "Admission of Colored Lawyers to the Bar," *The Baltimore Sun* 20 Mar. 1885, p. 2.

Wilson case was a heartening victory and served to validate their strategy of attacking inequalities through the legal system. Legal action provided a more direct avenue where activists could more easily control the process of reform. Rather than appealing to white politicians who often either brushed aside their concerns, disregarded the black community, or simply pandered to African Americans for votes, black activists could spearhead efforts to obtain equality.

When the dust settled at the end of 1885 in Baltimore it became clear the stage was set for new directions in black protest. Although many African Americans in Baltimore would continue to invest hope in the political process, and the Republican Party, black radicals were set to travel down a new path. The two trials—“Steamer Sue” and Charles S. Wilson’s suit—pointed black activists in the direction they would follow through the remainder of the 1880s and early 1890s. Both trials, in varying degrees, revealed the potential in pursuing equality through the legal system. With their two legal victories in the “Steamer Sue” and Wilson cases, Baltimore’s black radicals intended to capitalize on the momentum they built to insure that African Americans would at least have a chance at obtaining a fair hearing.

On the afternoon of June 2, 1885, Harvey Johnson called upon four of his fellow clergymen (and veterans of civil rights agitation in the city) William M. Alexander, P.H.A. Braxton, J.C. Allen, and W.C. Lawson to meet at his home. By the end of the evening the men had formed the United Mutual Brotherhood of Liberty, formulated a constitution, and devised a strategy to expand the rights of African Americans and ensure that the legacy of Reconstruction would not be one of failure. Given its members’ backgrounds in the church, it is not surprising that the Brotherhood of

Liberty combined a Christian vision of justice with the ideals of the United States. In the preamble of their constitution, the Brotherhood proclaimed that, "It is a Scriptural truth that God has made of one blood all nations of men" and then added "it is equally true, according to the Declaration of American Independence, that all men are endowed by their Creator with certain inalienable rights." But it was the "Steamer Sue" and Wilson cases, which gave black radicals the momentum to try and affect further changes. "The favorable termination of these important cases," William M. Alexander later wrote, "prompted and hastened the organization of the Brotherhood of Liberty, as the most effective medium through which the laws in Maryland and other States repugnant to the interests of the colored people could be most speedily expunged."⁶⁷ Despite its short existence, it seems to have lasted only between 1885 and 1901, the formation of the Brotherhood of Liberty was a pivotal moment in the history of black activism in Baltimore and throughout the United States. Although the organization's founding did not even register a mention in the *Baltimore Sun*, it would make its influence felt for the next two decades.

⁶⁷ Alexander, "The Brotherhood of Liberty or Our Day in Court. Including the Navassa Case," 6.