

“BUT HE DID
WHAT HE COULD”:
WILLIAM WARLEY LEADS
LOUISVILLE’S FIGHT FOR
JUSTICE, 1902-1946

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On 10 November 1917, the headlines for the *Louisville Leader*, the leading African-American newspaper in Louisville, Kentucky, read: “Supreme Court Annuls Segregation Ordinance: Unanimous Decision Made Public—Great for Civil Rights.”¹ For black Louisvillians and the National Association for the Advancement of Colored People (NAACP), the U.S. Supreme Court’s verdict in *Buchanan v Warley* was the culmination of a complex and fierce four-year battle against Louisville’s 1913 residential segregation ordinance.² With the combination of extensive Jim Crow legislation since the 1890s, a history of insufficient resources for retaliation, and threatened white initiatives for housing restrictions against blacks living throughout southern and border states, blacks had little reason

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¹ *Louisville Leader*, 10 November 1917.

² *Buchanan v Warley*, 245 U.S. 60, 74 (1917). For the most detailed account of the case, see Roger Rice, “Residential Segregation by Law, 1910-1917,” *Journal of Southern History* 34 (1968): 180-99.

to expect such an ordinance to be overturned.³ However, when Justice William Day delivered the opinion of the Supreme Court, blacks became hopeful that justice could prevail. Hailed at the time as the “most important Supreme Court decision since the Dred Scott case,” *Buchanan v Warley* did indeed set an important precedent for how the Supreme Court responded in later challenges to segregation. The case not only validated the recently established NAACP as the leading organization in legal civil rights advocacy, but it also provided Louisville and other cities with the confidence and momentum to challenge other racial injustices.⁴ Yet despite the significance of *Buchanan v Warley*, minimal attention has been given to the defendant in the case, Louisville’s most adamant activist and NAACP president, William Warley. Investigation of his activism before and after *Buchanan v Warley* sheds new light on Warley’s unparalleled contributions to the city’s civil rights agenda as well as on Louisville’s racial dynamics.

³ The literature on the South and southern culture is voluminous. For the most recent comprehensive look at the South after Reconstruction, see Edward Ayers, *The Promise of the New South: Life After Reconstruction* (New York and Oxford: Oxford University Press, 1992). Also see C. Vann Woodward, *Origins of the New South, 1877-1913* (Baton Rouge: Louisiana State University Press, 1951). Leon Litwack’s, *Trouble in Mind: Black Southerners in the Age of Jim Crow* (New York: Vintage Books, 1998) provides a specific analysis of blacks and their struggles with the racial mores of the South after Reconstruction.

⁴ Rice, “Residential Segregation by Law,” 195-99. Rice notes that the reference to Dred Scott appeared in many northern newspapers. For examples of the national response to the case, see William Tuttle, *Race Riot: Chicago in the Red Summer of 1919* (Urbana and Chicago: University of Illinois Press, 1970), 173-75. Tuttle describes how only days after the *Buchanan v Warley* decision, the Chicago Real Estate Board confirmed the need for property owners’ associations and intimidation tactics to prohibit neighborhood desegregation. For a southern reaction, see Earl Lewis, *In Their Own Interests: Race, Class, and Power in Twentieth-Century Norfolk, Virginia* (Berkeley: University of California Press, 1991), 77. Lewis asserts that as late as 1925 Norfolk claimed that its ordinance was different and thus constitutional.

Born on 6 January 1884 in Louisville, Kentucky, Warley was the only child of a South Carolina father and a Louisiana mother. Both parents were a part of the pool of southern black migrants who came "up north" to Louisville from the 1870s through the end of the nineteenth century.⁵ Warley was raised by his mother, Belle, who provided for herself and for her son by working as a dress-maker. William married a fellow Louisvillian in 1909, and they reared two daughters, Margaret and Victoria, in the city.⁶ Louisville was perceived as an attractive place to live, and the city's black population increased at least thirty-five percent in each decade of this thirty-year period, reaching its peak of nineteen percent of Louisville's population by 1900.⁷ The two most prominent reasons that blacks were drawn to Louisville were that the virulent forms of racism present elsewhere in the South were absent and that most blacks in the city could find respectable nonagricultural work. Specifically, Louisville had clearly distinguished itself from the typical southern city with no reported race riots or lynchings, and it offered blacks educational opportunities and voting rights. Also, companies such as the Louisville and Nashville Railroad, one of the most powerful railroad companies in the South, employed a large number of blacks and contended that its black passengers and workers escaped the discriminatory practices of other railroads.⁸

⁵ *Kentucky's Black Heritage: The Role of Black People in the History of Kentucky from Pioneer Days to the Present* (Frankfort: Kentucky Commission on Human Rights, 1971), 42; Bureau of the Census, *Thirteenth Census of the United States*. Although Warley's father migrated to Louisville, it is doubtful that he remained with his wife and son as he does not appear in the subsequent census nor is he listed in the city directory.

⁶ Bureau of the Census, *Fourteenth Census of the United States*. Warley's wife was named Julia.

⁷ Bureau of the Census, *Fifteenth Census of the United States, "1930: Population"* (Washington, D.C., 1932), I: 432.

⁸ George Wright, *Life Behind the Veil: Blacks in Louisville, Kentucky, 1865-1930* (Baton Rouge: Louisiana State University Press, 1985), 2, 63, 86. In the most

Despite claims of racial harmony and adequate opportunities, however, historian George Wright points out that the substantial increase in the urban black population raised concerns among whites who feared that blacks might revert to their “uncivilized” ways without a clear hierarchical racial order. Following the lead of whites in other border cities, such as Richmond, Virginia, Saint Louis, and Washington, D.C., Louisville’s white elite instituted forms of white supremacy, combined with black subordination, that would dictate African-American status for the remainder of the nineteenth century.⁹ Thus Louisville blacks experienced tumultuous times during Warley’s youth as the city began to formalize comprehensive racial restrictions. During his childhood, for example, black Louisvillians lost access to public places, such as movie theaters and social clubs, encountered inadequate pay and promotional opportunities, and faced political intimidation. The situation was best described by a black news reporter’s observation of Louisville in 1891 that the “Races get along nicely—like oil and water—the whites at the top and the Negroes at the bottom.”¹⁰

comprehensive research of Louisville and race relations to date, Wright discusses the limitations that blacks faced despite minimal physical violence and maintaining basic rights such as voting. Also see C. Vann Woodward, *Origins of the New South*, chapter 14, “Progressivism For Whites Only,” for the improper treatment to which southern blacks were subjected. For specific policies of the Louisville and Nashville Railroad throughout the first half of the twentieth century, see Russell Wigginton, “Both Sides of the Tracks: Louisville and Nashville Railroad’s African-American Workers in Louisville, Kentucky, 1915-1945” (Ph.D dissertation, University of Illinois at Urbana-Champaign, 2001).

⁹ Wright, *Life Behind the Veil*, chapter 2. Wright points out that by the 1890s, Louisville schools and clubs became more exclusionary, and public-facility segregation increased. Also see Constance Green, *A Secret City* (Princeton: Princeton University Press, 1967), chapter 7 for a detailed account of the postbellum demise of black status in Washington, D.C.

¹⁰ *Indianapolis Freeman*, 21 February 1891.

Growing up in a city where blacks avoided some of the more violent and overt racial hatred experienced by their southern counterparts did not seem to satisfy Warley. He began questioning and challenging racially based inequities while still in high school. A standout student, Warley became frustrated with the inadequate education offered at Central High School, the only high school for Louisville's black youth. Central did not have the resources to offer a full four-year course of study until after 1893, and it was considered little more than a junior high school at the beginning of the twentieth century. Even then, the school had few advanced mathematics and science classes for its students.¹¹ As a result, those students who planned to attend college lacked two years of college-preparatory curriculum.

The conditions had not changed much by 1902, Warley's senior year, and the college-bound Warley voiced his frustration over the inferior status of blacks in education and throughout society. In a speech entitled "We Have Met the Enemy and They Are Ours," Warley accused African-Americans, particularly in Louisville, of being too passive in accepting these conditions. Rather than blame whites solely for their racial exploitation of blacks, Warley stated that much of black ignorance, inactivity, and vice were self-inflicted problems that could be remedied by action within the black community. He claimed that if blacks remained complacent in their deplorable conditions, they would continue to suffer under the guise of what he described as "new forms of slavery."¹² Although Warley's

¹¹ Wright, *Life Behind the Veil*, 67; *Louisville News*, 5 April 1924. Only a few editions of Warley's paper the *Louisville News* have been preserved, but fortunately this issue included Mr. McLellan's memories of Warley as a high-school student to remind black Louisvillians of Warley's longtime commitment and to encourage them to subscribe to his newspaper. Also, in the absence of the *News*, I. Willis Cole, owner of the *Louisville Leader*, reprinted Warley's editorials periodically. For the establishment of the *Louisville News* by Warley, see below, pages 433-34.

¹² *Louisville Courier-Journal*, 21 June 1902. Warley was obviously a student-leader at Central High School, indicated by his selection as one of the

words were probably dismissed by many as those of a naïve eighteen-year-old, such a speech foretold his willingness to challenge injustice that all Louisvillians would become familiar with over the next forty years. During his graduation exercises, the passionate Warley planned to reiterate his message and make an unannounced speech after being handed his diploma.¹³ He must have made his intentions known to some of his peers, for Mr. McLellan, one of his respected teachers, got word of Warley's plan and told him that speaking out during the graduation ceremony was not the best way to handle his frustrations. Apparently Warley was convinced because he took his seat quietly after receiving his diploma.

Warley was able to succeed despite the inadequacy of his education at Central High School, and he went on to graduate from State University in Louisville, at the time one of the few colleges in Kentucky that blacks could attend.¹⁴ As he had in high school, Warley held a job while a student at State University. Warley's first job as a college student was as doorkeeper at the Pendennis Club. Consisting mostly of upper-class ex-Confederates and Louisville's rich whites, the Pendennis Club was known for its hardened segregation and exclusionary practices. It was certainly not unusual for blacks, especially young men, to work in unskilled service positions at this club. But to work at the Pendennis Club must have been particularly difficult for Warley, given his desire for racial fairness.¹⁵ Warley did not

speakers during senior activities.

¹³*Louisville News*, 5 April 1924.

¹⁴ Gerald Smith, *A Black Educator in the Segregated South: Kentucky's Rufus B. Atwood* (Lexington: University Press of Kentucky, 1994), 118. Smith explains that the passage of the Day Law (1904) meant that private and public schools were to be segregated and persons or institutions found in violation were to be fined. For further discussion on the founding and development of State University, see Wright, *Life Behind the Veil*, 127-29; also *Courier-Journal*, 31 December 1999.

¹⁵ *McCarron's City Directory* (Louisville, 1903).

have to endure such working conditions for long, however, because he obtained a more prestigious position at the United States Post Office while still in college. The post office was definitely a step up for Warley, and he remained an employee there for several years after graduating from college.¹⁶

Few Louisville African-Americans had the opportunity to work for the post office, so positions like letter carrier meant high status in the black community. Nevertheless, Warley was not satisfied. He wanted more, not because of a yearning for wealth but because he was troubled that only a few select blacks in Louisville gained access to such work. Moreover, by the 1910s, many of these opportunities were diminishing. Warley refused to become what he described as a complacent "hat-in-hand Negro," one of a handful of successful blacks in town who avoided making waves. Against the advice of his former teacher Mr. Mclellan, he decided to denounce segregation and racial injustice publicly by starting his own newspaper. At the risk of losing his job at the post office, Warley founded the *Louisville News* in 1912. Warley described the *Louisville News* as "A Race Paper" which offered "Reading of Particular Interest to Colored People." He convinced successful black businessman Lee Brown to join his quest, and Brown became the paper's editor. Brown's decision to join Warley added credibility to the paper since Brown had already established himself as a leading political and social activist for Louisville's black citizens.¹⁷ Warley's decision to found the *Louisville News*

¹⁶ Ibid.; Wright, *Life Behind the Veil*, 92-93; also see E. Franklin Frazier, *Negro Youth at the Crossways: Their Personality Development in the United States* (Washington, D.C., 1940), 47. Franklin contends that less than one in five blacks were in the "major occupations" category. This figure was probably even smaller in the first decade of the twentieth century when Warley went to work for the post office since Franklin's figures are for 1950.

¹⁷ *Louisville Leader*, 15 July 1933, 3 August 1935. These articles highlight Brown's community service since the beginning of the twentieth century when he served the Republican party as election officer and precinct worker. Brown went

was more than a journalist's quest to highlight the black community's concerns. Rather, the paper would serve as a critical vehicle for Warley to demonstrate both that he was willing to jeopardize a relatively comfortable career to achieve racial equity and that other black Louisvillians should also actively engage in changing their conditions.

The first significant proof of Warley's determination to publicize and confront racial inequities occurred in 1914 when Warley led a black boycott against the practice of the local National Theater of limiting African-American patrons to the back entrance and confining them to top balcony-only seats.¹⁸ Through a combination of public boycott against the theater and written pleas for desegregated seats, Warley and his proponents soon gained access to the main entrance and open seating in the balconies. Although not a complete victory, the changes were an improvement over the previous conditions. In addition to a better theater experience for blacks, the tactics that Warley used to get the attention of black Louisvillians indicated that a new, more assertive black leadership would challenge the city's traditional black leaders. Previously, when blacks contested prejudice, the traditional leadership aligned themselves with influential whites who typically wanted to avoid interracial conflict at all costs. Instead of seeking the endorsement of established black leaders or powerful whites, however, Warley publicly criticized the obvious discrimination of the National Theater. In addition, he embarrassed black patrons who overlooked the boycotts by publishing their names in the *Louisville News*. Not surprisingly, Warley's fingerpointing strategy of confrontation and public humiliation

on to become the executive secretary of the NAACP in the early 1920s, deputy sheriff in Jefferson County in the 1930s, and was also active in the YMCA and Boy Scouts.

¹⁸ *Crisis*, 8 (1914): 221.

angered many of Louisville's compassionate whites and African-American elites.¹⁹ But Warley's actions gave black Louisvillians a sample of the tactics that he would employ over the next twenty years, and he forced many black citizens to rethink their position on racial activism. They had to decide between facing potential intra-community ostracism or upholding the status quo. In the same year that Warley led the attack against segregation in the National Theater, he positioned himself squarely in the middle of the black community's fight against a residential segregation ordinance which ultimately resulted in the *Buchanan v Warley* case. Warley's involvement would help legitimize the NAACP, establish Louisville as an active civil rights city, and solidify his place atop Louisville's more aggressive black leadership.

The residential segregation fight began with whites who were concerned about the changing housing patterns of blacks in the city. By the second decade of the twentieth century, many professional blacks, who sought better houses and living conditions, had begun to move to Louisville's west end. Previously, blacks had been relegated to living in approximately seven blocks north and south and twenty blocks west from the downtown area.²⁰ Just west of the designated black neighborhoods were the beginnings of the lower- to middle-class, white neighborhoods, with the best neighborhoods existing in the city's most western section. Wealthy whites in the areas furthest west expressed little concern about black expansion, but the many whites whose neighborhoods were considered affordable for blacks became disturbed and decided to do something about it.

¹⁹ Wright, *Life Behind the Veil*, chapter 6. Wright examines the conservative black leaders who avoided conflict in the first decade of the twentieth century.

²⁰ Frazier, *Negro Youth at the Crossways*, 14; Charles H. Parrish, Albert E. Meyzeek, and J.B. Colbert, eds., *The History of the Louisville Segregation Case and the Decision of the Supreme Court* (Louisville, 1918), 3-8.

On 11 November 1913, disgruntled white citizens took formal action to protect residential segregation. Appearing before the Louisville Real Estate Exchange, Walter Binford, the superintendent of the mechanical department of the *Louisville Courier-Journal* and the *Louisville Times* newspapers, proposed a city housing ordinance. Binford's major argument was that if blacks were allowed to buy homes in white neighborhoods, their presence would inevitably lower property values. He suggested that a racially restrictive ordinance would solve this white concern and, better yet, benefit city race relations overall. Those in favor of the ordinance warned that black Louisvillians, unlike blacks throughout most southern cities, were living in all areas of the city. Although a few wealthy areas of town were restricted to whites only, several city blocks were interspersed with blacks and whites. In cases in which a block was either all-white or all-black, it was not uncommon for members of the "other" race to live on the next block.²¹ Although Binford's recommendation received mixed reactions, it sparked anxious whites to form neighborhood associations and urge their council representatives to enact legislation. These assertions gained the attention of the local politicians, who introduced a segregation ordinance on 16 December 1913.

Warley and other African-American leaders realized the severity and potential ramifications of such an ordinance. To combat the segregation efforts, they formed a temporary NAACP and named Warley the branch's president. Despite arguments by NAACP leaders to the city council and the mayor that neighborhood segregation was unjust and demoralizing to aspiring black homeowners, the city councilmen and the Board of Alderman voted unanimously to support the ordinance, and Mayor John Bushemeyer signed it into law

²¹ Patrick McElhone, "The Civil Rights Activities of the Louisville Branch of the NAACP: 1914-1960" (M.A. thesis, University of Louisville, 1976), 32-33; *Louisville Times*, 15 November 1913; *Courier-Journal*, 15 November 1913; *Louisville Herald*, 15 November 1913.

on 11 May 1914.²² Rather than consider the ordinance racially discriminatory or unjust, the proponents argued that establishing such an ordinance was to “prevent conflict and ill-feeling between the white and colored races in the city of Louisville, and to preserve the public peace and promote the general welfare, by making reasonable provisions requiring, as far as practicable, the use of separate blocks for residence, places of abode and places of assembly by white and colored respectively.”²³ In other words, the ordinance allegedly helped blacks by maintaining social harmony.

The passage of the housing ordinance mobilized the Louisville NAACP. The NAACP followed its typical strategy for combating racial injustice and pursued legal action. The leadership decided to orchestrate an attempt by an African-American citizen to purchase property in a predominately white neighborhood. They found a man willing to sell the land to an African-American in Charles Buchanan, a white realtor and opponent of the ordinance. But finding the right buyer was more critical. The NAACP realized that the person willing to step forward and serve as the purchaser needed to have the respect of the black community and the resiliency to handle potential defeat. The civil rights organization anticipated losing at the local and state levels in hopes of appealing to the U.S. Supreme Court. The person who agreed to this monumental assignment was William Warley.

Once again Warley was at the center of racial controversy, but this time his involvement would also help place Louisville in the national spotlight for civil rights initiatives. As the details were being finalized for the test case, the NAACP's newspaper *Crisis* featured an editorial from the *Louisville News* refuting Booker T. Washington's

²² Ordinance 104, Series 1914, 12 May 1914; Eleventh Biennial Compilation of General Ordinances of the City of Louisville, 1915 (Louisville, 1916), 548-52.

²³ *Louisville Times*, 11 May 1914.

advice to blacks to stop fighting segregation ordinances.²⁴ Warley's paper criticized Washington, saying that it was "inconceivable that one who occupies so prominent a position in the Afro-American world should so far forget his position and his dignity to urge his race to cease protesting against the most cowardly and humiliating legislation in the land."²⁵ Warley's editorial questioned Washington's manhood and dignity as well as African-Americans' pride even more harshly by stating that: "To submit to a degradation without serious objection is worse than cowardly; it is unmanly and ignoble and any race that would do so without exhausting every means of moral and legal protest is unworthy of the name of civilized."²⁶

By November 1914 the seller and buyer were in place, and as part of their test case the NAACP carefully crafted a purchasing contract which stated that Warley was obligated to buy or pay for the lot only if he could legally occupy the house on it.²⁷ Once Buchanan and Warley agreed to these terms, Warley refused to make payment because the segregation ordinance prohibited him from residing in the house. In response Buchanan sued for breach of contract and his lawyer, NAACP attorney Clayton Blakely, filed suit in Jefferson County Circuit Court. In anticipation of charges of collusion, Warley chose city attorney Pendleton Beckley as his counsel. Although Beckley must have been suspicious about Warley and Buchanan's choices for counsel, Beckley's strategy to present judicial precedent and organizational attacks on NAACP inconsistencies suggested that he was committed to upholding the ordinance.²⁸ The

²⁴ *Crisis*, 9 (1914): 17. For more on Washington's position, see August Meier, "Booker T. Washington and the Negro Press," *Journal of Negro History* 38 (1953): 67-90.

²⁵ *Ibid.*

²⁶ *Ibid.*

²⁷ Rice, "Residential Segregation by Law," 185.

²⁸ *Ibid.*, 191-92. Rice points out that Beckley and his assistant, Stuart Chevalier, filed a 121-page brief and also demonstrated that NAACP lawyers had

NAACP's strategy was now in place; Buchanan, represented by an NAACP attorney, was to push for outlawing the ordinance, while Warley, represented by the city attorney, worked to maintain it. After the ordinance was deemed legal by the Jefferson County Circuit Court and the Court of Appeals determined that the ordinance did not violate the Fourteenth Amendment, the NAACP appealed the case to the U.S. Supreme Court. The NAACP strategy worked; on 5 November 1917, the Supreme Court's opinion determined Charles Buchanan the victor, thus overturning Louisville's segregation ordinance.²⁹

This NAACP victory galvanized black activists in Louisville. Working with a formal organization specializing in correcting injustices against African-Americans provided Louisville blacks with the confidence and resources to address their concerns publicly. African-American enthusiasm and appreciation of the NAACP's efforts was channeled towards increasing local participation through a membership drive. Named after Moorfield Storey, a prominent attorney and the first president of the NAACP, the drive "went to work with great earnestness and expects to report a large membership."³⁰ The push to attain new support garnered close to fifteen hundred new members and resulted in the Louisville branch climbing from the twenty-sixth to the fifth largest NAACP branch in the country. Only the Washington, D.C. branch gained more new members in the year.³¹

Warley was recognized for his important role in the victory over residential segregation, yet his commitment did not come without

fought for racial amalgamation previously.

²⁹ Ibid., 185-94; Wright, *Life Behind the Veil*, 234-35.

³⁰ Louisville NAACP branch secretary Mrs. Nolan King to national secretary Roy Nash, 2 February 1917, NAACP Papers, Manuscript Division, Box C-285, Library of Congress, Washington, D.C.

³¹ General Manager, A.E. Meyzeek to John Shillady, Executive Secretary of the NAACP, 2 May 1918, NAACP Papers.

significant costs. As expected, Warley was dismissed from his respected job at the post office. He also relinquished his post as NAACP branch president but remained active with the organization by serving on its executive board.³² Warley took a reduced role within the NAACP because he had married in the four years since the case began and had a daughter born just two days after the Supreme Court's decision.³³ The needs of his growing family, combined with a spirited black community and the arrival of fellow newspaperman, I. Willis Cole, persuaded Warley to devote his energy to the *Louisville News*.

Cole came to Louisville as a Bible salesman in 1915 and apparently liked the city enough that he decided to make it his new home. Upon Cole's arrival, Warley wrote a complimentary article on him to encourage citizens to welcome him to the community.³⁴ On 10 November 1917, just five days after the *Buchanan v Warley* decision, Cole started another black newspaper in Louisville. Although his first editorial would be a tribute to Warley and the NAACP, his relationship with Warley would be complicated. At times they worked well together and at times they had bitter public exchanges. One of the biggest reasons for their love-hate relationship was Warley's jealousy of Cole's paper, the *Louisville Leader*. The *Leader* was quickly becoming the most widely read black newspaper in the city. Nonetheless, because Cole also protested vehemently against discrimination and ill-treatment of blacks, Warley often considered him an ally and fellow "race man."

In 1919, just after Cole's arrival and on the heels of his NAACP leadership and integral role in the *Buchanan v Warley* case, Warley

³² Louisville NAACP president, Dr. A.C. McIntyre to James Weldon Johnson, Secretary of the NAACP, 24 November 1917, NAACP Papers.

³³ *Courier-Journal*, 31 December 1999. Warley's daughter was named Victoria in honor of the Supreme Court decision.

³⁴ *Louisville News*, 13 March 1915.

decided to enter politics and run for the state legislature for the city's tenth ward. Warley was optimistic about his chances for victory. In addition to his reputation as a champion of African-American rights, a majority of the voters in the tenth ward were black. Warley was a loyal Republican, and his competition was white. Typical of his style, Warley campaigned vigorously and brought in several well-known speakers to arouse the black citizens to their duty to vote.³⁵ To his dismay, however, Warley lost to Louis Ryan, the white candidate. Warley did not accept defeat gracefully; he and his friends accused white political bosses of intimidating black voters at the polls. He took this charge to court but was unable to prove any misconduct in the election. Yet despite losing the political and legal battle to represent most black Louisvillians, Warley did receive some consolation when the Republican party hired him as a special investigator for the Sinking Fund Commission. Although it is not clear what the position entailed, Warley's position with the Republican party underscores the ambivalence with which Louisville's citizens viewed him. For example, African-Americans' perspectives undoubtedly varied from considering Warley's work as special investigator as "looking out for the race" in party circles to compromising his integrity for economic benefit.³⁶ Furthermore, hiring Warley suggests that the Republican party recognized that he remained a leader in the black community and could keep the party abreast of black Louisvillians' sentiments.³⁷

In 1920, however, black Louisvillians were again disappointed with the Republican party when party officials helped a Democrat

³⁵ *Louisville Leader*, 3 September 1921.

³⁶ *Ibid.* Although an exact starting date of the position of special investigator is not available, Warley held the position from 1919 to 1921, which was after being fired from the post office. Because he had a wife and young child to support and the income from the *News* was unpredictable, Warley definitely needed a steady income.

³⁷ *Ibid.* Warley stated that he was "loyal to the organization, keeping them in touch with the temper of the Colored people."

win a seat on the city's school board rather than support the black Republican candidate.³⁸ The persistent dismissal of black political considerations enraged black leaders and citizens throughout the city and prompted an unprecedented attempt to denounce the Republican party. To replace it, black Louisvillians founded the Lincoln Independent party (LIP) in August 1921. In establishing the LIP, Louisville's progressive black leaders claimed that the Republican party had ignored the intelligence and undermined the manhood of blacks; therefore the best resolution was for blacks to head in a different direction politically.³⁹ The creation of the LIP highlighted the growing divide between black Louisville's old-guard leadership and those desiring change, and the party soon announced a full slate of candidates for the upcoming November election and challenged Louisville's African-Americans to vote for the party so that "their" interests might be heard.⁴⁰

As usual, Warley played a prominent role in black citizens' political challenge to the status quo. Warley's first reaction was to resign from his position as special investigator for the Sinking Fund Commission. In a public letter, Warley wrote that to save the party from embarrassment and himself from humiliation, he "cast his lot with the thoughtful, progressive, respectable element of Colored people, convinced that the interests of my Race are above party interests and even my personal welfare."⁴¹ His second reaction was to announce himself as the LIP candidate for city justice of the peace. The LIP candidates were defeated overwhelmingly, yet their initiative for representation set a precedent for black political independence and informed Republicans that they could no longer dismiss black

³⁸ George Wright, "Black Political Insurgency in Louisville, Kentucky: The Lincoln Independent Party of 1921," *Journal of Negro History* 68 (1983): 9.

³⁹ *Ibid.*, 8.

⁴⁰ *Louisville Leader*, 24 September 1921.

⁴¹ *Ibid.*, 3 September 1921.

interests.⁴² To add insult to the election defeat, Warley's publishing office was attacked with bricks and the entire front glass of his office was destroyed.⁴³ Neither the election loss nor the intimidation that followed would persuade Warley to relinquish his criticisms against the Republican party's insensitive and insincere treatment of black Louisvillians. Indeed, in a reconciliation meeting of black citizens after the spirited election, Warley vowed not to return to the Republican party until noticeable changes were implemented. Furthermore, at the same meeting he insulted many of the patrons and other black leaders for applauding "such truckling, pussy-footing, and self-serving speeches."⁴⁴ Many people probably dismissed Warley's outcry as sour grapes after losing the election or as bitterness about the damage done to his office during the LIP's campaign. But those who knew him best recognized that Warley's words were also a challenge to overcome complacency.

In early 1922 Warley confirmed that he was still committed to racial justice when he joined forces with newspaperman Cole in support of the Red Cross Hospital, Louisville's only hospital for blacks. Previously Warley and Cole had worked with other leaders for the welfare of Louisville African-Americans, but their fight for Red Cross funding connected the two in the public's eye. Opened in 1899, the Red Cross Hospital provided black Louisvillians with affordable health-care and African-American doctors with a place to practice.⁴⁵ For most of its early existence the hospital relied on the financial

⁴² Ernest Collins, "The Political Behavior of the Negroes in Cincinnati, Ohio and Louisville, Kentucky" (Ph.D. dissertation, University of Kentucky, 1950), 163. For example, A.D. Porter, who was the LIP candidate for mayor, received only 274 votes to 63,332 votes for the Republican candidate, Chelsey Searcy. These figures have been disputed; Searcy and the Republican party allegedly spent approximately \$200,000 to ensure the defeat of the LIP.

⁴³ *Leader*, 12 November 1921.

⁴⁴ *Ibid.*, 21 January 1922.

⁴⁵ *Ibid.*, 25 March 1922.

contributions of wealthy whites and civic organizations, but it began receiving some state funding in 1920. In 1922, however, hospital funding hung in jeopardy when Democrats in the state legislature vigorously opposed the bill for continued state support. In a speech on the House floor, a Democrat legislator remarked that the bill had been opposed by Louisville's leading black editors, Warley and Cole. Fortunately, hospital advocate and state senator W.H. Perry was present with the telegrams sent by Warley and Cole asking for support rather than opposition to the bill. Thus the bill passed, and Warley and Cole's pleas were linked as important components to the five thousand dollars appropriated to the Red Cross Hospital.⁴⁶ In appreciation of his support, the *Leader* published a complimentary feature on Warley's longtime service and sacrifice to black causes. To capture this sentiment, the *Leader* quoted an influential visitor to the city who stated that "We do not believe there is a more conscientious young man in the forefront of a community than William Warley of Louisville."⁴⁷

Warley and Cole also continued to publicly scrutinize the Republican party's failure to address their promises to Louisville's African-Americans to pay close attention to their needs. In one editorial, Warley's *Louisville News* claimed that the party's promises were merely, "A whole lot of talking at the Big Gate" and that black citizens were ready to register their protests at the polls in November.⁴⁸ Apparently, J.H. Scales, secretary of the Republican League in Louisville, grew tired of what he perceived as insults, and he decided to take matters literally into his own hands. On Wednesday, 14 June 1922, Scales walked into the *News* office and slapped Warley squarely in the face, claiming that "I just want to give that 'damned nigger'

⁴⁶Ibid.

⁴⁷ Ibid.

⁴⁸ Ibid., 30 April 1922. Cole reprint and quote from Warley's *Louisville News*.

Warley a ———— good beating.”⁴⁹ Evidently, Scales drank himself up to the task of confronting Warley at the bar located across the street from Warley’s office. Deciding that he, Scales, had endured all that he could of that “troublemaker,” Scales was ready to put Warley back into his proper place. Thus, with two policemen looking on and his bodyguard alongside, Scales gave Warley a physical and verbal thrashing. When Warley asked the officers to remove Scales from the premises, both refused to interrupt the attack. Instead, at the urging of Scales, the officers promised to keep an eye on Warley and “get this ———— any time you can.”⁵⁰

Although confrontations and even physical intimidation had become commonplace to Warley, he reported his beating to the Louisville Police Department. The police refused to issue a warrant for the arrest of Scales but assured Warley that the involvement of the alleged police officers would be investigated. Meanwhile, word of Warley’s beating spread throughout Louisville. Outraged by Scales’s belligerent tactics against one of their leading civil rights activists, large numbers of black citizens gathered at Quinn Chapel African Methodist Episcopal church to publicly denounce Scales, the local Republican party, and the inactivity of the city in the matter.⁵¹ Just a few years earlier, such an incident might have drawn little attention or been dismissed as an isolated mishap, for Louisville leadership had worked diligently to downplay racial unrest. But since Warley had begun fueling blacks to become proactive protesters against racial incivility by the early 1920s, many black Louisvillians interpreted Scales’s derogatory language and physical assault as an attack on the entire black community rather than as an individual act against Warley. For Scales, though, it was personal as well as political. Scales carried a personal vendetta against Warley because, despite his

⁴⁹ Ibid., 17 June 1922.

⁵⁰ Ibid.

⁵¹ Ibid., 24 June 1922. Warley was a member of Quinn Chapel Church.

tenuous relationship with the city's black community, Warley was the central figure in black Louisville's campaign against injustice. And, as Warley's continued public fights after 1922 indicated, Scales had ample reason to feel threatened by Warley's influence and leadership.

On 13 June 1924, almost two years to the day of Scales's attack, Warley proved once again that he would not allow intimidation tactics to squelch his involvement in race matters. On this date, Naomi Anthony and Margaret Taylor, two African-American elementary schoolteachers, took twenty-two students to Iroquois Park for a class picnic. After a short time in the park, the teachers were approached by three park guards and told to leave the premises immediately, stating that blacks were not allowed in Iroquois Park, which was located in a white section of town. Anthony claimed that she was unaware of such a law. She, Taylor, and the children refused to leave the premises. Angered by their resistance behavior, the guards took the women into custody and notified the police. Both women were arrested but were not taken to the police headquarters for several hours after a nearby precinct station refused to deal with the situation because of its political implications. By the time Anthony and Taylor arrived at the downtown police station, news of their arrest had traveled. Angry black citizens, including Warley and fellow NAACP cabinet member A.E. Meyzeek, gathered at the police station to protest.⁵²

This outcry caused the Board of Park Commissioners, the Police Court, and the Board of Education to respond quickly. On 17 June the Board of Park Commissioners adopted a temporary resolution that officially segregated the Louisville park system.⁵³ Black

⁵² Ibid., 21 June 1924; also see Wright, *Life Behind the Veil*, 274-77.

⁵³ Petition for the Plaintiff at 3, 4, *Sweeney v City of Louisville*, No. 302-500, Jefferson Circuit Court, Chancery Branch, First Division, Case File (Circuit Court Clerk, Louisville); also see, McElhone, "The Civil Rights Activities of the Louisville NAACP," 57-58. McElhone explains that this "temporary" ban lasted for four

Louisvillians felt betrayed, since residential segregation had been outlawed and park officials had announced in February 1922 that a park especially for blacks would open in the spring. Warley and Cole had discouraged blacks from becoming too excited about a new park because doing so was accepting segregation. Two years later, Warley and Cole's suspicions had become reality. On 24 June the Police Court found Anthony guilty of disorderly conduct and fined her ten dollars, while charges against Taylor were dropped.⁵⁴ The Board of Education also took a concerted interest since the incident involved public school teachers and pupils. On 1 July the board decided to allow Anthony and Taylor to keep their jobs, but it reprimanded the teachers for breaking the law and stated that they should have avoided the conflict and removed the children from the park. The board also warned that in the future any teacher who guided students to disobey the law was "an enemy of the social order, a fomenter of discord and a breeder of ill-will, and will be summarily dismissed."⁵⁵

Meanwhile, the discontent of the black community with the Board of Park Commissioners, the Police Department, and the Board of Education became widespread. But since they were unable to maintain public pressure against all three, those interested channeled their energies toward the park board. Under NAACP leadership, the Commission on Interracial Cooperation (CIC), the Louisville Business Men's Association (LBMA), and a few other citizen groups joined as a committee to voice their displeasure to the park board. The committee elected James Bond and Charles Parrish, two leaders from the CIC—the most integrated of the three groups, to represent them. Both Bond and Parrish had earned recognition for

years until the Board of Park Commissioners segregated the parks permanently.

⁵⁴ *Leader*, 5 July 1924.

⁵⁵ *Ibid.*; also see McElhone, "The Civil Rights Activities of the Louisville NAACP," 55-56; *Courier-Journal*, 2 July 1924.

their religious leadership and civic involvement. Bond, who served as Kentucky's state secretary for the CIC from 1920 until his death in 1929, had worked previously as the secretary of colored work for the Kentucky state YMCA and pastored churches throughout the South.⁵⁶ Parrish's leadership role in Louisville included serving as a pastor in the city since 1886, helping organize and establish the city's NAACP branch, and working as president of State University from 1918 to 1931.⁵⁷ As representatives of the CIC, they focused on the development of parks in the black neighborhoods rather than the unlawfulness of the park segregation resolution.⁵⁸ Parrish claimed that as a leader of Louisville blacks, he had "taught them to be patient and to keep their hearts sweet, without bitterness or malice, and to avoid unlawful retaliation."⁵⁹ The LBMA was a group of local black leaders; Cole was the president and Warley was a member. It also published a separate and more assertive letter against the segregation rule of the park commission. Composed by Warley and Cole and signed by its other members, the letter claimed that absolute segregation was unreasonable and that "This lack of contact creates misunderstandings and encourages prejudice which reasonable and normal contact would very largely make impossible."⁶⁰ Additionally, the LBMA announced its unqualified support and cooperation with the NAACP efforts to contest the park affair. The local NAACP support fizzled by the end of the year as the organization turned its attention to other concerns in the city, such as school segregation and teacher salaries.

⁵⁶ For more on James Bond's politics and his family's prominence in Kentucky, see Roger Williams, *The Bonds: An American Family* (New York: Scribner, 1971); James Bond, "Interracial Work in Kentucky," *Southern Workman* 54 (June 1925): 254-56.

⁵⁷ Wright, *Life Behind the Veil*, 162.

⁵⁸ *Leader*, 21 June 1924.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*, 5 July 1924.

Nonetheless, there were enough requests to lift the regulation that the Board of Park Commissioners tried to put the issue to rest in 1928 by adopting a resolution to permanently segregate the city parks. Black Louisvillians were troubled by this decision, and they continued to request that city parks be opened on an equal basis, but they usually conceded to improvements to the black parks.⁶¹ The permanent ruling, however, propelled Warley and the local NAACP branch toward a legal fight challenging the new rule. Refusing to accept defeat, Warley served as the primary plaintiff in the suit filed in Louisville's circuit court. He charged that the Board of Park Commissioners violated the Fourteenth Amendment and lacked the authority to regulate official park segregation. Defeated in the Louisville courts, the case was appealed to the Kentucky Court of Appeals, where again the ruling was for the defendant.⁶² At that point the NAACP decided to cut their losses and grudgingly accepted the decision. Displaying an unsurpassed determination, Warley wanted to appeal the case to the U. S. Supreme Court, but he was unable to raise the necessary funds. Disappointed with the lack of support, Warley bemoaned that "not an officer of the NAACP has shown any interest, not a preacher or other leader, business or professional, has shown any interest in the case."⁶³

Warley's harsh accusations were not unfamiliar to Louisville's African-Americans, who had watched him grow bitter over the years. Much of Warley's frustration stemmed from a noted drinking problem, which strained his relationship with most people that he encountered. Specifically, Warley was unable to keep competent

⁶¹ See *Courier-Journal*, 19 February 1922, which announced that Chickasaw Park would open for blacks in the spring.

⁶² *Warley v Board of Park Commissioners*, 233 Kentucky 688, 26 S.W. 2d 554 (1930).

⁶³ Wright, *Life Behind the Veil*, 278. Wright cites a Warley quote from the *Chicago Defender*, 11 May 1929.

employees at the *Louisville News* and was often left to produce the newspaper alone. As a result, the paper's quality and circulation were erratic, and Warley was forced to give up complete ownership in 1922.⁶⁴ Additionally, Warley occasionally found himself crawling back to the Republican party for work just to provide an income for his family, which must have been a strain on the man who openly criticized the party.⁶⁵

To understand the best and worst of Warley during the 1920s, consider his relationship with Cole. At their best, Warley and Cole used their journalistic influence and passion for justice to protect the rights not only of black Louisvillians but of African-Americans throughout the state. The most noted example of this advocacy was their role in a heated court case in Madisonville, Kentucky. On 7 April 1926, three black men, Columbus Hollins, Bunyan Fleming, and Nathan Bard, were arrested and charged with assault on a young white woman. As was typical of cases in which black men were accused of raping white women, the case created heightened racial tension and animosity in the area.⁶⁶ This was particularly true since two interracial rape cases had been tried in the previous three months in Lexington. In the first, a black man killed a white man, two of his children, and wounded his wife. It was also claimed that the black man assaulted the white woman. In a sixteen-minute trial, this man

⁶⁴ *Leader*, 9 December 1922. Warley sold half of the *News* to Frank Calbert. The *Leader* described Calbert as "a well-known young man about town and a member of one of Louisville's first and most prominent families."

⁶⁵ Warley's specific job titles with the Republican party beyond the position of special investigator are not known, but, given his knowledge and influence of politics in Louisville's black community, he probably reported on the political climate and likelihood of black support for the party.

⁶⁶ Although the focus is on Georgia and Virginia, for the most complete coverage of lynching in the South in the postbellum period, see Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana: University of Illinois Press, 1993).

was found guilty of rape and sentenced to hang. Within a month of this episode, a white man assaulted an eleven-year-old black girl in Lexington, and while his guilt was not questioned, he was declared insane and placed in an asylum.⁶⁷ Critical of the discrepancy of punishment between whites and blacks, Cole and Warley wrote articles warning against a "legal lynching" in the Madisonville case. Tackling the Kentucky judicial system head on, Warley wrote, "Outdone by Mississippi, Georgia, and other states South when it comes to making Negroes charged with certain offenses pay the extreme penalty outside the courts, Kentucky bids to outdistance them all in the double standard of laws, the mockery of it, when the Negro is involved, through speedy trials, which fall little short of legalized lynchings."⁶⁸ Additionally, Warley went to Madisonville to support the accused and to personally investigate the case. He found that the evidence against the three black men was suspect at best; the victim identified the defendants as the culprits, and it appeared that Hollins was paid to testify against Bard and Fleming. Despite pointing out such holes in the case, however, Bard and Fleming were sentenced to death with Hollins receiving twenty years in jail.⁶⁹

Cole and Warley convinced the NAACP to bring the case to the Kentucky Court of Appeals and the Supreme Court, but time was running out. As Bard and Fleming's execution date approached, Cole and Warley even asked the governor to intervene. Ultimately, however, Bard and Fleming were hanged on 24 November 1927.⁷⁰ Cole and Warley were acknowledged for their courageous attempt to

⁶⁷ See "The Kentucky Libel Case," Louisville NAACP branch files, Box G 76, University of Louisville Archives, Louisville, Kentucky; George Wright, *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and "Legal Lynchings"* (Baton Rouge: Louisiana State University Press, 1990), 301-304.

⁶⁸ *Ibid.*; *News*, 22 May 1926.

⁶⁹ *Courier-Journal*, 20 May 1926; Wright, *Life Behind the Veil*, 203.

⁷⁰ Wright, *Racial Violence in Kentucky*, 301-304.

save the men's lives and praised as true champions of the race throughout the state. However, their outspokenness also resulted in indictments for creating race friction and race hatred, contempt of court, and libel. Though the first two charges did not hold, both men were tried and found guilty of libel on 6 October 1926. Their punishment, a \$250 fine apiece, was paid by the National NAACP, probably as a token of appreciation.⁷¹

Despite their show of influence when united, Cole and Warley were at bitter odds by 1928. Their falling-out occurred after the destruction of Warley's office by a mob in response to his criticisms of the Republican party. Warley had fired criticisms at the party on Election Day 1927, and during the Board of Education elections in the following year. In the Board of Education race, Warley criticized Cole for not supporting the black candidate, Wilson Lovett. In addition to calling Cole "a fool," Warley charged Cole with being dominated by the Republican bosses and implied that he was on the payroll of the Republican party.⁷² Incensed by Warley's outburst, Cole responded in the *Leader* by pointing out that not only did the paper have a track record of support for black candidates, but that Lovett had even written the *Leader* a letter of thanks and appreciation for this support. Additionally, and sarcastically referring to Warley's drinking problem, Cole noted "Upon sober reflection he must have hidden his face in shame when he called the *Leader* editor a fool for supporting the Republicans in the recent election. He might have placed the cap on his own head and then tried to kick himself."⁷³ Cole pointed out that Warley should remember that he had worked for the Republican party on numerous occasions and that he only lashed out against the party when he was broke and mad. Further, Cole suggested that Warley should "confess that he himself has played the

⁷¹ "The Kentucky Libel Case," NAACP papers.

⁷² *Leader*, 8 December 1928.

⁷³ *Ibid.*

role of Dr. Jekyll and Mr. Hyde since the contest of his legislature race and will he confess that he is the fool, the unreliable leader, and not the editor of the *Leader*?"⁷⁴

Such a piercing rebuttal might have completely severed ties between most public leaders, but Cole and Warley repaired their relationship enough to work together again. In 1933 they endorsed black Republican candidate, lawyer, and presiding bishop of the African Methodist Episcopal Zion Church, C. Eubank Tucker, in the Republican primary for state legislature for the majority black Fifty-Eighth District.⁷⁵ Tucker's presence as a candidate was considered a coup for black Louisvillians, as they also had former Warley editor and current deputy sheriff of Jefferson County, Lee Brown, as a candidate. A third white candidate, Dan Carrell, was also on the primary ballot, but black citizens perceived either Brown or Tucker as the best representative for their district. But Louisville African-Americans never got the chance to choose between two black Republican candidates, for Brown filed a legal suit challenging Tucker's commitment to the party. Brown's assertions against Tucker were convincing enough to win the case, and Tucker was left off the Republican primary ballot.⁷⁶ A surprise to many, amid speculation that Warley had persuaded him to change, Tucker promptly switched to the Democratic side and won that party's endorsement. Warley's possible support would make sense, given his past criticisms of the undeserving loyalty of blacks to the Republican party, the vandalism of his office that

⁷⁴ Ibid.

⁷⁵ To exemplify the complexity of the Cole-Warley relationship, see *Leader*, 15 July 1933 and 7 October 1933. During this time Warley was working as a columnist for Cole's paper.

⁷⁶ Collins, "The Political Behavior of the Negroes," 85-86. Also see the *Louisville Leader*, 22 July 1933. It was reported that Judge Allen of Louisville ordered that Tucker's name be kept off the Republican ballot because Tucker never formally affiliated himself with the party and his endorsers were not qualified to endorse him.

followed, and the 1922 physical attack by Republican leader J.H. Scales.⁷⁷ After Tucker's switch, Brown lost the primary to white candidate Carrell in another disputed Republican nomination.⁷⁸ Nevertheless, Warley got his wish as black Louisvillians faced a precarious decision of whether to vote based on longtime allegiance despite its white representative or to choose a black, Democratic candidate who many perceived as a token figure. Ultimately, too few blacks voted for the Democratic party, and Carrell won the election. Although Warley's input in the 1933 party-switch by Tucker cannot be proved, few black Louisvillians would have been surprised to find him the primary instigator in such an event. By the 1935 national and local elections, Warley's long-running plea to scrutinize the Republican party must have gained momentum, for the majority of Louisville blacks had switched to the Democrat party.⁷⁹

Warley's longtime commitment to challenge Louisville's racial policies and his willingness to confront the consequences of that activism were perhaps the only constants in his tumultuous life. Warley's drinking troubles and financial problems worsened during the 1930s and 1940s, prompting him toward numerous verbal and written diatribes charging Louisville African-Americans with passivity and forgetting about his contributions to the race. Although Warley's accusations of ingratitude were at times far-fetched, he was correct in recognizing that there was a new and different style of black leadership beginning to make its presence known throughout

⁷⁷ Warley had spoken out against the Republican party in the 1927 local elections; *Courier-Journal*, 5, 23, 29 October 1927. Anonymous letters (speculated to have been written by Warley) calling for blacks to vote Democrat, appeared in these editions of the paper.

⁷⁸ For an example of alleged Republican corruptness in favor of white candidates for Louisville's Fifty-Eighth District, see *Leader*, 17 August 1929.

⁷⁹ Collins, "The Political Behavior of the Negroes," 83. Collins notes that the change to the Democrat party by blacks was a national trend influenced by the presence of President Roosevelt.

the city by the late 1930s.⁸⁰ Ironically, more than ever, black Louisvillians began to practice what Warley had preached for years. They depended less on individual action and more on intraracial unity through their civic organizations.⁸¹ The most effective display of this organizational unity was in the area of education. In the spring of 1938, a joint committee representing the NAACP, NUL, and the Louisville Association of Colored Teachers (LACT) combined forces to challenge the fifteen-percent pay disparity between white and black teachers.⁸² Under sustained pressure from NAACP assistant special counsel, Thurgood Marshall, and in the face of black teachers' willingness to jeopardize their jobs, the Louisville Board of Education voted to pay black and white public school teachers comparable salaries.⁸³

⁸⁰ New African-American leaders, such as J.A. Thomas of the National Urban League, J.O. Sweeney of the NAACP, Victor Perry of the Louisville Association of Colored Teachers, and Attorney Charles Anderson, Jr., Fifty-Eighth District State Legislature representative and the first black to sit in the Kentucky General Assembly, were considered much more sophisticated and willing to work together in their efforts for black equality.

⁸¹ A city-wide flood in 1937 left approximately two hundred thousand citizens temporarily homeless, causing organizations and individuals to bond together for the immediate cause. Report from J.A. Thomas, Executive Secretary of Louisville Urban League, "Race Citizens Help in Flood Relief," February 2, 1937, National Urban League Papers, Box 31, Series 4, Manuscript Division, Library of Congress, Washington, D.C. Thomas stated that "the complete story of the cooperation and heroic work of Colored people in the flood which almost wrecked Louisville will probably be difficult to obtain, but it can be said with absolute certainty that in the face of danger, the like of which Louisville had never seen, Negroes from every strata of life gave their all in an effort to preserve life and property."

⁸² Summary of the report of the Louisville Urban League, 1939, Box 31, Series 4, Manuscript Division, Library of Congress, Washington, D.C.

⁸³ For an account of Marshall's involvement, see letters from Louisville Association of Colored Teachers, Victory Perry, to Thurgood Marshall, 21 January 1938, 23 February 1938, and 22 December 1939, NAACP papers, Legal Files, Box B133, Manuscript Division, Library of Congress, Washington, D.C. Also see Brenda Jackson, "The Policies and Purposes of Black Public Schooling in Louisville, Kentucky, 1890-1930" (Ph.D. dissertation, Indiana University, 1976),

Warley's last public stand, perhaps an indication that his longevity in the battles for African-American rights had run its course, also focused on education. On 4 February 1944, State Representative Charles Anderson submitted House Bill 245 to the Kentucky General Assembly with the hope that blacks would gain access to the state's graduate and professional schools. Four days later, Lexington State Representative James Dorman introduced another bill that would provide Kentucky State, the only independent black college in the state, with equipment and faculty equal to the white schools. Because of the importance of this legislation, the Louisville NAACP called for an executive vote to determine which bill it would support. In a written plea to support Dorman's bill, Warley stated that, "If this bill should become law Kentucky State College would become a million dollar university giving to Colored youth law, medicine, and everything the 'white' universities would give."⁸⁴ When the NAACP votes were calculated, apparently Warley's statements were not convincing to the other executive committee members as only two members voted against the Anderson bill. Surprisingly, the House supported the Anderson bill. But more importantly for Warley, the NAACP's overwhelming support for Anderson's bill suggested that Warley's influence had ended. Although African-American leaders had disagreed with Warley many times over the past four decades, usually their differences were with Warley's tactics rather than his desires. In this case, Louisville's black leadership struck a blow against segregation in higher education while Warley, surprisingly, accepted the idea of "separate but equal" facilities.

82. Jackson explains the nuances of the educational background and experience formulas that the Board of Education used to determine salaries.

⁸⁴ Smith, *A Black Educator in the Segregated South*, 134. Smith reports that in 1944 Warley was one of only two Louisville NAACP executive members who voted against a bill to repeal the Day Law; Dorman introduced House Bill 265.

On 2 April 1946, Warley died unexpectedly following complications from an operation.⁸⁵ At the time of his death, Warley was nearly bankrupt.⁸⁶ Most Louisville blacks no longer took him seriously and indeed, many considered him the “enemy of some elements in the Negro community.”⁸⁷ Regardless of his shortcomings, however, the new black leadership and responsible white Louisvillians could not dismiss Warley as a mere rabble-rouser without a mission. Rather, they had to respect the principles of racial equality for which he had stood, and they had to recognize that Warley had played a prominent role in numerous privileges that they were able to enjoy. Ranging from his remarks as a recent high school graduate in 1902 to his legal and political battles for justice throughout the next forty years, Warley had publicly modeled the courage to oppose racial discrimination, often at considerable risk. Though Warley’s drinking and invective offended some, as his daughter Victoria said about her father years later, “But he did what he could.”⁸⁸ And for those who chose to focus on Warley’s negatives, I. Willis Cole, who presided at his funeral, reminded them that, “character did not mean perfection but that it meant that one’s heart was right and motives were pure and that one always tried to do good and do right, as a believer in the fundamentals of Christianity, and that, he attributed to the late Editor

⁸⁵ *Leader*, 6 April 1946. Although a few friends allegedly knew of his illness, many believed that Warley’s death was due to his excessive drinking.

⁸⁶ *Courier-Journal*, 31 December 1999. Warley’s daughter, Victoria Warley Perkins, was quoted as saying that her father “wasn’t the businessman we would have liked him to have been.”

⁸⁷ *Ibid.* Wade Hall, *The Rest of the Dream: The Black Odyssey of Lyman Johnson* (Lexington: University Press of Kentucky, 1988), 77, 141. Lyman Johnson, who desegregated the University of Kentucky in 1949 and ironically followed Warley as Louisville’s most outspoken black activist, remembered seeing Warley “wobble down the street drunk as hell.” Despite his later condition, Johnson recalled in his reflections of Warley that “we all benefited from the groundwork that he had done.”

⁸⁸ *Courier-Journal*, 31 December 1999.

Warley.”⁸⁹ When assessing Warley’s legacy, credit should be given to his incomparable activism among black Louisvillians. Warley’s willingness to challenge the city’s racial climate paved the way toward more direct assertion of black civil rights. His courage to get involved in situations such as residential segregation not only resulted in the elimination of a city ordinance but also contributed to the unprecedented growth of the NAACP in Louisville during the 1920s. Similarly, Warley’s efforts effectively raised the issue of party loyalty versus black representation in Louisville politics. Ultimately, William Warley put into practice a fighting spirit that gave Louisville African-Americans the foundation necessary for future racial struggles.

⁸⁹ *Leader*, 13 April 1946.