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Article Summary: This article presents various aspects of light-skinned black people "passing" for whites by examining the 1919 case of Francis Patrick Dwyer's suit to annul his marriage to Clara McCary Dwyer after becoming suspicious that their new baby boy had Negro blood. While Dwyer was correct, he failed to win his suit, and his wife was able to divorce him and receive child support in 1923.

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Photographs / Images: Douglass P McCary; John R Lynch; Horace Cayton Sr

THE PERILS OF PASSING: THE McCARYS OF OMAHA

By Willard B. Gatewood, Jr.

A strikingly handsome young woman and her three-year-old son, both fair-haired and blue-eyed, were the star attractions in a sensational court case in Omaha, Nebraska, in the summer of 1919. Her name was Clara McCary Dwyer, whose husband, Francis Patrick Dwyer, had filed suit to have their marriage annulled on the grounds that she had "negro blood in her veins."¹ Until 1913 Nebraska law prohibited marriage between whites and persons possessing one-fourth or more Negro blood. In that year the legislature changed the law to ban marriages between white persons and those having "one-eighth or more negro, Japanese or Chinese blood."²

The courtroom drama, which occurred during the Red summer of 1919 when twenty-five race riots occurred in the United States, epitomized the prevailing white attitudes toward race and color. Throughout the spring and summer of that year, the denunciation of blacks as criminals, especially rapists, by the press and trade unions in Omaha undoubtedly had heightened racial tension in the city that ultimately erupted in a riot there late in September 1919. A complicating factor in the Dwyer case was that it involved the phenomenon of "passing," a process by which fair-complexioned people of Negro ancestry "crossed over the color line" into the white world.

Several forms of "passing" existed

among blacks in the United States. One was temporary or convenience passing by which fair-complexioned Negroes occasionally crossed the color line in order to secure decent hotel, travel, and restaurant accommodations or to attend the theater without having to sit in the Jim Crow balcony. Another form was known as "professional passing," whereby a person passed for white in order to hold jobs open only to whites but continued to maintain "a Negro social life." The third form was passing permanently for white, which involved blotting out the past and severing all contacts with the black community. Among other risks was that of exposure. Because of the secretive nature of permanent passing, it is impossible to ascertain how many black Americans actually passed. Estimates ranged from a few hundred to many thousands annually.³

Francis Dwyer, a clerk in a jewelry and leather goods store owned by his brother-in-law, assumed his wife was white until the birth of their son in 1916, when the attending physician, for reasons that are unclear, raised the possibility of Negro ancestry. Once Dwyer became suspicious of his wife's racial heritage, he apparently refused to live with her and their son. He joined the army in 1917 and upon being mustered out of military service, decided to end the marriage legally on the grounds that he had been deceived by his wife. Because he was Catholic and had been married in the Catholic church, he insisted upon an annulment rather than a divorce.⁴

Douglass P. McCary, Clara Dwyer's father, apparently was fully aware of

the risks posed by any legal proceeding which might raise the question of the family's racial identity. Dwyer's brother-in-law, Thomas A. Walsh, claimed that McCary and his wife had visited him shortly after the separation of the couple and before the initiation of the annulment proceedings to obtain his assistance in persuading Dwyer not to take the matter to court. McCary, according to Walsh, insisted that his family "could not afford the publicity" that legal action would attract. McCary promised that if such action were avoided, "everything might be adjusted." Once Dwyer filed the annulment suit, McCary took the position that the plaintiff should be allowed "to proceed as prayed for in his petition" without contest. Dwyer and his attorney assumed, quite incorrectly, that the McCarys would not deny their Negro ancestry and hence would not fight the annulment.⁵

It is not altogether clear why the McCarys decided upon a different course. But the decision was apparently made by Clara Dwyer and her mother. In all probability their main concern was to avoid having the child, Joseph Dwyer, declared illegitimate. According to Nebraska law, upon the dissolution "by decree or sentence of nullity of any marriage between a white and a Negro, any issue of the marriage would be deemed to be illegitimate."⁶

Throughout the trial Clara McCary Dwyer and members of her family, whatever their reasons, resolutely denied that they possessed any Negro ancestry or had ever been identified with blacks. Douglass P. McCary testified under oath in a crowded court-

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The McCarys of Omaha

room that his family was "pure white." He described his grandfather as a "red headed Irishman" and slave owner and his grandmother as a school teacher from Massachusetts who "went South to teach." He testified that he had "always considered himself a white man, that no negroes ever entered his house and that his children had never associated with negroes." McCary told the court that he was a native of Natchez, Mississippi, where his father had been a politician after the Civil War. Although his father had died, he declared that his mother, whose maiden name was Mattie Balfour, lived in Washington, D.C.⁷

When pressed by Dwyer's attorney, McCary admitted that prior to moving to Omaha he had resided in Washington and worked for the Capital Savings Bank, an institution identified with the District's black community. While the bank president was a Negro, he testified, its officers and directors included men of both races. Since McCary had held civil service appointments in the post office department, Dwyer's attorney asked whether he had identified himself as Negro or Caucasian on the civil service application. McCary could not remember nor would he consent to being photographed in the event the case was appealed. He also emphatically denied Dwyer's charge that he had attempted to hide his racial identity and had avoided meeting his daughter's fiance until after the marriage. On the contrary, McCary insisted, Dwyer had been a frequent guest in his home during the courtship of his daughter and that he had often conversed and played games with him.⁸

While portions of McCary's testimony about the history of his family were essentially correct, his insistence that all his forebears were white and had always been so identified was patently erroneous. The McCarys traced their origins to Robert McCary of Natchez, Mississippi, who, born a slave, was freed, along with his sister, in 1815 by the will of their white owner and



Douglass P. McCary. Courtesy of the author.

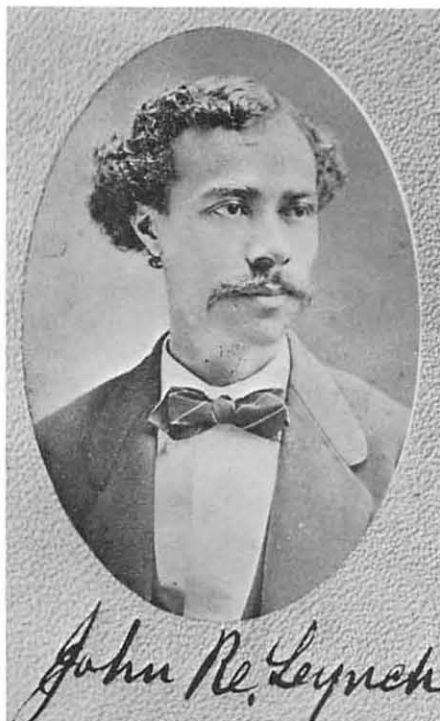
father, James McCary, a cabinetmaker. Both inherited town lots in Natchez and received the income from the labor of two slaves. The executor of James McCary's will was scrupulous in his efforts to carry out its provisions, especially in providing for the education of Robert McCary and his sister.⁹ Robert became a barber in Natchez, acquired substantial real estate, owned slaves, and purchased stock in the Mis-

issippi Railroad Company. His closest friend was William Johnson, also a free man of color and a barber, whose lengthy diary provided a unique view of antebellum Natchez. The McCarys, along with the Johnsons, Fitzgeralds, Barlands and Winns, made up the aristocracy of the free black population of the city. Notwithstanding the restrictions imposed on free blacks, those belonging to the small elite of

Natchez's free people of color enjoyed exceptional privileges. They were literate, owned property and slaves, and had their marriages officially recorded. In manners and deportment they emulated the white planter aristocracy and stood aloof socially from slaves and lower class free blacks. They viewed with disdain what they considered the uncouth behavior of the lower classes, both black and white. Their keen sense of propriety prompted them to look upon "darkey parties" in which slaves and lower class free blacks intermingled socially as amusements of "low minded wretches."¹⁰

Of Robert McCary's children, the one who achieved the greatest local prominence was William. In 1851 he married Lavinia Miller, the niece of William Johnson and an educated member of a well-to-do free family of color in New Orleans. During Reconstruction, William McCary was prominent in Republican politics in Natchez and Adams counties. In succession he served as city alderman, county treasurer, sheriff, and postmaster of Natchez. McCary was an early supporter of a rising young black politician from Natchez by the name of John R. Lynch and was one of the managers of Lynch's successful campaign for Congress in 1872.¹¹

Throughout the late nineteenth century the McCarys continued to occupy a place at the top of the social ladder in Natchez's black society. They belonged to what was scornfully referred to by other blacks as "the blue vein society." "In Natchez, Mississippi," a knowledgeable black observer later recalled, "quite a majority of the society folks among the colored people are quadroons and octoroons, a great many of them so fair in complexion that it would keep even a [white] southerner guessing to separate the white folks from the colored folks."¹² In 1886 Horace Cayton, the son of a white planter's daughter and a slave, who later married the daughter of Hiram Revels, Mississippi's first black United



John R. Lynch. Courtesy of Mississippi Department of Archives and History.

States senator, visited Natchez as the guest of a friend from Alcorn A&M College, the state-supported black college in Mississippi. In Natchez Cayton was profoundly impressed by the lifestyle and gentility of the elite black families and much taken with "four beautiful sisters" of his college friend. His arrival in the city coincided with the "most select social function" of its black elite, and he was invited to attend. For him the occasion was marred only by a remark made by a member of Natchez's black elite who, upon seeing Cayton, asked, "Well, I wonder what the nigger wants here?" Though describing himself as "between a mulatto and quadroon" in complexion, Cayton was "the darkest person in that room." He realized that he was "in a strictly blue veined colored society where darker persons were not wanted." It was at this "select social function" that he first met Douglass and Wallace McCary, the sons of

William McCary, whom he described as "two magnificent specimens of genus homo, not quite so fair in complexion as most of those present, but with shapely features and raven black hair that gave them much the appearance of Spaniards." In 1919 when Cayton read about the McCarys of Omaha in connection with the annulment suit, he recalled the "eventful blue veined party evening" in Natchez thirty-three years earlier.¹³

The end of Reconstruction meant a decline in the political fortunes of the McCarys and other blacks in Mississippi. Like many of "the young men of the blue vein society of Natchez," Douglass and Wallace McCary, as well as their younger brother Michael, "became political proteges of John R. Lynch" who, after his defeat for reelection to Congress in 1882, secured a succession of federal appointments. The McCarys, like Lynch, moved to Washington.¹⁴

Douglass McCary immediately enrolled in the Spencerian Business College in Washington and upon completion of the course entered Howard University Law School and ultimately obtained a law degree. His brother Wallace attended Howard Medical School but did not graduate. For a time he held a position in the United States Pension Office and later served with the Twenty-fifth Infantry, one of the four all-black regiments in the regular army. The youngest brother, Michael McCary, served as secretary or clerk to John R. Lynch and went with Lynch to Cuba when President William McKinley appointed him Paymaster of the Army.¹⁵

Of the McCary brothers Douglass became most closely identified with Washington's black community and more particularly with what was known as the "colored 400" of the District. Two years after his arrival in the capital city and shortly after his father's death, he married Mattie Juliet Balfour of Natchez at St. Augustine's Roman Catholic Church in Washington. The local press described her as "one of the

most accomplished ladies of Mississippi.”¹⁶

Shortly after completion of the business course McCary became cashier of the newly organized Capital Savings Bank, a black-owned and operated institution, established in 1888. At one time or another during its fifteen-year existence the bank’s officers included a sizable segment of Washington’s black elite. John R. Lynch, who was on intimate terms with the bank’s founders and ultimately became its president, may well have assisted McCary in securing the post of cashier.¹⁷

McCary was, for all practical purposes, the chief operating officer of the Capital Savings Bank. It prospered under his direction and successfully weathered the Panic of 1893 “without asking quarter from anyone, paying every obligation in demand.”¹⁸ The black press treated the bank as a showpiece of black enterprise attesting to the financial acumen of Negro Americans and credited its remarkable achievement to McCary’s “efficient management, unflinching tact and energy.” Both the *Washington Colored American* and its contemporary, the *Washington Bee*, agreed that McCary was a model of “the progressive, high-purposed and capable young Afro-American” whose life was “a symposium of useful and elevating activities.”¹⁹

Despite such praise, rumors began to circulate in April 1902 that the Capital Savings Bank was in serious trouble. The *Washington Bee* discounted such rumors and insisted that “no depositor will lose a cent” so long as McCary was in charge.²⁰ From Cuba, John R. Lynch expressed grave concern about its solvency and maintained that if it “must fail, make Doug [McCary] the receiver.”²¹ Several directors were deeply in debt to the bank, and many of its loans were either unsecured or inadequately secured. The institution suspended operations on November 21, 1902, and passed into the hands of receivers, who discovered they had

\$3,000 on hand to cover deposits of more than \$89,000. Lawsuits were ultimately instituted against the directors, several of whom declared bankruptcy. Although the bank, according to one authority, suffered from mismanagement, there was never any charge of dishonesty made against McCary. He publicly denied any responsibility for its failure and claimed to have suffered personal financial losses as a result. In fact, of all the officers and directors of the bank, McCary appears to have encountered the least hostility from depositors and creditors.²²

Following the closing of the Capital Savings Bank, McCary left Washington in the fall of 1903 and settled in Omaha. Shortly after moving west, he wrote a friend that he was “deeply grieved at the circumstances” surrounding the bank’s failure but was powerless to prevent it. No one, he said, could appreciate the “tough proposition I have had to contend with.”²³ In Omaha McCary opened a law, real estate and insurance office in the Prenzer Building and purchased an interest in the *Omaha Progress*,²⁴ a black weekly that was apparently in a precarious financial condition. But this venture into journalism appears to have been brief. In fact, the McCarys of Omaha disappeared from view in the black community. Beginning in 1906 Douglass McCary was an employee in the Omaha post office.²⁵

By 1905 McCary was no longer designated as “colored” in the Omaha city directory. In the census of 1910 he and his family were listed as white.²⁶ In brief, the McCarys were “passing.” Suddenly in 1919, the family was threatened with exposure, owing largely to the suspicions aroused by a physician about the racial identity of Douglass McCary’s grandson and the great-great-grandson of Robert McCary, the mulatto boy freed by his white father in Natchez, Mississippi, more than a century earlier.

Why Douglass McCary decided to “pass” cannot, of course, be ascer-

tained with certainty, but the circumstances suggest several possibilities. First, court decisions relating to the Capital Savings Bank failure ruled that officers and directors were liable for the losses of the institution’s depositors, including many benevolent organizations. McCary, who was both an officer and a director, may have reasoned that by moving west and disappearing into the white world, he would somehow escape the fate of certain others connected with the defunct bank. A second possible motive for his decision to move to Omaha and pass for white, especially since his name did not figure prominently in the litigation over the bank, was simply a desire to escape the impediments placed upon all those identified as Negroes everywhere in early twentieth century America, regardless of their intelligence, education and refinement. The McCarys possessed a sufficiently fair complexion — at most no darker than “Spaniards” — to pass for white. They undoubtedly appreciated the risks of such a step but felt that they were worth taking in order to enjoy the opportunities and advantages available to those classified as white.

Regardless of the criticism directed toward fair-complexioned Negroes who allegedly withdrew into color-conscious “blue vein societies,” most black Americans fully understood why some chose to “pass,” namely to reap the benefit of first-class citizenship. Although blacks were careful to guard the secret of those who did “pass” and tended to treat such people as dead, there was always the possibility of exposure and with it humiliation. The unwritten rule in the black community appeared to be that it was acceptable to “pass” but unacceptable to be caught at it. To be exposed was to risk condemnation not only from whites but from blacks as well. Such were the ironies, incongruities, and tragedies of racial, or more specifically color, prejudices.

Douglass McCary, whose name appeared in the press and in court documents as Douglas McCary either

by error or by his own alteration of it, obviously decided upon taking the witness stand on July 1, 1919, to swear that he and his family were "pure" white. In the course of his testimony, therefore, he repeatedly provided false information. While his recitation of facts about his grandfather being a slave owner and his father holding various political offices in Natchez was true, virtually everything else he said about their racial identity was false. His grandfather may have had red hair, but he was a Negro, a free man of color, the son of a white man and slave woman. He maintained that his mother was a white woman, whose maiden name was Mattie Balfour, and a resident of Washington. Balfour was, in fact, his wife's maiden name.²⁷ Nor did the officers and directors of the Capital Savings Bank, as he declared, include both blacks and whites; it was strictly a black institution. Finally, his claim that he and his family had "never associated with negroes" was patently untrue.

McCary's testimony caught Dwyer and his attorney, John O. Geiser, totally by surprise since they assumed that he would not deny his Negro ancestry.²⁸ Geiser called as a witness the physician who delivered the Dwyer's son and who first raised the possibility that the baby had "negro blood." "If the mother has negro blood in her veins," Geiser asked, "would it be possible for this child to grow up, marry and have a negro child?" The doctor replied in the affirmative and declared that the "taint of Negro blood" might remain "dormant for 16 generations and then come to active life."²⁹ A letter to the editor of the Omaha *Evening World-Herald* signed "Anthropologist" noted that physicians were notoriously deficient in knowledge about genetics and urged the court to consult a physical anthropologist. Among those the writer suggested was Professor Franz Boas of Columbia University.³⁰

Clara McCary Dwyer filed an answer and cross-petition to her husband's annulment suit in which she sued him

for divorce on the grounds of desertion. She also requested custody of and support for her child.³¹ Dwyer's relatives claimed that he was willing to support his son but only if the child was "placed in a Negro institution" and reared "as a Negro, not as white child, in order that he may never marry a white girl."³²

After hearing all the testimony, Judge A. C. Troup on July 2 refused to grant the annulment. He maintained that no evidence had been produced to prove that Mrs. Dwyer and her son "were not of white blood." The judge reprimanded Dwyer for bringing shame upon his wife and child but reserved his harshest words for the physician. In "a voice that shook with emotion," he declared that the doctor's suggestion of Negro ancestry was "a cruel and reprehensible thing" to do, for it sowed the seeds of discord and unhappiness among a family in which harmony and contentment had prevailed. Judge Troup also commented that Clara McCary Dwyer exhibited no visible evidences of Negro blood and that "the child was beautiful."³³

Shortly after Judge Troup's decision, Dwyer's attorney moved for a new trial on the grounds that he possessed

newly discovered evidence . . . which he could not with reasonable diligence [sic] have produced at the trial for the reason that the plaintiff did not expect [the] defendant's father to deny that he had negro blood.

This new evidence included affidavits and depositions disputing much of McCary's testimony about his ancestry and his life in Washington. Dwyer's attorney claimed to have proof that one of McCary's brothers lived as a Negro and had married a black woman in a black church. When the motion for a new trial was rejected,³⁴ Dwyer appealed Judge Troup's decision to the Nebraska Supreme Court. To clear the way for the appeal to go forward without the complication of the cross-petition, the judge set aside his decision of July 2 disallowing annulment and granted Clara Dwyer permission to file a new answer in which she did not request divorce. Attorneys for both

sides agreed. Clara Dwyer was, then, authorized by the court to initiate separate divorce proceedings.³⁵ By the time of the appeal, space devoted to the annulment case by the press had been preempted by stories of race riots in Longview, Texas; Washington; and Chicago. The two major white dailies in Omaha lavished much attention on the Dwyer case, often featuring front-page stories, until mounting racial tensions and the eruption of a riot in that city on September 28, 1919, captured the headlines.

Although the city's white dailies contained numerous unfavorable references to blacks, especially to what was interpreted as their criminal activities, in the first eight months of 1919 and may well have contributed to an atmosphere that exploded in a race riot in September,³⁶ they did not champion Dwyer's cause in the suit against his wife. Convinced that the McCarys were indeed white, the white press tended to treat the family with sympathy and showed no inclination to disagree with Judge Troup's decisions.

In contrast, the black newspaper in Omaha, *The Monitor*, which was usually quick to comment on racial and interracial topics, omitted extensive coverage of the Dwyer-McCary case. It is likely that the *Monitor's* editor, John Albert Williams, a former pastor of a black Episcopal congregation in Omaha, knew of the McCarys' racial identity.³⁷ In its issue of July 17, 1919, after the case had been aired thoroughly in the local white press, the *Monitor* published a short article entitled "Douglas B. McCary of Omaha Denies Negro Blood," in which McCary was identified as "former cashier of the Capital Savings bank of Washington, D. C., of which John R. Lynch was president." The *Monitor* also published on that date a brief editorial entitled "Ashamed of Blood":

Every man and woman who has African blood in his veins, and knows it, should be proud of that fact, because it is the blood of one of the noblest races that God has made. What should concern him most is that he live true to the best traditions of that race. The history of the African race is

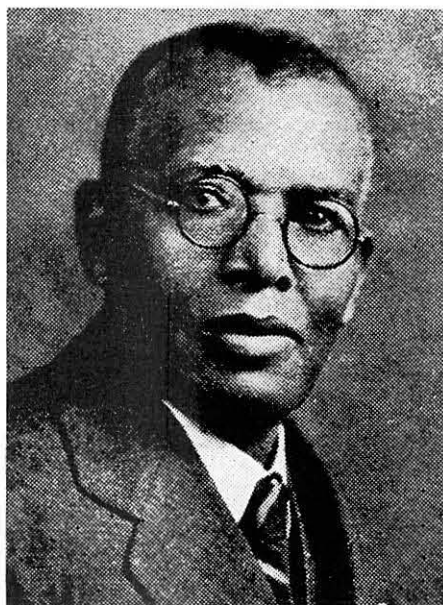
The McCarys of Omaha

nothing to be ashamed of. True, much of its history is unknown to the average reader, but the more truth comes to light the greater becomes the reason for pride in one's African ancestry. Only a shallow brain or an apostate will be ashamed of his blood.³⁸

This editorial comment may well have been directed at the McCarys.

One of the earliest and most unusual responses by the black press outside Omaha was that by the *Topeka Plaindealer*, whose editor and publisher, Nick Chiles, assumed that the McCarys were white and that Dwyer's charge about his wife possessing Negro ancestry was merely a ploy to rid himself of the responsibilities of an unwanted family. The editor claimed that Dwyer, like numerous other white Americans, was "seeking cover through the color question." Chiles used the occasion to deliver a lengthy commentary on "race-mixing" in America, claiming that whites had "been mixing with the colored race so long that you can hardly tell to what race any American belongs." It was this infusion of white blood, according to Chiles, that had caused some blacks to become criminals and vagabonds. He suggested that Dwyer, upon investigation into his own family background, might well find some admixture of Negro blood. But Chiles's most severe criticism of Dwyer concerned the anguish and pain he had brought upon his own wife and child.³⁹

Perhaps the most thorough analysis of the McCarys' troubles was a lengthy piece by Horace Cayton, an old acquaintance of the family, who was editor of *Cayton's Weekly* in Seattle. The piece was reprinted, without editorial comment, by the *Washington Bee*, a newspaper that mentioned McCary often and favorably throughout his residence in Washington. Cayton recalled his encounter with Natchez's "blue vein society" to which the McCarys belonged and commented on the extent to which such fair-complexioned Negroes had crossed the color line into white society. Many of "those white colored folks" of Natchez, he explained, came to realize that they



Horace Cayton, Sr. Courtesy of Special Collections Division, University of Washington Libraries, Negative Number 419.

"were entirely too white to be black," so they "began to scatter and seek other places to cast their lots, where they could throw off their color handicaps." They moved to Washington, Chicago, and various cities in the West and Midwest where, like the McCarys in Omaha, "they turned white." Cayton claimed that he knew of at least "a hundred or more families . . . who in the South and East were designated as colored," but who lived as whites in Seattle. In his opinion any Afro-American who was "so white that it requires an expert to tell whether he or she is colored," imposed on "colored folks when he or she says, 'I am colored.'" Disclaiming any "sinister motives" in writing in such detail about the McCarys and their decision to "pass," Cayton maintained that his purpose was merely to inform the public of how widespread and general the "mixture of white and colored bloods" was in America. The amalgamation of the races, he declared, would be the ultimate outcome of the "human juggling" that had

been in progress since 1620 when a Dutch vessel landed twenty Africans in Virginia. "God works in mysterious ways," Cayton concluded, "and He seems to have adopted the Douglas[s] McCary way to work out his color scheme in the United States."⁴⁰

The Nebraska Supreme Court ultimately refused Dwyer's appeal of Judge Troup's decision, but a local court in Omaha granted Clara Dwyer a divorce on March 6, 1923. The grounds were "extreme cruelty" and desertion.⁴¹ When the court ordered Dwyer to pay twenty dollars a month for the support of their son, who was eight years old by that date, he immediately filed a protest, claiming that the divorce decree had been "irregularly obtained" and that the amount was exorbitant and "beyond his means" to pay. The court denied his motion to reduce the amount of child support.⁴²

In the opening decades of the twentieth century an increasingly virulent Jim Crowism tolerated fewer and fewer breaches of the color line. If blacks exhibited extraordinary sympathy and even support for those who chose to pass for whites, they, no less than whites, viewed interracial marriage with hostility. When, for example, Frederick Douglass married a white woman in 1884, the reaction of many blacks was as negative as that of whites.⁴³ So ostracized were interracial couples by both blacks and whites that they created their own organization, the Manasseh Society, in the early 1890s in various midwestern cities.⁴⁴ As of 1931, twenty-nine states had statutes prohibiting the marriage of whites to Negroes "or with individuals of other races."⁴⁵ In 1963 Nebraska repealed its prohibition against "racially mixed marriages."⁴⁶ While the Nebraska courts never legally established the racial identity of the McCarys "as other than white," the case demonstrated the risks incurred by fair-complexioned blacks who attempted permanent passing. From a strictly legal standpoint, the McCarys were more fortunate than others⁴⁷ whose racial

identity was exposed in legal proceedings involving divorce and annulment.

NOTES

¹Divorce Petition, May 9, 1918, *Dwyer v. Dwyer*, Document 158, Number 311, District Court, Douglas County, Omaha, Nebraska; all references hereafter will read *Dwyer v. Dwyer* with an indication of the particular document involved.

²Pauli Murray, ed., *States' Laws on Race and Color* (Cincinnati: Women's Division of Christian Service, Methodist Church, 1952), 263; Albert A. Jenks, "The Legal Status of Negro-White Amalgamation in the United States," *American Journal of Sociology*, XXI (March 1916), 668, 676; for background and earlier opposition to the Nebraska law on "mixed marriages" see *The Afro-American Sentinel* (Omaha), March 13, 20, 27; April 10, May 1, 1897.

³On "passing" see William M. Kephart, "The 'Passing' Question," *Phylon*, X (Fourth Quarter, 1948), 336-40; Gunnar Myrdal, *An American Dilemma: The Negro Problem and Modern Democracy* (New York: Harper and Brothers, 1944), 683-88.

⁴Omaha Evening World Herald, June 26, 1919; Omaha Daily Bee, June 27, 1919; Divorce Petition, May 9, 1918, *Dwyer v. Dwyer*.

⁵Thomas A. Walsh, Affidavit, October 11, 1919, *Dwyer v. Dwyer*.

⁶Jenks, "Legal Status of Negro-White Amalgamation," 676.

⁷Omaha Evening World-Herald, July 1, 1919; Omaha Daily Bee, July 2, 1919.

⁸Ibid.

⁹Terry L. Alford, "Some Manumissions Recorded in Adams County Deed Books in Chancery Clerk's Office, Natchez, Mississippi, 1795-1835," *Journal of Mississippi History*, XXX-III (February, 1971), 44; William Ransom Hogan and Edwin Adams Davis, eds., *William Johnson's Natchez: The Antebellum Diary of a Free Negro* (Baton Rouge: Louisiana State University, 1951), 43, 257.

¹⁰Hogan and Davis, *William Johnson's Natchez*, 11, 41-43; see also Edwin A. Davis and William R. Hogan, *The Barber of Natchez* (Baton Rouge: Louisiana State University Press, 1973), chapter 20.

¹¹Hogan and Davis, *William Johnson's Natchez*, 755, 769; John Hope Franklin, ed., *Reminiscences of an Active Life: The Autobiography of John Roy Lynch* (Chicago:

University of Chicago Press, 1970), 57-102; John R. Lynch, "Historical Errors of James Ford Rhodes," *Journal of Negro History*, II (October 1917), 356-57; *The Semi-Weekly Louisianian* (New Orleans), November 26, 1871.

¹²Horace R. Cayton, "They Turned White," *Cayton's Weekly* (Seattle), August 2, 1919; for a similar, but earlier, description of Natchez's "blue vein" society by Cayton, see *ibid.*, January 14, 1919; on Cayton see his son's autobiography, Horace R. Cayton, *Long Old Road* (New York: Trident Press, 1965), especially pp. 2-3.

¹³*Cayton's Weekly*, August 2, 1919.

¹⁴Ibid.

¹⁵For a biographical sketch of Douglass B. McCary, see Andrew F. Hilyer, comp., *The Twentieth Century Union League Directory* (Washington: Union League, 1901), 24; on his brothers see *Colored American* (Washington), August 19, 1899; Daniel Smith Lamb, *Howard University Medical Department* (Freeport, New York: Books for Libraries Press, 1971), 253.

¹⁶*Washington Bee*, August 3, 1889.

¹⁷Ibid., October 27, November 3, 1888; Abram L. Harris, *The Negro As Capitalist: A Study of Banking and Business Among American Negroes* (Philadelphia: American Academy of Political and Social Science, 1936), 104-7; Hilyer, *Twentieth Century Union League Directory*, 16, 22, 24-26, 115; M. Sammie Miller, "An Early Venture in Black Capitalism: The Capital Savings Bank in the District of Columbia, 1882-1902," *Records of the Columbia Historical Society of Washington*, D. C., L (1980), 359-66.

¹⁸W. E. Burghardt Du Bois, ed., *Economic Co-operation Among Negro Americans* [Proceedings of the Twelfth Conference for the Study of Negro Problems]. (Atlanta: Atlanta University Press, 1907), 137.

¹⁹*Washington Colored American*, August 17, 1901; *Washington Bee*, August 3, 1889, November 25, 1902.

²⁰*Washington Bee*, November 25, 1902.

²¹John R. Lynch to Whitefield McKinlay, November 14, 1902, Whitefield McKinlay Papers in Carter Woodson Collection, Manuscript Division, Library of Congress.

²²Abrams, *The Negro as Capitalist*, 106-7; *Washington Bee*, January 10, 31; February 7, 1903; March 12, 19, 1904; December 30, 1905; July 21, 1906.

²³Douglass B. McCary to Whitefield McKinlay, October 31, 1903, McKinlay Papers.

²⁴*Washington Bee*, December 5, 1903.

²⁵McCary appears as a postal employee in Omaha in the *Official Register of the United States*, first in 1907 (II, p. 296) earning \$800 per year.

²⁶United States Department of Commerce and Labor, *Thirteenth Census of the United States*,

1910. Douglas County, Nebraska, Enumeration District 90, page 5A.

²⁷*Washington Bee*, August 3, 1889.

²⁸Motion for New Trial, undated, *Dwyer v. Dwyer*.

²⁹Omaha Daily Bee, June 27, 1919.

³⁰Omaha Evening World-Herald, July 3, 1919.

³¹Answer and Cross-Petition, July 1, 1919, *Dwyer v. Dwyer*.

³²Topeka Plaindealer, July 4, 1919.

³³Decree, July 8, 1919, *Dwyer v. Dwyer*; Omaha Evening World-Herald, July 2, 1919; Omaha Daily Bee, July 3, 1919.

³⁴Motion for a New Trial, *Dwyer v. Dwyer*.

³⁵Omaha Evening World-Herald, July 8, 1919.

³⁶Arthur I. Waskow, *From Race Riot to Sit-In: 1919 and the 1960's* (Garden City, New York: Doubleday and Co., 1966), 110; Michael L. Lawson, "Omaha, A City in Ferment: Summer of 1919," *Nebraska History*, LVIII (Fall 1977), 395-417; Orville D. Menard, "Tom Dennison, The Omaha Bee and the 1919 Omaha Race Riot," *ibid.*, LXVIII (Winter 1987), 162-63.

³⁷Williams, born in Canada and reared in Detroit, graduated from the Seaburg Divinity School in Minnesota and became the first rector of the Saint Philip the Deacon Protestant Episcopal Church in 1893; see *The Enterprise* (Omaha), April 4, 1896.

³⁸*The Monitor* (Omaha), July 17, 1919.

³⁹Topeka Plaindealer, July 4, 1919.

⁴⁰*Cayton's Weekly*, August 2, 1919 (reprinted in the *Washington Bee*, August 16, 1919).

⁴¹Divorce Decree, March 6, 1923, *Dwyer v. Dwyer*.

⁴²Motion, August 22, 1923, *Dwyer v. Dwyer*.

⁴³Benjamin Quarles, *Frederick Douglass* (New York: Atheneum, 1968), 299-300; see also John G. Menck, *Mulattoes and Race Mixture: American Attitudes and Images, 1865-1918* (N.P.: UMI Research Press, 1979), 107-23.

⁴⁴On the Manasseh Society and similar organizations of later origins, see Reverdy C. Ransom, *The Pilgrimage of Harriet Ransom's Son* (Nashville: Sunday School Union, N.D.), 91-93; *Plaindealer* (Detroit), April 8, 1892; *Cleveland Gazette*, April 9, 1892; *Indianapolis World*, April 16, 1892; Ernest Porterfield, *Black and White Mixed Marriages* (Chicago: Nelson-Hall Publishers, 1978), 42-43.

⁴⁵Edward B. Reuter, *Race Mixture: Studies in Inter-marriage and Miscegenation* (New York: McGraw-Hill Book Co., 1931), 82.

⁴⁶*Laws Passed By the Legislature of the State of Nebraska, Seventy-Third Session, 1963*, 736.

⁴⁷See, for example, the case of Mrs. Arthur Little of Detroit in which the anthropologist Franz Boas was called in as a consultant; *New York Age*, December 31, 1917.