

# *John Stephens Durham, Black Philadelphian: At Home and Abroad*

**J**OHNS STEPHENS DURHAM, unlike so many exceptional blacks whose roots rested in slavery, was not a first-generation achiever. He was a descendant of earlier black achievers, among them Clayton and Jeremiah Durham, who assisted Richard Allen in founding the African Methodist Episcopal Church. There was also a maternal grandfather who, it was said, was driven out of the state of Virginia for alleged complicity in the Nat Turner slave insurrection of 1831, after which he was active in the underground railroad for thirty years, or until the outbreak of the Civil War.

The descendant of ancestors who were people of “personal beauty, social culture, intellectual attainments, and leadership in the affairs of the church,” John Stephens Durham was born in Philadelphia, on July 18, 1861, the son of Samuel and Elizabeth (Stephens) Durham.<sup>1</sup> While yet a boy, following the death of his father, he was forced to go to work to help support the family. But Durham still found time to attend the public schools of Philadelphia, and subsequently, in 1876, he graduated from the Institute for Colored Youth in that city. Then, like so many young men of larger dreams, he taught school for awhile — in Delaware, Pennsylvania, and New Jersey, until he returned to study at the University of Pennsylvania, which awarded him the B.S. degree in 1886, and a diploma (C.E.) in civil engineering in 1888. Also, in the academic year 1887–88, he enrolled in the law school as well, but he did not stay to complete the law degree.<sup>2</sup>

As a university student, Durham probably met considerable racial prejudice, because he was a Negro. But through recognition by whites of his native ability, plus his own personal charm, he was able to beat down any prejudice sufficiently to become a favorite in his class and a leader in athletics. He was associate editor of *The Pennsylvanian*, a member of the class football team, and during his last year at the University he was a substitute on the varsity football team.

<sup>1</sup> *National Cyclopedia of American Biography*, 4, p. 408

<sup>2</sup> James A. Padgett, “Diplomats to Haiti and Their Diplomacy,” *Journal of Negro History*, 25 (July, 1940), 297, Francis James Dallett (Archivist, University of Pennsylvania) to the author, Philadelphia, December 8, 1980

Durham worked his way through the University as a janitor, as night superintendent of the registered mail department of the Philadelphia post office, and as a reporter for the *Philadelphia Times*. Then, following receipt of the B.S. degree, and while still pursuing his engineering studies, Durham became associate editor of the *Philadelphia Evening Bulletin*, a position which he filled until 1890.<sup>3</sup>

In the Republican era 1865–1912, but especially in the years prior to 1900, black college graduates were at a premium. Durham was thus a natural for political appointment: a college graduate and a trained engineer from one of the nation's leading universities, with a flair and natural ability in the use of language honed by experience with a large, leading newspaper in a major city. In addition, he was a handsome and well-proportioned man, and light enough in complexion to pass for white, which meant that he was less likely to offend those whites who somehow always found it hardest to accept intellectual achievement in very black Negroes. It was small wonder then, with the defeat of Democrat Grover Cleveland in 1888, that President Benjamin Harrison, in May 1890, named twenty-nine year-old John Stephens Durham consul general to the black republic of Santo Domingo. In that obscure post, Durham's most notable achievement was his role in the conclusion of a reciprocity treaty between the United States and Santo Domingo.<sup>4</sup> In that action, and in others over the next fifteen months, Durham's role was sufficiently distinguished for President Harrison, on September 3, 1891, to elevate him to the post of minister to Haiti. These two posts led to a life-long interest in, and love of, the Caribbean area.

When Durham arrived at his post in the Haitian capital of Port au Prince, a revolution was in full swing, and most of his subsequent activities in that post were in some way connected with keeping the United States from becoming involved in Haitian domestic affairs and in protecting American citizens from the overzealousness of those currently in power.

For instance, on January 7, 1892, Durham wrote Secretary of State James G. Blaine that domestic turmoil had led two refugees to seek, but not obtain, asylum at his residence at Turgeau. Blaine promptly

<sup>3</sup> Padgett, "Diplomats to Haiti," 297, undated clipping, *Philadelphia Bulletin*, Martin Myerson and Dilys Pegler Winegrad, *Gladly Learn and Gladly Teach* (Philadelphia, 1978), 112, *University of Pennsylvania Illustrated* (Boston, 1902), 2, p. 326

<sup>4</sup> Padgett, "Diplomats to Haiti," 298

replied, and reminded Durham that it was the policy of the United States not to receive refugees in either its legations or its ministers' residences under such circumstances — namely, domestic turmoil or revolution. With a trace of testiness at what he obviously felt was Blaine's reminding him of what he already understood, and revealing a spirit of independence that led him to question the wisdom of, and the lack of humanity in, such a hands-off policy, Durham wrote back to Blaine that he had always understood his instructions, and because he had, he had denied the refugees' request even before informing the Secretary of the incident. Then he noted that the two refugees in question *had* been granted asylum in the French legation.<sup>5</sup> The implication was clear. Durham thought that American policy *should* have allowed the legation to take them in.

Other than day-to-day affairs and routine communications with Washington, there was little of moment, excepting one incident, the Mevs affair — a tempest in a teapot blown out of proportion by the volatility of all public affairs in Haiti.

Frederick Mevs, a thirty-one year-old merchant and representative of the Boston firm of Green, Kenaebel, and Company, which annually paid in Haitian customs duties at least \$75,000, was arrested and jailed on charges of smuggling — namely, one dozen cotton chemises and a half-dozen nightshirts, on which the total customs due was two dollars.<sup>6</sup> Mevs was arrested on November 12, 1892, and held in what was described as a filthy jail without even being interrogated until December 1, when all charges against him were dismissed.<sup>7</sup>

After Mevs was freed the real diplomatic sparring commenced. At the time of the arrest, Durham was on leave in the United States. He was promptly ordered to return and to try to straighten out the incident, with the power to seek such apologies and/or reparations as he felt were justified, after first making a thorough investigation. The cruiser *Atlanta* was put at his disposal, and on December 26, 1892, Durham sailed for Port au Prince. Upon arrival, he requested, and received, an audience with the Haitian president, to whom he stated his case but entered into no discussion or argument of the issues. Meanwhile, Mevs

<sup>5</sup> *Papers Relating to the Foreign Relations of the United States, December 5, 1892* (Washington, 1893), 1, 347-48.

<sup>6</sup> *Papers Relating to the Foreign Relations of the United States, December 4, 1893* (Washington, 1894), 1, 355-56.

<sup>7</sup> *Ibid.*, 358-62.

was seeking damages of \$1,000 a day for each day he had been imprisoned, or \$20,000 in all.<sup>8</sup>

Durham, meanwhile, was taking a hard-line stand, and he requested that the *Atlanta* be ordered to stand-by in the event that "its assistance" was needed to assure collection of the indemnity.<sup>9</sup> Seeking to avoid making a crisis out of the incident, Secretary of State John W. Foster, who had replaced Blaine in that office, refused Durham's request and declined approval of use of the *Atlanta* as a means to spurring along the negotiations.<sup>10</sup> Durham, still arguing the righteousness of his cause, then wrote:

I beg leave to say in defense of my course that it had been inspired . . . not by any lack of due caution and consideration, but by my careful study of the country and sense of duty as I conceive it, overcoming my natural sympathy for members of my own race struggling with that difficult experiment of self-government under democratic forms.<sup>11</sup>

Apparently, Durham thought that the \$20,000 indemnity sought by Mevs was excessive, because when the Haitian government offered \$6,000, he accepted. Later, Haiti sought to reopen the negotiations by trying to reduce its offer to \$5,000, but on April 12, 1893, the \$6,000 in United States currency was delivered to Durham for him to turn over to Mevs.<sup>12</sup> By that date, however, Democrat Grover Cleveland was back in the White House as a result of the election of 1892, and on September 15, 1893, Durham was relieved of his post by the newly appointed Henry Maxwell Smythe, a white man from Virginia.<sup>13</sup>

Back in Philadelphia, Durham resumed the study of law, but not at the University, and he was admitted to the Pennsylvania Bar in 1895. Brief practice of the law was interrupted by the lure of the tropics once more, and in 1896 Durham returned to Santo Domingo to manage a sugar plantation, which he did for the next four years.<sup>14</sup>

On one of his trips home from Santo Domingo, on July 1, 1897,

<sup>8</sup> *Ibid.*, 363-65.

<sup>9</sup> *Ibid.*, 366-67.

<sup>10</sup> *Ibid.*, 370.

<sup>11</sup> *Ibid.*, 371-72.

<sup>12</sup> *Ibid.*, 381.

<sup>13</sup> Padgett, "Diplomats to Haiti," 299.

<sup>14</sup> Undated clipping from the *Philadelphia Bulletin*.

Durham married. His wife was Constance Mackenzie, superintendent of the kindergarten schools in Philadelphia and the white daughter of Dr. R. Shelton Mackenzie, longtime literary editor of the *Philadelphia Press*. Reputedly, it was a marriage ten years delayed by fears of what such an inter-racial relationship would face. According to all that we know concerning the attitude toward mixed marriages in the last century, their lot must have been made difficult, at least by whites who knew that Durham was a Negro, and by blacks who knew that Constance was white. Strangers, of course, took them both for white, as there was no discernible difference in their skin color. They subsequently had two children, both boys.<sup>15</sup>

In 1900, Durham returned to Philadelphia, where he resumed the practice of law, mostly representing both European and American interests in the Caribbean.<sup>16</sup> His law offices were located on the fourth floor of the Crozer Building, 1420 Chestnut Street. Then, once more, political preferment beckoned and the tropics called to Durham, for in 1902 President Theodore Roosevelt appointed him an assistant district attorney with the newly created Spanish Treaty Claims Commission.

The Spanish Treaty Claims Commission was created by Congress in March 1901 for the purpose of settling the claims made against Spain by Americans living in Cuba in 1898, for which, by the Treaty of Paris ending the Spanish American War, the Americans assumed responsibility. Total damages claimed, even after amending the original claims, still amounted to almost sixty-five million dollars, including nearly three million dollars for deaths and injuries aboard the battleship *Maine*. The Commission disallowed all the claims involving the *Maine*, on the grounds that international law covered only private claims against a government, not those of an army or navy against that government. A large part of the sixty-five million dollars in claims must also have been fraudulent, because the Commission pared down the actual awards to \$1,387,845.74!<sup>17</sup>

Meanwhile, Durham's literary side had surfaced, with both fictional

<sup>15</sup> *Ibid*, *Crisis* (February, 1920), 200-02, Catherine Morris Wright (a childhood playmate of Durham's two sons) to the author, Jamestown, R I, December 20, 1980

<sup>16</sup> Undated clipping from the *Philadelphia Bulletin*

<sup>17</sup> Spanish Treaty Claims Commission, *The Final Report of the Spanish Treaty Claims Commission, 1910*, in *Senate Documents*, 61, pt 2, pp 2, 11, 15, Hannis Taylor, "The Spanish Treaty Claims," *North American Review*, 182 (May, 1906), 741

and non-fictional writing. First, there was a small book or pamphlet of forty-one pages, published in Philadelphia in 1897, and titled *To Teach the Negro History*. This little volume was a condensation of six lectures (Durham called them "talks") given in 1896 at the black Hampton Institute, in Hampton, Virginia, and at the Tuskegee Institute, in Tuskegee, Alabama. In the published version Durham came across as an ardent patriot and nationalist and as a believer in the axiom that virtue and ability, when applied, would find their reward, even in a white-dominated world.

Durham began the volume by declaring that when he returned to the United States from his diplomatic duties he was impressed by the obvious fact that, "in our own country, the Negro has greater opportunities for advancement, and gives indication of more rapid, more essential, progress than in any country in which I know members of the race to reside in relatively large numbers." He then chastised Negro leaders for placing too much emphasis, according to him, upon the misfortunes of being black in America. Such overemphasis could lead only to morbidity and self pity among blacks.<sup>18</sup>

Most of the rest of the volume was devoted to a general, but sometimes detailed — as well as thoroughly competent and generally accurate — history of the Negro in the United States, from his African roots to the then present day.

Then, like a combination Horatio Alger/Booker T. Washington, Durham adjured the race to strive, to lift themselves from menial work to that of skilled laborers.

Teach your boys [he did not mention girls, though both Hampton and Tuskegee were coeducational] to learn a trade and to make that the basis of their work in life. . . . Teach them to hate fine clothing and physical comfort if secured at the cost of manliness; but at the same time make them see the necessity of earning an honest livelihood in any calling while pushing forward to the activities which make for enlightened and independent citizenship.

Such diligence and application, Durham, like Washington, believed would, in time, lead to more favorable sentiment by whites toward

<sup>18</sup> John Stephens Durham, *To Teach the Negro History*, (Philadelphia, 1897), 5, 9. The only copy of this small volume known to exist is in the Howard University Library, Washington, D.C.

blacks. "Agitation must be waged with dignified persistence. Every appeal must be made to the American spirit of fair play."<sup>19</sup> At age thirty-five, Durham, like so many other successful black Americans, together with their white supporters, was still, in typical American fashion, an optimist about the American dream being for all Americans. With age, both groups would grow cynical in their disillusionment.

The next year, 1898, Durham had published in the *Atlantic Monthly* a remarkably balanced and open-minded, though friends of organized labor might have called it biased, article titled "The Labor Unions and the Negro." Claiming that unions by their very nature, and not "innate social antipathy," were responsible for so few Negroes being in industry and the skilled trades by the late nineteenth century, Durham laid the blame for that sorry state of affairs to the union's "rule of exclusion." The rule of exclusion held that the fewer workers there were to perform a particular function, the more work, at higher pay, there was for those few. That, he said, was the explanation, not racial prejudice. Durham reminded his readers that white and black did once work side-by-side as artisans and craftsmen; that is, they did so before the Civil War. It was the post-war union movement, he claimed, that changed all that, or at least, in considerable measure, was responsible for it.<sup>20</sup>

An impartial review of the way by which the unions and the colored workmen have reached their present relations . . . indicates that one cannot apply the threadbare explanation of an innate racial antipathy. Negroes and white men formerly worked side by side under conditions more likely to cause friction than those that now exist.<sup>21</sup>

Ironically, then, lighter-skinned Negroes, frozen out of so many lines of endeavor by the union rule of exclusion, in increasing numbers chose to "pass," thus hastening the very process of amalgamation that exclusion supposedly helped prevent.<sup>22</sup>

The kind of sophisticated analysis contained in the *Atlantic* article

<sup>19</sup> *Ibid.*, 47-48.

<sup>20</sup> John Stephens Durham, "The Labor Unions and the Negro," *Atlantic Monthly*, 81 (February, 1898), 223-26.

<sup>21</sup> *Ibid.*, 230.

<sup>22</sup> *Ibid.*, 231.

should have placed Durham squarely among Negro intellectual-activists at the turn of the century, yet there is no evidence that it did, or that he, in turn, influenced other Negro intellectuals, or they him.<sup>23</sup> Indeed, Durham seems to have been more at home among the Booker T. Washington school of Negro leaders — i.e., learn a trade, be a good and productive citizen, and America would smile upon the black man. Significantly, Durham said exactly that in the little “talks” that culminated in his *To Teach the Negro History*, referred to above. And he gave the “talks” at the Hampton Institute, where Booker T. Washington went to school, and at the Tuskegee Institute, where Washington was president. So obviously himself a member of what W.E.B. DuBois would later term the “Talented Tenth” of the race, Durham was, seemingly, too much the self-made man ever to rise above the individualist economic credo. Of course, it might also be said that Durham personified the eternal American optimist, imbued with boundless faith in the “land of opportunity” that was America. If so, his own life justified such faith. More likely, however, Durham was a little of both.

In a lighter vein, the following year, 1899, Durham had published in *Lippincott's Monthly Magazine*, in local color genre, four short tales from the Caribbean, tales which he had himself either been a part of, or had witnessed. Appearing under the general title, “Anecdotes from the Antilles,” they were sub-titled “An Immune in Quarantine,” “How General [Fitzhugh] Lee was Converted,” “Admiral Schley's Good Humor,” and “Marti and Gomez.” Durham earlier had demonstrated, in both his diplomatic dispatches and in his publications, a fine command of the English language. In these stories, writing with verve and imagination, he also revealed himself to be a gifted storyteller.<sup>24</sup>

Durham, as author, next tried his hand at fiction, and in 1902 *Lippincott's Monthly Magazine* also published his short story “Diane, Priestess of Haiti.” Later the same year, Lippincott's reprinted the story in the form of a small, eighty-page book. The story is, in sum, one of love, intrigue, and voodoo, with love conquering all — a

<sup>23</sup> There are no letters from Durham in either the correspondence of W.E.B. DuBois or Booker T. Washington. In spite of an extensive search, the author has been unable to locate any papers of Durham.

<sup>24</sup> John Stephens Durham, “Anecdotes from the Antilles,” *Lippincott's Monthly Magazine*, 64 (September, 1899), 474-85.

simple, saccharine, little tale.<sup>25</sup> Another view, though — a contemporary one that appeared in the *Philadelphia Bulletin* following Durham's death — held that "Diane, Priestess of Haiti" was a "fascinating tale" filled with "an unknown wealth of fact and description."<sup>26</sup> Perhaps so.

The years spent with the Spanish Treaty Claims Commission, which began its deliberations in 1902 but did not complete them till 1910, Durham spent in Cuba, as a lawyer in private practice (apparently the Claims Commission did not demand his fulltime), and in managing his own sugar cane lands. He had learned sugar cane production in the late 1890s while managing a plantation in Santo Domingo, and it was to that endeavor, plus his law practice representing both European and American interests in the Caribbean, that he owed the respectable fortune of \$150,000 that was his at the time of his death.

Long before his death, however, Durham had in fact become an American expatriate. Indeed, most of the last twenty-five years of his life were spent abroad, plus the earlier three years spent in the diplomatic service of his country. Undoubtedly, his love of the Caribbean area had something to do with the long absence from the land of his birth, but just as assuredly racial hostility did, too. Light enough himself to pass for white, and as often as not taken for white and treated as if he were white when among those who did not know his antecedents, Durham could appreciate the advantages of passing as a white man in a white-ruled society, advantages that his darker brethren could only dream about and imagine. Then, too, Durham knew the additional racial burden that had come with his marriage to a white woman. Such a marriage in the late last and early twentieth centuries could result only in their becoming a couple without a people, either black or white, to call their own, for not only, in such marriages, was either partner rarely welcomed by the race of his or her spouse; intermarriage also ruptured the ties to each's own race as well. Becoming an expatriate was the answer. And it was a course that must have been the easier to take following the birth of their sons, for now they, too, were adrift between the two races.

When Durham died, at age fifty-eight, on October 16, 1919, he

<sup>25</sup> John Stephens Durham, "Diane, Priestess of Haiti," *Lippincott's Monthly Magazine*, 69 (April, 1902), 387-466

<sup>26</sup> Undated clipping from the *Philadelphia Bulletin*

was living in England, having in 1914 abandoned Cuba to breathe air that he must have felt was even freer. But exactly what he did in England remains a mystery. All that is known, or at least all that has proved ascertainable about his life in England, is that at the time of his death, in a London nursing home following a short, unnamed illness, he was living at 19 Landsdowne Road, Holland Park, London, West.<sup>27</sup>

Although Durham died and was buried in a faraway land after a quarter century of life as an expatriate, he has not been altogether forgotten in his native land. Even before his death, in 1910 there was established in his honor, in Philadelphia, a fellowship bearing his name, to provide scholarships for deserving youths of all races. On April 27, 1945, Durham was honored at a luncheon in the Pyramid Club, 1517 Girard Avenue, Philadelphia, upon the occasion of the thirty-fifth anniversary of the establishment of the John Stephens Durham Fellowship. At that time, 101 young people reportedly had been the recipients of the fellowship.<sup>28</sup> Sometime after that commemoration, however — incredibly — all record of the John Stephens Durham Fellowship vanishes. Correspondence with both relatives and acquaintances of Durham, and with various offices of the University of Pennsylvania, has failed to turn up any record that the John Stephens Durham Fellowship ever even existed! Francis James Dallett, Archivist of the University of Pennsylvania, informed the author:

None of the Randolph descendants [of Durham's sister, Mary Francisco Durham Randolph, who, in 1897, became the first black graduate of the University of Pennsylvania School of Education] or any of the senior black educators in Philadelphia or, indeed, any person connected with this University who has ever been involved with scholarships, has heard of, or can remember, anything about the Durham Fellowship.<sup>29</sup>

Apparently the Fellowship had independent trustees, and was not administered by the University of Pennsylvania. Had it been administered by the University, the Trust files in the Treasurer's Office would reveal the fact, which they do not. So, the Fellowship must have been independent, with recipients of the awards free to attend

<sup>27</sup> *Times* (London), October 18, 1919

<sup>28</sup> *Philadelphia Bulletin*, April 27, 1945

<sup>29</sup> Francis James Dallett to the author, Philadelphia, Pa., December 8, 1980

college wherever accepted, including at the University of Pennsylvania, of course.<sup>30</sup>

The commemoration in 1945 is not quite the end of the John Stephens Durham Fellowship, however, for on January 16, 1948, the Fellowship presented a bronze plaque to the Philadelphia *Bulletin* in commemoration of the services of Durham as a member of its editorial staff. The presentation was made by Federal Judge George A. Welsh on behalf of the Fellowship, and it was accepted for the *Bulletin* by Melvin K. Whiteleather. The occasion took place in Houston Hall at the University of Pennsylvania.<sup>31</sup>

So there the mystery remains, with commemoration of the life of John Stephens Durham as enigmatic as the last years of his life. Not quite "a man without a country," Durham was yet caught between two worlds, both based on color — one black, one white. At least in his native land, he is not known to have made any attempt to disown his blackness and "pass" into the white world. But he functioned in that white world as an equal, whether or not his associates always knew of his blackness. Yet he sought, by late nineteenth-century customs and mores, to bridge those two worlds when he married a white woman. No one can *know* for sure what complications, what disappointments, what disillusionments, what hurt that interracial marriage *may* have brought to them both. But it would seem reasonable to assume, in the climate of that day — even in the "City of Brotherly Love" — that they knew a measure of all those qualities. So, in the end — and who is to blame him — Durham "passed" after all, whether or not he ever consciously sought to do so, for in Cuba racial distinctions mattered less, while in London fewer persons certainly ever were likely to know or to question the ancestry and the inter-racial marriage of a black Philadelphian who scarcely looked the part.<sup>31</sup>

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<sup>1</sup> *Ibid*, April 6, 1982

<sup>11</sup> Philadelphia *Bulletin*, January 11 and 16, 1948 Meanwhile, alive — at least until quite recently — somewhere in Great Britain or in one of her few remaining territories, is Durham's son Shelton, a medical doctor and member of the Royal College of Surgeons who has served both Her Majesty and medical science, in South Africa, New Guinea, and Tanganyika, as of 1978 His only known address is that of his bank, Brown, Shipley, and Company, which supposedly collects and forwards his mail Apparently, he has "passed" for white Meanwhile, Dr Durham has ignored all correspondence from this writer, as well as from another at the University of Pennsylvania This, it would seem, is the burden of race, borne from generation to generation, even after all trace of color has vanished