

# THE MISSISSIPPI OF THE WEST?

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During the 1950s, African Americans in Las Vegas began referring to their city and state as the “Mississippi of the West.” Magazine writers and civil rights advocates around the country picked up on the phrase. As the leading scholar of Las Vegas history, Eugene Moehring, wrote after cataloguing and condemning local racism:

[T]his conclusion seems a bit overdrawn. While Las Vegas was certainly no bastion of equality, it was no worse a town for blacks than Phoenix, Salt Lake, and most medium-sized cities in California. Indeed, segregated housing, schools, and job discrimination were common throughout the mid-twentieth-century west. So too was the rippling effect of the national civil rights movement.<sup>1</sup>

As NAACP attorney Franklin Williams said during a 1954 visit, Las Vegas was “a non-southern city with the pattern of the deep south . . . . Human rights in the western states are in a vacuum.”<sup>2</sup>

How this situation developed is both tragic and ironic. The tragedy of racism and segregation is obvious. The irony lies in the evolution of Nevada’s political economy, the witting and unwitting role of the federal government, and the growth of Nevada’s largest industries, gaming and tourism. Together, these factors managed to worsen *de facto* segregation while also sowing the seeds of its destruction.<sup>3</sup>

The inseparable issues of slavery and race affected Nevada’s origins as a territory and a state. The Compromise of 1850 had created the Utah and New Mexico territories, which divided present-day Nevada: Utah included the Great Basin north while New Mexico included the bulk of what is now Clark County, Nevada, including Las Vegas. The first settlers in northern Nevada were

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<sup>1</sup> EUGENE P. MOEHRING, *RESORT CITY IN THE SUNBELT: LAS VEGAS, 1930-2000* 200-01 (2d ed., 2000).

<sup>2</sup> *Id.* at 181-82.

<sup>3</sup> The two major texts on the history of Nevada are RUSSELL R. ELLIOTT AND WILLIAM D. ROWLEY, *HISTORY OF NEVADA* (2d ed. 1987), which obviously requires updating, and JAMES W. HULSE, *THE SILVER STATE: NEVADA’S HERITAGE REINTERPRETED* (3d ed., 2004), which provides a broader and more interpretive point of view on the state’s development but is less complete in many places than ELLIOTT and ROWLEY. See also Michael S. Coray, *African-Americans in Nevada*, 35 *NEV. HIST. SOC’Y Q.* 239 (1992); EVERETT LOUIS OVERSTREET, *BLACK STEPS IN THE DESERT SANDS: A CHRONICLE OF AFRICAN-AMERICANS’ INVOLVEMENT IN THE GROWTH OF LAS VEGAS, NEVADA* (1999).

Mormons and miners, two cultures that inevitably clashed, prompting the miners to demand a separate territory (and that clash barely takes into account the third group living in the area, Native Americans who suffered at the hands of both, especially the miners). But by the late 1850s, slavery had become the country's most important, divisive political issue, and several efforts to create a new territory failed. While Abraham Lincoln's election in 1860 meant that Republicans would occupy the White House, the subsequent secession of seven southern states meant that they also would control Congress. Two days before his inauguration, on March 2, 1861, Nevada became a territory. While the Republican party campaigned against the expansion of slavery into newly acquired or newly organized territories, the legislation creating the Nevada territory – and the Colorado and Nebraska territories – ignored the subject.<sup>4</sup> While some scholars have suggested that this revealed how little Republicans actually cared about slavery, the more logical reason was simple: since Lincoln would appoint territorial officials from within his party, Republicans had no need to officially outlaw slavery in these new territories when they were about to have the opportunity to do it anyway.<sup>5</sup>

The territorial period foreshadowed future struggles over civil rights and equal justice in Nevada. Lincoln named James W. Nye, a strongly anti-slavery New York Republican, territorial governor. But the new territory included settlers from various regions, with no interest in racial equality. Meeting in 1861, the first session of the territorial legislature banned blacks from marrying whites, voting, or testifying in court against whites.<sup>6</sup> Nye tried to persuade lawmakers to repeal at least the ban on courtroom testimony.<sup>7</sup> When he failed, he wrote to his political patron, Secretary of State William Henry Seward, calling such thinking “behind the Spirit of the Age.”<sup>8</sup> Nye was true to his cause, but cautious; he could ill afford to get too far ahead of his constituents on the issues if he was to achieve his twin goals of statehood for Nevada and a United States Senate seat for himself.<sup>9</sup> What Nye had to do with the result is questionable, but Nevada became a state in 1864, in part to back Lincoln and the Republicans as they fought for the Thirteenth Amendment to end slavery, and in part to help enact legislation to reconstruct the South and define citizenship

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<sup>4</sup> See Guy Louis Rocha, *Nevada's Emergence in the American Great Basin: Territory and State*, 38 NEV. HIST. SOC'Y Q. 255 (1995); ELLIOTT & ROWLEY, *supra* note 3, at 69-89 (providing a solid summary of the drive from settlement to statehood).

<sup>5</sup> Part of my interpretation of these actions is based on my own work, *FREEDOM, UNION, AND POWER: LINCOLN AND HIS PARTY IN THE CIVIL WAR* (2004). See also DAVID ALAN JOHNSON, *FOUNDING THE FAR WEST: CALIFORNIA, OREGON, AND NEVADA, 1840-1890* at 71-97, 189-230 (1992).

<sup>6</sup> ELMER R. RUSCO, “TO LEGISLATE FOR WHITE MEN”: WHITE RACISM, 1861-1865, IN “GOOD TIME COMING?": BLACK NEVADANS IN THE NINETEENTH CENTURY 21-41 (1975); Kent D. Richards, *The American Colonial System in Nevada*, 13 NEV. HIST. SOC'Y Q. 29 (1970).

<sup>7</sup> *Id.*

<sup>8</sup> William Hanchett, *Yankee Law and the Negro in Nevada 1861-1869*, 1956 W. HUMAN. REV. 241 (1956).

<sup>9</sup> Michael Green, *Diehard or Swing Man? Senator James W. Nye and Andrew Johnson's Impeachment and Trial*, 29 NEV. HIST. SOC'Y Q. 175 (1986).

for nearly four million newly freed slaves.<sup>10</sup> When the first Nevada State Legislature met, it chose Nye as one of Nevada's first two senators.<sup>11</sup> But the choice of William Morris Stewart as his colleague was telling. Stewart was an attorney for mining corporations, a local political power, and noted more for his opportunism than for any commitment to the Republican Party's anti-slavery views.<sup>12</sup>

When civil rights issues came before Congress, these Nevadans played a role in those decisions. Nye and Stewart voted with the Radical Republicans during Reconstruction.<sup>13</sup> Indeed, Nye said in a Senate speech, "Sir, I am a Radical. I glory in it."<sup>14</sup> Stewart, on the other hand, displayed a lifelong flare for political acrobatics, switching parties and patrons whenever it might help get him elected.<sup>15</sup> Stewart wrote the final draft of the Fifteenth Amendment which the Senate passed in 1869 – with Nevada soon to follow, at his and Nye's behest.<sup>16</sup> Yet in doing so Stewart demonstrated the limits to which he and his fellow Republicans would go. His editing defanged the Amendment, enabling states and individuals to circumvent it for a century and beyond. In this way, he reflected his constituents: legislators declined to repeal laws that conflicted with federal civil rights laws, while Democrats remained virulent and Republicans often passive at best in their racial views.<sup>17</sup>

Yet African Americans could claim some progress in late nineteenth-century Nevada. At the Nevada constitutional conventions of 1863 and 1864, delegates debated compulsory education and segregated schools before deciding to remain silent on the matter. Then, in 1865, the first Nevada State Legislature passed a law banning "Negroes, Mongolians, and Indians" from public schools unless they attended segregated schools.<sup>18</sup> But the 1870 census revealed a statewide black population of 357.<sup>19</sup> Only three black children had attended any school the previous year, and they resided in three different counties.<sup>20</sup> The state superintendent of schools and his local counterpart in Virginia City tried to attack the problem, but funding for segregated schools proved scarce.

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<sup>10</sup> On the Thirteenth Amendment, see MICHAEL VORENBERG, *FINAL FREEDOM: THE CIVIL WAR, THE ABOLITION OF SLAVERY, AND THE THIRTEENTH AMENDMENT* (2001); Earl S. Pomeroy, *Lincoln, the Thirteenth Amendment, and the Admission of Nevada*, 12 PAC. HIST. REV. 362 (1943).

<sup>11</sup> ELLIOTT & ROWLEY, *supra* note 3, at 89.

<sup>12</sup> RUSSELL R. ELLIOTT, *SERVANT OF POWER: A POLITICAL BIOGRAPHY OF SENATOR WILLIAM M. STEWART OF NEVADA* (1983).

<sup>13</sup> GREEN, *supra* note 3, at 175-91.

<sup>14</sup> *Id.*

<sup>15</sup> ELLIOTT, *supra* note 12, at 89.

<sup>16</sup> *Id.*; see also WILLIAM GILLETTE, *THE RIGHT TO VOTE: POLITICS AND THE PASSAGE OF THE FIFTEENTH AMENDMENT* (1965).

<sup>17</sup> Cong. Globe, 40th Congress, 2nd Sess., 727 (1868); EUGENE BERWANGER, *THE WEST AND RECONSTRUCTION* (1981); XI WANG, *THE TRIAL OF DEMOCRACY: NORTHERN REPUBLICANS AND BLACK SUFFRAGE, 1860-1910* (1996); Michael S. Coray, "Democracy" on the Frontier: A Case Study of Nevada Editorial Attitudes on the Issue of Nonwhite Equality, 21 NEV. HIST. SOC'Y Q. 189 (1978).

<sup>18</sup> RUSCO, *supra* note 6, at 29-31, 80-86.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

Simply put, Nevada failed to meet its legal obligation to provide even segregated schools for African Americans.<sup>21</sup>

Historians who have found a burning desire among newly freed southern slaves for education could easily find the same attitudes in Nevada. They also wanted fairness, in more ways than one. As Dr. W.H.C. Stephenson, a black physician, wrote to a local newspaper, "It is not a question of admission to the white public schools which the people of color have contributed to erect and support, but whether, as at the present time, are they, as human beings, entitled to any school privileges whatever . . ." <sup>22</sup> The answer prompted a Carson City laborer, Nelson Stoutmeyer, to sue the three local school district trustees who declined his request to admit his seven-year-old son David to the white public school.<sup>23</sup> Local attorney T.W.W. Davies argued: (1) that state laws required the distribution of funds to local schools according to the number of children, not their race; (2) that the Nevada law segregating black children was unconstitutional because it conflicted with the Fourteenth Amendment's privileges and immunities clause, due process clause, and equal protection clause; (3) that to claim a legal right to exclude African Americans from schools was tantamount to claiming the right to ban them from holding office, sitting on juries, and attending concerts – rights to which they seemed to Davies to be clearly entitled; (4) that taxing blacks to pay for schools they were unable to attend was redolent of taxation without representation; (5) that Nevada might be violating the Constitutional clause guaranteeing a "republican" government because that assumed an educated citizenry; and (6) that "if the white race is the superior race as claimed and admitted, the denial of admission of the colored citizens to the public schools, is a denial of the benefits which would necessarily result to them from contact and association with the whites on terms of equality."<sup>24</sup> His brief declared that "although the instruction in the public schools and these separate schools may be precisely the same, a school exclusively devoted to one class must differ essentially, in its spirit and character, from that public school known to the law, where all classes meet together in equality," and that segregating children "tends to create a feeling of degradation in the blacks, and of prejudice and uncharitableness in the whites" – an eerie foreshadowing of the argument that Charles Houston and Thurgood Marshall would make for the NAACP when it challenged segregation in the mid-twentieth century, and that Earl Warren would make in the majority opinion in *Brown v. Board of Education*.<sup>25</sup>

The three justices of the Nevada Supreme Court proved far more divided than their federal counterparts eighty years later. In 1872, they ruled 2-1 that excluding black children from Nevada schools was unconstitutional.<sup>26</sup> The two justices in the majority ruled on the grounds that the state constitution man-

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<sup>21</sup> *Id.*

<sup>22</sup> *Id.* at 80-92.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.* at 80-92. The finest study of the legal struggle for desegregation remains RICHARD KLUGER, *SIMPLE JUSTICE: THE HISTORY OF BROWN V. BOARD OF EDUCATION AND BLACK AMERICA'S STRUGGLE FOR RACIAL EQUALITY* (1977).

<sup>26</sup> RUSCO, *supra* note 6, at 80-92.

dated public education, and agreed that the state still had the right to segregate children by race – if, as the chief justice wrote, “the same advantages of education are given to all.”<sup>27</sup> Consequently, public schools admitted black children.<sup>28</sup>

As the court’s reasoning demonstrated, notions of racial equality played little to no role in Nevada life. By 1880, after Reconstruction ended in the South, Nevada allowed African Americans to vote, hold office, and testify in court, but retained a law against miscegenation and was silent on the issue of discrimination.<sup>29</sup> The rise of black lodges and clubs demonstrated the existence of private cases of bias, and that whites refused to mingle in social organizations. And the problem grew in the last two decades of the century. This was true nationally as economic problems increased, but it was even worse in Nevada, where the economy went into a tailspin and the state’s population actually fell by one-third in two decades.<sup>30</sup> Nor did the progressive movement of the early twentieth century bring improvement. Senator Francis Newlands of Nevada, who was responsible in part for a reclamation act and for creating the Federal Trade Commission, tried and failed to persuade other Democrats to support repealing the Fifteenth Amendment.<sup>31</sup> And Nevada’s recovery, thanks to the early 1900s mining boom in Tonopah, Goldfield, and Ely, barely touched blacks, whose involvement in mining there was minimal, especially compared with the southern and eastern European immigrants who flocked to these jobs in central Nevada.<sup>32</sup> Most African Americans who wound up in the area followed in the footsteps of their predecessors on the Comstock Lode and others settling in the growing Reno area: they worked mostly in lower-paying, non-mining jobs.<sup>33</sup>

If Nevada mirrored the contradictions of the Progressive Era, it similarly reflected the reactionary turn that American society took during the 1920s. The Ku Klux Klan’s revival undoubtedly was no coincidence, given the attitudes of the progressives and the release of D.W. Griffith’s classic – and classically racist – *The Birth of a Nation*. The newer Klan committed the same kind of terrorism that characterized its earlier history, but its members became more active politically, campaigning for conservative candidates for local, state, and federal offices.<sup>34</sup> In 1924, the Klan stepped up recruitment in Nevada, emphasizing small regional organizations rather than a close-knit, statewide group.<sup>35</sup> Northern Nevada Klaverns often targeted Asians, while the Las Vegas branch

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<sup>27</sup> *Id.*

<sup>28</sup> *Id.*

<sup>29</sup> *Id.* at 42-195.

<sup>30</sup> *Id.*; see also ELLIOTT & ROWLEY, *supra* note 3, at 170.

<sup>31</sup> William D. Rowley, *Francis G. Newlands: A Westerner’s Search for a Progressive and White America*, 1974 *NEV. HIST. SOC’Y Q.* 69 (1974).

<sup>32</sup> SALLY ZANJANI, *GOLDFIELD: THE LAST GOLD RUSH ON THE WESTERN FRONTIER*, 94-98 (1992).

<sup>33</sup> *RUSCO, supra* note 6, at 42-195.

<sup>34</sup> Craig F. Swallow, *The Ku Klux Klan in Nevada During the 1920’s* (1978) (unpublished M.A. thesis, Univ. of Nev., Las Vegas) (on file with Univ. of Nev. at Las Vegas, Lied Library).

<sup>35</sup> *Id.*

sought to enforce Prohibition, which southern Nevadans openly flouted.<sup>36</sup> While the Klan proved short-lived in Nevada, its effects were clear: its members marched down Fremont Street and burned a cross, obviously a powerful symbol to the area's few dozen black residents.<sup>37</sup> Unsurprisingly, in the wake of the KKK, these same residents stepped up their political activities and revived the local NAACP.<sup>38</sup>

Indeed, while Reno's African American community faced similar problems, the growth of the black presence in Las Vegas proved far more significant to the eventual development of a statewide civil rights movement. When the Union Pacific and Montana copper baron William Andrews Clark built the railroad that created the town of Las Vegas in 1905, corporate officials in Los Angeles, and Las Vegas agent Walter Bracken, supported red-lining black residents into the far corner of the townsite, near the only block that permitted liquor sales and, eventually prostitution, and the local bank, whose directors included Bracken, pursued similar policies.<sup>39</sup> Some blacks joined Native Americans and Latinos across the tracks in what became known as the Westside, which lacked water lines until the 1920s and paved streets until the 1940s.<sup>40</sup> Yet the earliest African American residents reported little overt racism, and often found that they could obtain land on the more fashionable east side of the tracks.<sup>41</sup> That was partly due to the small number of residents generally: by 1930, the Las Vegas population consisted of 5,165, of whom only 143 were black.<sup>42</sup> Las Vegans spent the 1920s trying to emerge from an economic downturn resulting from the loss of the vital railroad repair shops to another community as punishment for their pro-union views and actions.<sup>43</sup> While those problems may have contributed to the Klan's popularity, they may have also diverted attention from minorities facing similar problems.<sup>44</sup>

In March 1931, an unlikely series of events changed Nevada forever. First, construction began on Hoover Dam. Then, Governor Fred Balzar signed laws reducing the residency requirement for divorce from three months to six weeks, and legalizing gambling.<sup>45</sup> These unrelated actions produced a common mythology and a common result. Although the dam had been the subject of negotiations involving federal and state governments through which the Col-

<sup>36</sup> *Id.*

<sup>37</sup> *Id.*; Roosevelt Fitzgerald, *The Evolution of a Black Community in Las Vegas, 1905-1940* (on file with Univ. of Nev. at Las Vegas, Lied Library, Dep't of Special Collections).

<sup>38</sup> RUSCO, *supra* note 6, at 42-195.

<sup>39</sup> See Union Pacific Railroad Collection, Univ. of Nev. Las Vegas, Lied Library, Dep't of Special Collections.

<sup>40</sup> Fitzgerald, *supra* note 37.

<sup>41</sup> HELEN M. BLUE ET. AL., CLARENCE RAY: BLACK POLITICS AND GAMING IN LAS VEGAS, 1920s-1980s (Univ. Nev. Oral Hist. Program 1991); WOODROW WILSON ET AL., WOODROW WILSON: RACE, COMMUNITY AND POLITICS IN LAS VEGAS, 1940s-1980s: AN ORAL HISTORY INTERVIEW CONDUCTED BY JAMIE COUGHTRY 91 (Univ. Nev. Oral Hist. Program 1990) [hereinafter WILSON].

<sup>42</sup> RALPH J. ROSKE, *LAS VEGAS: A DESERT PARADISE* (1986); Fitzgerald, *supra* note 37.

<sup>43</sup> Eric Nystrom, *Labor Strife in Las Vegas: The Union Pacific Shopmen's Strike of 1922*, 2001 NEV. HIST. SOC'Y Q. 313 (2001).

<sup>44</sup> ROSKE, *supra* note 42; MOEHRING, *supra* note 1, at 200-01.

<sup>45</sup> Eric Moody, *Nevada's Legalization of Casino Gambling in 1931: Purely a Business Proposition*, 1994 NEV. HIST. SOC'Y Q. 79 (1994).

orado River flowed for a decade, the construction project seemed like a federal job windfall to those enduring the Great Depression. It also became a tourist attraction, drawing hundreds of thousands to look at the “eighth wonder of the world.” And while many still consider the divorce and gambling laws simply the desperate actions of Nevadans seeking a way out of the Depression, state leaders actually intended these changes to draw tourists and their discretionary income to the state, ideally to stay.<sup>46</sup>

While those responsible for the dam, divorce, and gaming clearly had little interest in attracting African Americans, that was a result of their actions. Blacks moved to southern Nevada, seeking jobs on the dam. Six Companies, the private consortium that won the federal contract to build it, refused to hire them.<sup>47</sup> Local blacks responded by forming the Colored Citizens Labor and Protective Association of Las Vegas in November 1931, with 247 members – 100 more blacks than lived in Las Vegas according to the census the year before.<sup>48</sup> This group teamed with the local NAACP, under the leadership of onetime miner Arthur McCants, to force action. Although Six Companies still moved slowly, they eventually did hire a few black laborers.<sup>49</sup> Energized, blacks helped elect a new mayor to replace Ernie Cragin, who segregated blacks attending his movie theatre and supported red-lining.<sup>50</sup> But while growth attracted blacks, it also attracted southern whites and others all too happy to go along with segregation, including separate areas in the local hospital and the local cemetery.<sup>51</sup>

Just as another sign of the federal presence, World War II, changed the West, it also changed the composition of the African American community in Las Vegas. With aid from the federal Reconstruction Finance Corporation, Basic Refractories built a magnesium processing plant southeast of Las Vegas in 1941. In the same year, Thomas Hull built the El Rancho Vegas on Highway 91 and San Francisco Street (now Las Vegas Boulevard and Sahara), giving birth to the Strip. The prospect of jobs prompted a large migration from two depressed southern mill towns: Tallulah, Louisiana, and Fordyce, Arkansas.<sup>52</sup> Their hopes for work on a federal project proved no more successful than a decade before. Basic Magnesium would hire blacks, but would not promote them.<sup>53</sup> At the Basic townsite built to house plant workers, the company

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<sup>46</sup> JOSEPH E. STEVENS, *HOOVER DAM: AN AMERICAN ADVENTURE* (1988); ANDREW J. DUNAR & DENNIS MCBRIDE, *BUILDING HOOVER DAM: AN ORAL HISTORY OF THE GREAT DEPRESSION* (2001).

<sup>47</sup> Roosevelt Fitzgerald, *Blacks and the Boulder Dam Project*, 24 *NEV. HIST.SOC'Y. Q.* 255 (1981); Fitzgerald, *supra* note 37, at 12-13; Guy Louis Rocha, *The IWW and the Boulder Canyon Project: The Final Death Throes of American Syndicalism*, 21 *NEV. HIST.SOC'Y. Q.* 2 (1978).

<sup>48</sup> Fitzgerald, *supra* note 47.

<sup>49</sup> *Id.*

<sup>50</sup> *THE FIRST 100: PORTRAITS OF THE MEN AND WOMEN WHO SHAPED LAS VEGAS* 81-83 (A.D. Hopkins and K.J. Evans eds., 1999) [hereinafter *FIRST 100*]; MOEHRING, *supra* note 1, at 23-27.

<sup>51</sup> Fitzgerald, *supra* note 47; MOEHRING, *supra* note 1, at 23-27.

<sup>52</sup> MOEHRING, *supra* note 1, at 13-40, 173-202.

<sup>53</sup> *Id.*; WILSON, *supra* note 41, at 30-42; William T. Dobbs, *Southern Nevada and the Legacy of Basic Magnesium, Incorporated*, 34 *NEV. HIST.SOC'Y. Q.* 273 (1991).

and the government segregated blacks into an area known as Carver Park.<sup>54</sup> Nor would BMI recognize the Congress of Industrial Organizations as their bargaining agent, preferring the more conservative and racist American Federation of Labor, prompting 200 blacks eventually to walk off their jobs to protest discrimination – ultimately to no avail.<sup>55</sup>

But BMI's social impact proved considerable. It led not only to the city of Henderson, but also to another new wave of black residents and another wave of segregation. As one of those arrivals, Woodrow Wilson, said,

“Las Vegas was strictly segregated right down to each little grease joint, as far as the clubs, the hotels, the cafes, any recreation, even the city facilities like the swimming pool and things like that . . . . I really don't think that whites in Las Vegas were ever very fearful of blacks – of race riots and so forth. I think there was simply a concerned effort by the establishment in Las Vegas to keep and hold the status quo.”<sup>56</sup>

City officials headed off an effort to open an integrated hotel-casino downtown, driving black-owned businesses west of the tracks by refusing to renew their licenses unless they moved.<sup>57</sup> The police enforced segregation to the letter, even closing a West Las Vegas bar that served whites.<sup>58</sup> And while whites in West Las Vegas pressured city officials to ban blacks even from living in that area, segregation forced the creation of a vibrant African American community with its own businesses, churches, Fourth of July and Juneteenth celebrations, a baseball team, social hours at the Jefferson Street Community Center, and mini-Strips or downtown-style Glitter Gulches along First and Jackson Streets, with clubs like the Harlem Club, the Cotton Club, and the El Rio.<sup>59</sup> The only major businesses lacking in West Las Vegas were clothing stores, so white merchants sold to black customers – but refused to allow them to try on products in their stores.<sup>60</sup>

Black Las Vegas also did not receive – or expect – help in the local media. In the early 1930s, as the black populace grew, phrases like “Colored Section” and “Negro Quarter” began appearing in the *Las Vegas Review-Jour-*

<sup>54</sup> *Id.*; see also GERALD D. NASH, *THE AMERICAN WEST TRANSFORMED: THE IMPACT OF THE SECOND WORLD WAR* (1985).

<sup>55</sup> WILSON, *supra* note 41, at 30-42; Dobbs, *supra* note 53.

<sup>56</sup> WILSON, *supra* note 41, at 30-42.

<sup>57</sup> *Id.* at 46-59, 78.

<sup>58</sup> FIRST 100, *supra* note 50, at 81-83.

<sup>59</sup> WILSON, *supra* note 41, at 46-59, 78; FIRST 100, *supra* note 50 at 81-83; Earnest N. Bracey, *The Moulin Rouge Mystique: Blacks and Equal Rights in Las Vegas*, 39 *Nev. Hist. Soc'y. Q.* 272 (1996); Earnest N. Bracey, *Anatomy of Second Baptist Church: The First Black Baptist Church in Las Vegas*, 43 *NEV. HIST. SOC'Y. Q.* 201 (2000); MOEHRING, *supra* note 1 at 176-77; CLAYTEE WHITE, 'Eight Dollars a Day and Working in the Shade': *An Oral History of African American Migrant Women in the Las Vegas Gaming Industry*, in *AFRICAN AMERICAN WOMEN CONFRONT THE WEST: 1600-2000* 276 (Quintard Taylor & Shirley Ann Wilson Moore eds., 2003); Roosevelt Fitzgerald, *A Demographic Impact of Basic Magnesium on Southern Nevada* (May 12, 1982) (unpublished manuscript, on file with Univ. of Nev. at Las Vegas, Lied Library, Dep't Special Collections); M. GOTTDIENER ET AL., *LAS VEGAS: THE SOCIAL PRODUCTION OF AN ALL-AMERICAN CITY* 103-04 (1999); Nefertiti Makenta, *A View from West Las Vegas*, in *THE REAL LAS VEGAS: LIFE BEYOND THE STRIP* 109 (David Littlejohn ed., 1999).

<sup>60</sup> WILSON, *supra* note 41, at 46-59, 78; MOEHRING, *supra* note 1, at 176-77; WHITE, *supra* note 59, at 276; Fitzgerald, *supra* note 59; Makenta, *supra* note 59, at 109.

nal.<sup>61</sup> Indeed, one historian has argued that a 1934 editorial could be seen as condoning lynching.<sup>62</sup> A 1951 headline said, "Usual Westside Ruckus Marks Election."<sup>63</sup> The other paper, the *Age*, belonged to Charles P. Squires, a local pioneer and business partner of Bracken, whose policies with the railroad and local bank were segregationist.<sup>64</sup> While Squires appears not to have been unduly racist, and as a Republican urged devotion to the party of Lincoln, he was a civic booster, unlikely to rock the boat. Not until Hank Greenspun began publishing the *Las Vegas Sun* in 1950 did local blacks have a strong editorial supporter – and not until 1958 was there an African American newspaper, the *Voice*, which still publishes as the *Sentinel-Voice*.<sup>65</sup>

Politically, African Americans faced an uphill climb due to a conundrum: their small numbers limited their influence. A white politician expressed a predominant attitude when he told a West Las Vegan, "I can take a few barbeque ribs and some fifths of whiskey and get all the Westside votes I want,"<sup>66</sup> and some ministers almost literally sold air time before congregations to those politicians willing to pay.<sup>67</sup> In 1944, black voters played a key role in reelecting powerful Senator Pat McCarran, yet rumors persisted that his aides bought some voters and imported others, and a key issue in McCarran's campaign was his opposition to the CIO.<sup>68</sup> Running for mayor in 1951, C.D. Baker vowed to pave the streets in West Las Vegas, and kept his promise once in office, yet he was noticeably quiet on other issues.<sup>69</sup>

The plight of black Las Vegans also began to inspire white support. The postwar boom attracted newer, more liberal residents – attorneys such as George Rudiak, who introduced another unsuccessful civil rights bill in the 1953 legislature, and Ralph Denton, who was politically active and crucial to the election of Grant Sawyer as governor in 1958; and political activists like Eileen Brookman and Flora Dungan, later assemblywomen.<sup>70</sup> They teamed

<sup>61</sup> Fitzgerald, *supra* note 37, at 13, 17; WILSON, *supra* note 41, at 63.

<sup>62</sup> Perry Kaufman, *The Mississippi of the West: The Growth of the Black Community in Las Vegas 1930-1960* (n.d.) (unpublished manuscript, on file with Univ. of Nev. at Las Vegas, Lied Library, Dep't Special Collections).

<sup>63</sup> JAKE HIGHTON, *NEVADA NEWSPAPER DAYS: A HISTORY OF JOURNALISM IN THE SILVER STATE 139-50* (1990); Michael S. Green, *The Las Vegas Newspaper War of the 1950s*, 31 *NEV. HIST. SOC'Y. Q.* 155 (1988).

<sup>64</sup> Charles P. Squires Papers, on file with Univ. of Nev. at Las Vegas, Lied Library, Dep't Special Collections.; FIRST 100, *supra* note 50, at 20-21 and 27-29.

<sup>65</sup> HIGHTON, *supra* note 63, at 139-50.

<sup>66</sup> Kaufman, *supra* note 62.

<sup>67</sup> *Id.* This has been confirmed by several local political sources, who understandably wish to remain anonymous.

<sup>68</sup> Eric N. Moody, *The Democratic Senatorial Primary of 1944: Vail Pittman Renews an Old Rivalry*, 15 *NEV. HIST. SOC'Y. Q.* 2 (1972); JEROME E. EDWARDS, *PAT MCCARRAN: POLITICAL BOSS OF NEVADA 94-121* (1982); MICHAEL YBARRA, *WASHINGTON GONE CRAZY: SENATOR PAT MCCARRAN AND THE GREAT AMERICAN COMMUNIST HUNT* (2004).

<sup>69</sup> Kaufman, *supra* note 63; K.J. Evans, *The Colonel: C.D. Baker*, in FIRST 100, *supra* note 50, at 131-133.

<sup>70</sup> See generally RALPH L. DENTON ET AL., *A LIBERAL CONSCIENCE: RALPH DENTON, NEVADAN* (Univ. Nev. Oral Hist. Program 2001) [hereinafter "A LIBERAL CONSCIENCE"]; LUBERTHA JOHNSON ET AL., *LUBERTHA JOHNSON: CIVIL RIGHTS EFFORTS IN LAS VEGAS, 1940S-1960S: AN ORAL HISTORY INTERVIEW CONDUCTED BY JAMIE COUGHTRY* (Univ. of Nev. Oral Hist. Program 1988); GRANT SAWYER ET AL., *HANG TOUGH! GRANT SAWYER:*

with longtime residents like attorney Dean Breeze and a growing network of black leaders: (1) Wilson, who worked for the chemical companies that took over the old BMI plant; (2) businesswoman Lubertha Johnson; (3) educator Mabel Hoggard and her husband David, who worked in municipal services and other jobs.<sup>71</sup> In 1953, they backed a civil rights ordinance before the Las Vegas City Commission, which deflected the issue by seeking City Attorney Howard Cannon's opinion on its power to do so.<sup>72</sup> Cannon answered no and that the law was "confused" – but later, as a U.S. senator, he cast a key vote to enable passage of the Civil Rights Act of 1964.<sup>73</sup> With the continuing boom of the 1950s came more educated African Americans and more enlightened whites to lead the fight for civil rights. While Reno attracted more blacks during the postwar era, its growth was far slower than that of Las Vegas, which became the state's largest city in the 1960 census and now boasts a population five times that of its northern counterpart. Reno and Las Vegas leaders teamed as an effective lobbying force, but the Las Vegas could deliver more voters.<sup>74</sup>

Therein lays the irony of the origins of the civil rights movement in Las Vegas and Nevada. The burgeoning casino industry attracted more African Americans to southern Nevada. While the rest of the nation enjoyed the boom, Las Vegas outstripped it – literally, as hotel-casinos sprouted along Highway 91, creating the Strip, whose neon lights burned themselves into the American consciousness in the 1940s and 1950s. In 1946, Benjamin Siegel opened the Flamingo; after his execution, Gus Greenbaum, Davey Berman, Moe Sedway, and Willie Alderman took over.<sup>75</sup> They worked with Meyer Lansky, the hidden investor in the Thunderbird, which opened in 1948.<sup>76</sup> In 1950 came the Desert Inn, but builder Wilbur Clark, needing capital, partnered with Cleveland's Mayfield Road Gang: Moe Dalitz, Sam Tucker, Morris Kleinman, Allard Roen, and Bernard Rothkopf.<sup>77</sup> In 1952, the Sahara opened, followed by the Sands, run by Jackie Friedman, Jack Entratter, Ed Levy, Carl Cohen, and Ed Levinson.<sup>78</sup> A building boom in 1955 added the Riviera, operated by Chicago boss Sam Giancana's allies, then the Flamingo group; the New Frontier, run by Maury Friedman, Charlie Resnik, and refugees from the Detroit Purple Gang; and the Dunes, later taken over by Sid Wyman, Morris Shenker, and investors linked through St. Louis interests and a close relationship with Team-

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AN ACTIVIST IN THE GOVERNOR'S MANSION (Univ. of Nev. Oral Hist. Program 1993) [hereinafter HANG TOUGH]; A. Costandina Titus, *Howard Cannon, the Senate, and Civil Rights Legislation, 1959-1968*, 33 NEV. HIST. SOC'Y Q. 13 (1990). See also THE MAVERICK SPIRIT: BUILDING THE NEW NEVADA (Richard O. Davies ed., 1998).

<sup>71</sup> JOHNSON, *supra* note 70.

<sup>72</sup> Titus, *supra* note 70.

<sup>73</sup> *Id.*

<sup>74</sup> A LIBERAL CONSCIENCE, *supra* note 70; HANG TOUGH, *supra* note 70; Titus, *supra* note 70.

<sup>75</sup> SALLY DENTON & ROGER MORRIS, *THE MONEY AND THE POWER: THE MAKING OF LAS VEGAS AND ITS HOLD ON AMERICA, 1947-2000* (2001); MOEHRING, *supra* note 1, at 41-106 (2000).

<sup>76</sup> DENTON & MORRIS, *supra* note 75.

<sup>77</sup> Alan Balboni, *Southern Italians and Eastern European Jews: Cautious Cooperation in Las Vegas Casinos, 1940-1967*, 38 NEV. HIST. SOC'Y Q. 153 (1995).

<sup>78</sup> *Id.*

sters leader Jimmy Hoffa.<sup>79</sup> When it opened in 1957, the Tropicana also was reportedly tied to Lansky, while the Stardust debuted in 1958 under the Desert Inn group.<sup>80</sup>

These casino operators shared several characteristics. They had been on the wrong side of the law, running illegal casinos. Thus, they never belonged to the establishment in any community in which they lived. In Las Vegas, the establishment had long segregated African Americans, and the new arrivals continued these policies. They also continued to hire blacks only for the most menial positions – except as entertainers. Lena Horne, Sammy Davis, Jr., the Mills Brothers, Louis Armstrong, and Nat King Cole played the Strip, but when their shows were over, they stayed in West Las Vegas boardinghouses, hotels, and private homes.<sup>81</sup> Nor could they eat or drink in the casinos which they filled with customers who often interacted with white entertainers. Other important African Americans to the north met a similar fate: in the late 1950s and early 1960s, African visitors to the Lake Tahoe area for the Squaw Valley Olympics encountered discrimination; and when Woodrow Wilson went to Hawthorne with federal attorneys investigating civil rights violations, the El Capitan's owner stood in the door and refused to serve him.<sup>82</sup>

Other noted African Americans were hardly immune. When the New York Giants played an exhibition baseball game in Las Vegas in 1954, Willie Mays visited a casino. Sportswriter Roger Kahn wrote that a “stocky, gruff man” told him to “get that nigger away from the white guests.”<sup>83</sup> Kahn told a bystander, “This joker has just given me one helluva story for the Sunday *New York Herald Tribune*.”<sup>84</sup> He wrote, “The hood retreated,” and Kahn agreed to quash the story at the request of another Giant, Monte Irvin, who wanted to protect Mays from the publicity.<sup>85</sup> But Kahn recalled that “a hotel vice-president appeared, with a girl, hard-faced but trimly built,” and offered to buy him a drink:

We went to the bar and the man explained that he had nothing against a Negro like Irvin or Mays playing one-armed bandits. It was just that the dice table was a somewhat different thing. As far as he, the vice-president, was concerned, Negroes were as good as anybody, but he had to concern himself with customers. That was business.

“We’re really in the South here,” said the brunette.

“I thought the South was Alabama, Georgia, Texas.”

“That’s it,” the brunette said. “We get a lot of customers from Texas . . . . We’re really a very liberal place,” the girl said, “even though we are in the South. We not

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<sup>79</sup> *Id.*

<sup>80</sup> DENTON & MORRIS, *supra* note 75; MOEHRING, *supra* note 1, at 41-106 (2000); DAVID G. SHWARTZ, *SUBURBAN XANADU: THE CASINO RESORT ON THE LAS VEGAS STRIP AND BEYOND* (2003).

<sup>81</sup> WILSON, *supra* note 41.

<sup>82</sup> *Id.*

<sup>83</sup> Roger Kahn, *Willie Mays, Yesterday and Today*, in *THIRTY YEARS OF BEST SPORTS STORIES* 267-68 (Irving T. Marsh & Edward Ehre eds., 1975).

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

only book Lena Horne to sing here, but when she does, we let her live on the grounds. We're the only hotel that liberal."<sup>86</sup>

This colloquy reflects the irony and tragedy of Las Vegas. The men who built the Strip shared Jewish names. Most were first-generation Americans or immigrants tied to the great migration of the late nineteenth- and early twentieth-centuries into the eastern United States. They, along with Italians, the other major immigrant group of the time, faced the discrimination that had limited the options of earlier arrivals from Ireland and China, concomitant arrivals from Asia, and Latinos recently. Many Jews and Italians wound up on New York City's Lower East Side and faced a difficult choice: low-paying or high-paying jobs no one wanted. The latter included gambling, protection, prostitution, and, with Prohibition, bootlegging. After gambling became legal, they shifted to Nevada, which allowed them to ply their trade and achieve legitimacy they had never known. Victims of discrimination, they imposed it on others, eventually did a great deal to end it, and in some cases chafed at their surroundings. But *New York Times* reporter Wallace Turner put it succinctly: "The men who run Las Vegas . . . are white supremacists as much as if they came from Johannesburg."<sup>87</sup>

Other contributions to this journal outline how Las Vegas and the rest of Nevada desegregated. Ultimately, the expansion of the black community attracted a black professional class, better educated and better able to negotiate one-on-one with political and business leaders across the tracks. The efforts of the arrivals of the 1930s and 1940s sometimes wound up being ignored in light of the efforts of Dr. Charles West, Las Vegas's first African American doctor; Dr. James McMillan, the city's first African American dentist; William "Bob" Bailey, an entertainer at the Moulin Rouge who became the first black television host in town; Reverend Donald Clark, whose Republican affiliation enhanced his independence and ministerial career helped forge links in a disparate black community; and Charles Kellar, a pioneering attorney whose leadership of the NAACP and lawsuits helped inspire school desegregation.<sup>88</sup> They, in turn, benefited from more enlightened whites, aware of the wrong of segregation or, in some cases, the damage it might do to Las Vegas's image and economy. Woodrow Wilson stated that

"[t]he importance of white support was immeasurable. It was just fantastic. A lot of them were privileged with information that we needed, that we never would have been able to get. They would know a lot of times who was for, who was against the bills or who was just sugarcoating . . . Whites could give us the insight on people to contact; key people who were necessary to move things along. We *had* to have white support in order to survive, to reach the position that we did, and accomplish what we did in Nevada."<sup>89</sup>

<sup>86</sup> *Id.*

<sup>87</sup> See DENTON & MORRIS, *supra* note 75, at 144.

<sup>88</sup> A.D. Hopkins, *Fighting Racism: James B. McMillan*, in *FIRST 100*, *supra* note 50; K.J. Evans, *Mayor Who Made His Mark: Oran K. Gragson*, *id.* at 146-47; A.D. Hopkins, *Breaking the Color Line: Bob Bailey*, *id.* at 151-52; A.D. Hopkins, *Fighting the Power: Charles Kellar*, *id.* at 153-54; K.J. Evans, *Good Citizen Ralph: Ralph Denton*, *id.* at 155-56; see also *A LIBERAL CONSCIENCE*, *supra* note 70; Donald M. Clark Papers (Univ. Nev. at Las Vegas, Lied Library, Spec. Collections).

<sup>89</sup> See WILSON, *supra* note 41.

Nevada's civil rights movement also reflected its national counterpart: it was no monolith. Governor Grant Sawyer attracted strong support for his gubernatorial campaigns, but he also faced criticism from some civil rights leaders when he proved unable to force legislators or gaming executives to move ahead as quickly as they – and, to be fair, Sawyer – wanted.<sup>90</sup> McMillan wound up resigning, not entirely voluntarily, as NAACP president not long after winning support from casino executives for desegregation in Las Vegas, and speculated that some of his fellow activists considered him too independent-minded and radical.<sup>91</sup> In the late 1960s, violence broke out in Las Vegas, as it did in many cities. Less affluent African Americans such as Ruby Duncan pushed for a greater commitment to welfare rights, a subject to which earlier leaders paid less attention.<sup>92</sup> But as Wilson said of disputes with other leaders, “we could not afford to have the kind of division that would make us lose sight of the aims and aspirations of our people.”<sup>93</sup>

That helps explain why Nevada has come a long way. The first black state senator, Joe Neal (elected, ironically enough, over Wilson, who had just been largely responsible for the passage of Nevada's first fair housing law), served eight terms and became the first African American to represent a major party in the general election for governor in 2002. Other black legislators have been among the state's most powerful lawmakers. African Americans have held seats on numerous elected and appointed state, county, and city boards. An African American, Bobby Siller, is on the Gaming Control Board, regulating the state's largest industry, and several companies have acted to increase minority hiring, executive training, and scholarship programs to attract more diverse employees. Approximately 150,000 of the more than 1.6 million residents of the Las Vegas metropolitan area are African American and are legally free to live wherever they want, depending upon their economic status and preferences. But with this improvement has come other difficulties. As Dr. McMillan explained in his oral history:

I hate to say this, but in Las Vegas, through the success of the civil rights movement and our NAACP actions, we actually hurt the black population. When blacks were confined to the Westside, that's where their money stayed . . . we could develop the community – restaurants, stores, gaming, and things. Then when we got civil rights, and we could eat, shop and gamble anywhere, all this business moved to the white man.<sup>94</sup>

Other problems persist. West Las Vegas has become mostly low-income, still awaiting redevelopment while low-income arrivals seek cheaper housing; Sarann Knight-Preddey said, “Having been here all these years, the whole city has grown up everywhere, but that one little spot over there is almost the same

<sup>90</sup> HANG TOUGH, *supra* note 70.

<sup>91</sup> JAMES B. McMILLAN, GARY E. ELLIOTT, AND R.T. KING, *FIGHTING BACK: A LIFE IN THE STRUGGLE FOR CIVIL RIGHTS* (University of Nevada Oral History Program, 1997).

<sup>92</sup> Earnest N. Bracey, *Ruby Duncan, Operation Life, and Welfare Rights in Nevada*, 44 *NEV. HIST. SOC'Y Q.* 133 (2001).

<sup>93</sup> See WILSON, *supra* note 41, at 102-04; FIRST 100, *supra* note 50, at 143-56.

<sup>94</sup> See JAMES B. McMILLAN ET AL., *FIGHTING BACK: A LIFE IN THE STRUGGLE FOR CIVIL RIGHTS* 137-38 (1997); see also Earnest Norton Bracey, *The Political Participation of Blacks in an Open Society: The Changing Political Climate in Nevada*, 42 *NEV. HIST. SOC'Y Q.* 140 (1999).

as it was when I came” in 1942.<sup>95</sup> Local black politicians have been in several political scandals that might have received less attention – and prompted more criticism in the black community – if they had involved whites. Few African Americans own casinos or sit on the boards of gaming corporations – and those who do, like Black Entertainment Television founder Robert Johnson or downtown Fitzgerald’s owner Don Barden, have come in from other areas rather than rising from within. Few younger, more successful African American politicians and businesspeople have exerted the kind of leadership that came from their predecessors, who had to fight for their rights against de facto and de jure racism and segregation.<sup>96</sup>

Whether or not Nevada actually was the Mississippi of the West, it shared with many other cities the distinction of having earned a similarly descriptive nickname. Both throughout the state of Nevada and in Las Vegas, the city that now dominates it, African Americans faced discrimination politically, economically, and socially, in ways that seared the soul. That they overcame it to build a vibrant civil rights movement testifies to their commitment – and to the commitment of those whites who sympathized and joined in the struggle. Today, long after victories in the courts and legislative halls, few African Americans sit on corporate boards or in executive suites, in high political office or in important administrative jobs. It is not now the Mississippi of the West, if it ever was. But, then as now, the struggle continues.

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<sup>95</sup> Bracey, *supra* note 92.

<sup>96</sup> See Makenta, *supra* note 59, at 115; see also Mike Davis, *The Racial Cauldron*, in *THE GRIT BENEATH THE GLITTER: TALES FROM THE REAL LAS VEGAS* 260 (Hal K. Rothman & Mike Davis eds., 2002); see also A.D. Hopkins, *The Hang-Tough Governor: Grant Sawyer*, in *FIRST 100*, *supra* note 51, at 148-50; see also *LAS VEGAS WEEKLY*, Jan. 8, 2004.