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**An Oral History of Judge Harry A. Cole
Conducted by Richard Richardson**

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Abstract: Judge Harry A. Cole (1921-1999) was a lawyer in Baltimore, and the first African-American ever elected to the Maryland Senate and the Maryland Court of Appeals. In this oral history interview, Judge Cole discusses his experiences as an activist in college with Lillie Mae Carroll Jackson; in addition to providing his personal opinions and impressions about her, he gives some insight into the general perception of her at the time. Judge Cole also discusses his impressions of Theodore McKeldin, describing his unique style and career as a politician. He further compares and contrasts the different political approaches of Theodore McKeldin and Spiro Agnew, having worked closely with both politicians.

Note on Oral History: Oral history is a methodology of gathering, preserving, and sharing the voices and memories of individuals and communities. As primary material, it documents personal reflections, commentary, and recollections, and is not intended to present a verified or “complete” history of events.

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Judge Harry A. Cole was interviewed on March 3, 1976, by Richard Richardson. The interview took place at a courthouse in Baltimore City.

Richardson [00:00:00] This is an interview with Judge Harry A. Cole for the McKeldin-Jackson Project of the Maryland Historical Society on March 3rd, 1976, at the courthouse in Baltimore, Maryland. The interviewer is Richard Richardson.

Richardson [00:00:29] Judge Cole, please tell me about your early life and your first recollections of Dr. Jackson.

Cole [00:00:37] Well, I was born in Washington, D.C. I lived in Baltimore all my early life and all my life since I was three years of age. I was educated in Baltimore Public Schools. I attended Morgan State College. And while I had heard of Dr. Lillie Mae Jackson for many, many years as a young man, I first had direct contact with her when I was at Morgan College. At Morgan College, Mrs. Jackson sent people and came herself on different occasions to recruit young people to become involved in the various activities that she at that time was focusing the attention upon, which would help bring about some equality of citizenship, you know, for all the people who were in Baltimore City and in the state of Maryland, but at that time as far as I was concerned was Baltimore City. I'd heard of Dr. Jackson, as I said, before then, when I was a student in high school and the first few years I was in Morgan College because she was one of the most dynamic personalities I think I've ever met in my life. As a young woman, which she was then, you see—Ms. Jackson died when she was 85 and as it happens, she was a classmate of my mother's. And my mother used to speak of her very often as being a woman who had amazing energy and reared a family and yet had time to take up the cause of other people.

Unidentified [00:02:38] (coughs)

Cole [00:02:38] I say Ms. Jackson had been doing (telephone rings) many, many things in the community. She had been leading, what we'd call then, I guess, a picket line. We had a picket line at Tommy Tucker Stores because they wouldn't hire counter girls. We had a picket at Ford's Theater because they would only let Blacks—Negros they would call them—sit in the balcony and then in the rear seats of the balcony. We had all kinds of demonstrations—didn't call them demonstrations then, but that's exactly what they were—to prevail upon people to register to vote. She was the first one to really try to get Negros to become interested in voting on a massive scale.

Cole [00:03:33] Probably the most significant contact I had with Dr. Jackson was probably in 1942. I think it was '42 when we had a march on Annapolis. And this was a result of police—alleged police brutality in Baltimore City. At the time, I was president of the student council in Morgan State College and had a number of other positions of leadership on the campus. And I was asked by Dr. Jackson and Dr. Carl Murphy to speak for the youths of Maryland, which I did. The governor of Maryland at the time was Herbert R. O'Connor and he held this meeting in the General Assembly and House of Delegates. And at that time, I did speak. There were ten speakers and I spoke for the youth of Maryland, and I was very much flattered because Dr. Jackson and Dr. Murphy (telephone rings) and the governor told me that I had sounded the theme (unintelligible). As a young man I was very elated.

Cole [00:05:03] But this was a woman who was so completely resourceful and full of energy. There was never a cause that she didn't spearhead at that time and this is all primarily in the field of civil rights. Thereafter she, at that time, strangely enough—I guess it was about that time—she'd already contacted Judge Watts on that bench, who, I believe, was one of the leaders in organizing the chapter for the NAACP on the campus, of which I was a member, but I was more involved with other student activities at the time. Thereafter I suppose I got involved in leading the registration drives. And I say things happen in most peculiar ways because having gone to Annapolis in that first march—first march of its kind—incidentally Adam Clayton Powell spoke here to spearhead that march on the night before the march was called for. And having gone to Annapolis, I became interested in being a member of the legislature at that time. I suppose you may or may not have heard about the march. *The Afro* still has its clippings about it. But over 2000 people rode, walked, and utilized any means available to get to Annapolis to protest the manner in which the Baltimore City Police Department treated Blacks. Of course, there was still an unusual punishment in the treatment of blacks when they were arrested and held for trial.

Cole [00:07:00] To look back and to see what the situation was then, you might get the idea that we've come a long ways, so to speak, in terms of the value which we place on human rights and dignity. It was a miserable situation because, in the 1940's you had Jim Crow cars, you had situations on trolleys, you didn't have a black cab driver in the city, you had maybe three black policemen if you had any. You had indicated you want to say something about McKeldin. Well, McKeldin around that time probably was either mayor or soon to become mayor. And it was he who was very influential in prevailing upon the former governor, I think, that it was nice to appoint Blacks to the police force in Baltimore City. Baltimore City was the planting ground, so to speak. It was the area where they were giving Blacks—Negroes at that time—an opportunity to see if you could measure up. This was their philosophy (telephone rings). And then of course each person acquitted themselves in the most outstanding manner. (telephone rings) I don't know what else I can tell you unless you just want me to go ahead and ramble about Dr. Jackson.

Richardson [00:08:31] Please do.

Cole [00:08:31] Ah (laughs). Well, Dr. Jackson, as I said, was tireless. Once she got a hold of anybody who, in her judgment, demonstrated any kind of peculiar talent which was useful in the cause, she recruited them. You couldn't go A-W-L on this issue. You were there. She was the kind of person who would call you up at what, to you, might be the most inopportune time, but it was a time of her need and a need for the cause that she was spearheading. So she called upon many, many young people. And this was her magic. She had that kind of charisma, which is wanting now, and that—She could call upon people. You'd come see her because if you didn't, she'd keep calling you and she'd call you at such ungodly hours and times and talk to you for such a period of time, incessantly, that you'd save more time by going to see her and doing what she asked to do, rather than listening to her on the phone while she was—you'd have to suffer the rebuke for not having met your responsibility. Because her philosophy was, it wasn't her cause. It was a godly cause which every Black man who was worth his salt should be a part of. And this is the kind of spirit she engendered into the youth. And perhaps that's why we miss her so now, because all of the people that I can recall who were those who surrounded Dr. Jackson, as she would say, are somebody today. It's a kind of thing, you know, you like to—And this is a measure of leadership: when leadership can set the kind of example which makes people follow, and do as they do, and spearhead the kind of noble causes that she spearheaded. And if there was no other characteristic which she had, and she had certainly many, many—this was a high point of her whole career, that she attracted youth to, first, recognize the issue and then try to do something about it. She got us involved in all kinds of registration drives.

Cole [00:10:52] When I told her that I wanted to run for the state Senate. She said, "Son, do it, but don't let them steal the election. Don't let them do it. You can win if you want to." And when I finished law school and was admitted to the bar, I told her I wanted to (object breaks) run for office. She says, "You go ahead and try and I help you."

Richardson [00:11:16] (speaking to a third party) Don't worry.

Cole [00:11:16] "I'll help you." And indeed she did. Not necessarily with money, though she financially contributed to the campaign. But she went to the churches. It wasn't that she was suggesting that I, Harry Cole, that I was the only one who could be elected. But she says, "If you've got the courage to go ahead, I've got the fortitude to back you." Without obligation to her, which is the kind of pure political situation everybody wants. And she gave her support. She went around to the churches, got the ministers, and if they didn't do what she asked them to do, she'd bless them out. And I say this because right now I'd say she'd bless them out. She'd talk about them anywhere. In any church—in that church, go to that church and tell them that they weren't doing their job. And they knew if Lillie Jackson came around, they'd stop and listen. And that was her characteristic; she espoused a great cause and her life reflects it. One of the last times I saw Mrs. Jackson, she was still saying, "Don't give up. Keep on fighting. The job's not done. There's still more to be done. Lead those people. Show them what they have to do. Forget those people who want to commit crimes and that sort of thing, they belong where they going. We've got too many other people who are poor and needy—they're forsaken. We've got too many people to help." She said, "This is where we need to direct our attention. To get a job and be somebody." And this was her view. And she set the example—a great example indeed. And all her life—Well, just take the NAACP, what it did under her leadership. I say, all the people surrounding her became somebody: Thurgood Marshall, Charlie Houston, _____ Robinson (??). Some of them who are not only a local figure in the state, though I figure she was a national figure of great repute. When she spoke, somebody listened. You had to listen, she wouldn't let you out of the room until you (laughs). It was this whole attitude.

Cole [00:13:37] She always praised Carl Murphy, because Carl Murphy lent her the support of *The Afro*, and *The Afro* was the only vehicle we had that would espouse the Negro or Black man's cause at the time. The only time you see anything in *The Sun* papers or *The News-Post* was when some Black man had raped some woman or stolen somebody's pocketbook or broken into a house. The good never was revealed and this was at a time when the Black press was really serving a very noble purpose. It's hard to speak of Lillie Jackson without mentioning Carl Murphy because the two were socially and politically married to one another. They worked as a team. Never wanted to seek any of the other's glory. Each one cooperated with the other for the benefit of the cause. The cases under her leadership in the Maryland courts, in the Court of Appeals, and the Supreme Court are just legion. I'm sure you know about it. If you've talked to Judge Watts already, I'm certain he's told you about many cases. No point in my going over it. She never, never, never relented. There was one time—I don't know if anybody's told you about, she had a kind of—the kind of attention she had with things. There was a time when Druid Hill Avenue and McCulloh Street represented the better neighborhoods for Blacks. Judge Watts tell you about this?

Richardson [00:15:27] Yes.

Cole [00:15:27] And the powers that be decided that they'd make each one of these streets thoroughfares going one way: one coming into town, one going back out of town, without regard—in her frame of thinking—to the fact that this was an area where Blacks who had been able to buy

homes had invested their money and were trying to maintain. And she fought this case, unsuccessfully. But to her, it was only a means of somebody who lived outside the city coming through the city, getting to their job without regard for the people who lived in here (unintelligible). Another instance after she lost that case. But the point was made. And it's hard to say, really, that she lost it, because even though technically they allowed the boulevards to stand, the significance was that it pointed up to the administration, the powers that be, that you must take time to look and to consider the plight of these people in this situation. After they had these boulevards so designated, they wouldn't clean the street. So she made a big to-do about the fact that somebody had run over a dog or a cat or rat, and had left it out in the middle of the street for a week without cleaning it. All of this was—now, this was a far cry from her trying to raise \$100,000 to pursue a case dealing with a lawyer getting into law school or a nurse getting into nursing school or what have you. But it shows the real extent of her interest because of her broad interest. So she's a great woman, without a question. I don't know what else you want me to add. What else you want to ask about?

Richardson [00:17:29] Did you have difficulty getting into the University of Maryland Law School?

Cole [00:17:33] No.

Richardson [00:17:33] In '42, you didn't have any?

Cole [00:17:33] No, I was a fairly—I had been a good student. I graduated Morgan first in my class, I guess. Something like that. So I applied and they were glad to let me in.

Richardson [00:17:50] Were there many blacks in the law school then?

Cole [00:17:52] No. Maybe, I guess, in the whole school less than ten, I would imagine. I don't know—I believe there were ten. Judge Watts went in in February, because he came home—he was one of the people coming from the Second World War. So maybe that was the reason we didn't have any difficulty. We had no difficulty. That had been runned out through NAACP in about 1935, in the case of Donald Murray. And we were way ahead of the rest of the country. Maryland, for some strange reason, has in many ways been ahead of the decisions of the Supreme Court in the area of civil rights—in many little ways. And significant—little, but significant ways and the law school situation is one. There are many other situations where because of the impact of the national politics, so to speak, that the NAACP was selecting a kind of case which would determine the law for the whole country. So that held up the kind of (unintelligible) that you'd have and won in the state. But we had settled the question of whether Blacks could go to law school way back in 1935.

Cole [00:19:12] Now, you asked me about McKeldin. Theodore Roosevelt McKeldin—twice governor, twice mayor—was perhaps a man who as a (telephone ringing) office holder has done more than any other single person to advance the rights of minorities in the state. For whatever reason, he did it. In my judgment, he was not a liberal.

[00:20:08] *pause in recording*

Cole [00:20:08] Now, where was I?

Richardson [00:20:09] I think you were discussing—You were starting to discuss McKeldin—

Cole [00:20:13] Oh, I was saying that in my judgment McKeldin was not, quote-unquote, in proper place as a liberal. He was a political opportunist. But as I say, whatever he was, he seized upon the opportunity. Even if one was to say for political reasons, he seized upon the opportunity to do. And this was fashionable, and more fashionable for Republicans. And he was a Republican, primarily because the Blacks made up the bulk of the Republican Party in Maryland. And any Republican knew that if he was going to be elected, he had to start off with a solid backing from his own party if he was going to win, because he had to split the Democratic vote. But he did. He— Well, he certainly knew many of the things he did (unintelligible). I had contact with Governor McKeldin when I was in the (telephone ringing) state Senate—

[00:21:25] *pause in recording*

Cole [00:21:25] What was I saying?

Richardson [00:21:30] You were saying how he championed the cause of minority rights.

Cole [00:21:36] Yes, he did. And he saw fit to place Blacks in positions of responsibility. And of leadership. This he had done with individual attention—or attention to individuals—I think until I was elected. And then I prevailed upon him to broaden the scale. Okay, to let you know what I mean: it's one thing to say, "I like you and you're a nice person with all of the qualifications, and I give you this job to do. And I point you out as a person who does that job." It's another thing to remove the barriers so that he who can qualify—irrespective of who he is, even if you don't know him—can get the opportunity. While I won't go into the ramifications of that because that was quite a stroke when you were with him, I prevailed upon him—I'd say from a position of power because it was—but I was going to say, to do this: to remove the racism qualification from all state appointment applications. He agreed to (unintelligible), to appoint persons who have the dispositions, to hire on ability. And that was done because at this point, as a member of the Senate, he had to gain the respect of his peers. I had little to do with the confirmation, so I insisted he find somebody who would do it. But at least he had the disposition to do and did not bristle up under strong (unintelligible; telephone ringing). (telephone ringing) And in that sense, I prevailed upon him to have Judge Watts appointed.

Cole [00:24:07] Judge Watts was actually my appointee. He appointed him, but I selected him. With the other judges (unintelligible). I even prevailed upon him—I'm saying he had the disposition to do—and this is what I think is important when you talk about politics and leadership, and I wouldn't attempt to take any feather out of his cap, but I think it ought to be set in a proper focus—that he had the disposition to do many things, but it was a new approach to tell him that, "Okay, you will not—we are not disposed to put a Black chairman on the Board of Parole. But the White you put there must be disposed to hire Blacks as parole officers. The warden you put in the penitentiary must be willing to open the visiting room so that people are not discriminated against. The person you put in charge of the Department of Motor Vehicles must be disposed to do so. That is a credential which he must have, and he must be committed to do it." The situation became different in light of speaking from a position of power. Let me illustrate more clearly what I mean. A person who appeals to the masses can have a tremendous appeal of a brand of persuasive power among the government officials. But the man upon whom the governmental leader must depend in order to do what he wants to do, has even greater power—disused power. Because it's a give and take. And as a consequence, he was prevailed upon to do many things. One, because he had the disposition to do it. And then he was—I wouldn't say trapped, but he had cast himself in the role of believing in certain things which he found he couldn't extricate himself from because—I was on the inside knowing what was going on and there were certain kinds of things that had to occur. If—I

don't know that I'm getting over to the point, but this is significant in terms of the lesson, which any minority ought to get from dealing with a power structure: why people who want to throw rocks in the window as opposed to trying to get inside to determine what's going on, to participate in the functioning of government. And until we become more aware to realize that we must first be qualified to vote and elect the kind of person who's disposed to do it, then with somebody else who has the courage and commitment—the urge to do it—we just can't accomplish it. So he opened many, many, many doors.

Cole [00:27:38] Now, there are people—and I just want to assure you—there are people who do because they think it's right and this is going to hit you in the wrong place, maybe. But a man who during the campaign, who said he was going to do, and never had to be persuaded to do, and who did more in the few months he was governor with persuasion, because he was committed, was Agnew. Agnew. Without—I don't care what anybody else says about him. This man, as far as I know, never asked anybody to give him anything, but he restructured the whole parole board, made Dave Mason—a Black Democrat—chairman. He put a Black on his staff in a significant position. Okay, he and Gil Ware fell out because Gil didn't like his thinking on certain things. Agnew was—I don't know, he was a most unusual, peculiar person anyways. He had his mind made up, he was almost inflexible on certain things. He was not McKeldin. But on the question of what was right and proper, I could turn to his word. I never had a question, never had to go up to him and say, "You promised to do this and you haven't done it." That is significant. It's most unfortunate that he got turned around if indeed he did, because (unintelligible). I only cite that—I don't know whether it will be significant to whatever your treatise is. But it is a different kind of person, and I don't know which one is better. I can't tell you which one is better. I will not even suggest any impropriety with regard to McKeldin when I was in office (unintelligible). Nor would I comment upon this other thing. It's there for everybody to see. But in terms of a sense of commitment, there'd be a question. I really had to bang on McKeldin's door to get (unintelligible). All I had to do was wait for a call from Agnew and there he was, without any question. Not to me. I wish I were commissioned to really define this difference between these two individuals or this difference in men. I think it's an important difference to recognize, particularly who were—

[00:30:56] *pause in recording*

Cole [00:30:56] I wish I were able to refine the difference in those persons who—because of circumstances, because of the opportunity presented by circumstances—developed a disposition to do as differentiating from those people who have the abiding sense of commitment to, once having said "I will do," do it as a matter of course. Most politicians, most people elected to office, do not have time to—in my experience, now they do not demonstrate the kind of commitment, which does not have to be cajoled, persuaded, anyway sugared, any way you want to put it, to cause them to do what they've already said. And that—I guess that's why people say he has a campaign promise as opposed to one of—But there is no question, all being said and done, that McKeldin has done more still than any single governor to point out the inequities that have existed within Blacks and whites in the Maryland community and particularly in Baltimore City. And I say, to tell you how the man feels, he would tell you that he was—he would have been making a compromise, and how we were ahead of the rest of the country. When a question came about whether or not Blacks should go to white schools, McKeldin was one of the people who said—I think he was governor at the time—he said, "Well, why don't we let a Black get in the A-course at Poly?" Now, that's a different position from saying if they have a right to get in the A-course they ought to get in every course. But his point was, "Well, get him in there, see if he does well. It'll be easier to get the next one in there and then get him in the B-course, and then the C-course, and the D-course." And this is the attitude of those folks who say—who would say at that time, they

say, "Now, you want to do that, that's moving too fast. Let's move more gradually. But those people who say that very often don't take into consideration the person who's leading. That's the real difference. That's all, I guess. If you're going to ask me something, I'll give you five more minutes—

[00:33:41] *end of recording*