



James Edward O'Hara

1844–1905

UNITED STATES REPRESENTATIVE ★ 1883–1887
REPUBLICAN FROM NORTH CAROLINA

A freeborn Irish–West Indian mulatto, James O'Hara was the only black Member on the first day of the 48th Congress (1883–1885), having succeeded on his fourth attempt to win a seat representing North Carolina's "Black Second" district. A resolute legislator, he worked to restore the civil rights stripped from African Americans since the end of Congressional Reconstruction in 1877. "I for one . . . hold that we are all Americans," he told his congressional colleagues. "That no matter whether a man is black or white he is an American citizen, and that the aegis of this great Republic should be held over him regardless of his color."¹ Despite O'Hara's drive to secure a seat in the House and, subsequently, to pass legislation, congressional opponents of black civil rights stymied his efforts.

James Edward O'Hara was born February 26, 1844, in New York City. The illegitimate son of an Irish merchant and a black West Indian mother, he had light skin and red highlights in his curly hair.² The historical record first picks up O'Hara in the company of New York-based missionaries in Union-occupied eastern North Carolina in 1862.³ Well-educated, he taught primary school to free black children in New Bern and Goldsboro, North Carolina.⁴ In 1864, O'Hara married Ann Marie Harris, but the couple separated two years later and eventually divorced. They had one son, born after their divorce. O'Hara married Elizabeth Eleanor Harris in 1869.⁵ They also had a son, Raphael. O'Hara studied law at Howard University in Washington, DC, but there is no record of his graduation. Admitted to the North Carolina bar in 1873, he established a private practice in Enfield, North Carolina.

North Carolina was a bastion of lucrative patronage positions in the 1870s, and Republican lawmakers clamored for offices. James O'Hara was quick to recognize these benefits and became involved in the local party

machine. He first served as a secretary at the freedmen's and Republican Party meetings just after the Civil War, composing reports for newspapers. At the 1868 North Carolina constitutional convention, he served as a delegate and an engrossing clerk. From 1868 to 1869, O'Hara also served in the state house of representatives. In 1873, he was elected chairman of the Halifax County board of commissioners. During his four-year tenure, O'Hara endured multiple Democratic accusations of corruption and extravagance—all of which he initially denied, claiming the charges were politically and racially motivated. However, when he and several other Republican commissioners were indicted, O'Hara and a colleague pleaded no contest and agreed to pay court costs to have the charges dropped.⁶ O'Hara faced further difficulty in 1876, when he resigned his post as a presidential elector in the face of threats from local Democrats.⁷

O'Hara began his long quest for a seat in the U.S. Congress in 1874 when he made a bid for North Carolina's northeastern "Black Second" district seat. Centered in the cotton-growing portion of the state, the district acquired its nickname because its population was 58 percent black, the largest of any part of the state.⁸ O'Hara lost the Republican nomination to John A. Hyman, who became the first African American to serve North Carolina in the U.S. Congress. Nevertheless, O'Hara remained committed to winning the seat, in part because there were fewer patronage opportunities in the Democratically controlled state at the end of Congressional Reconstruction. Political office remained a viable outlet.

O'Hara made another attempt at the "Black Second" nomination in 1878. He obtained the party endorsement over moderate Republican and former Representative Curtis Brogden, Hyman, and three other candidates. The fight for the nomination lasted 29 ballots at the



contentious Republican district convention. In the general election, O'Hara's opponents brought up his past corruption charges and accused him of bigamy, as it was unclear whether he was divorced from his first wife. Dissatisfied with his defenses, state Republican leaders gathered three weeks before Election Day to nominate white candidate James H. Harris to take O'Hara's place. But O'Hara refused to step down and, despite the attacks and the loss of party support, he won the three-way race between the two Republican candidates and Democrat William H. Kitchin, a member of a politically powerful family in North Carolina. Based on technicalities, election canvassers subsequently eliminated enough of O'Hara's votes in three counties to hand Kitchin the victory. O'Hara challenged the results, but evidence in his favor was destroyed when his house suspiciously burned down. O'Hara failed to persuade either the North Carolina state supreme court or the Democratic 46th Congress (1879–1881) to unseat Kitchin. He returned in 1880 to seek the congressional seat but lost a bitter race for the Republican nomination to carpetbagger Orlando Hubbs.⁹

Between congressional bids, O'Hara was active in local and national politics. By 1881, he had aligned himself with a statewide anti-Prohibition campaign and was an architect of a coalition between Liberal Democrats and North Carolina Republicans in 1882. That same year, he made his fourth attempt to gain the "Black Second" seat, bolstered by discontented local black politicians who believed they were being marginalized within the party.¹⁰ At the state Republican convention, two other candidates opposed him: incumbent Hubbs and scalawag Lotte W. Humphrey. Though Democrats accused African-American voters in the "Black Second" of voting only for black candidates, voters were divided. None of the candidates controlled the convention's first ballot, and all three engaged in ruthless attack campaigns, promising patronage to potential supporters. Humphrey eventually bowed to O'Hara, giving the black candidate the majority of delegates. An O'Hara delegate called for his nomination

by voice vote. Though the crowd roared in O'Hara's favor, the convention chairman declared Hubbs's candidacy and quickly adjourned.¹¹ Both sides claimed victory and, in the following months, Hubbs and O'Hara vigorously sought each other's resignation. Shortly before the election, Hubbs capitulated to pressure from O'Hara forces, who spoke for the majority-black voters in the district when they threatened to abandon the state Republican ticket if their candidate was not on the ballot. Without adequate Democratic opposition, O'Hara was unopposed in the general election.¹² Reapportionment in 1883 changed the borders of O'Hara's district in his favor, increasing the black population with the addition of Bertie County.¹³ In 1884, he was easily re-elected over Democrat Frederick A. Woodard, taking 59 percent of the total returns and the most votes ever recorded for an African-American candidate in the "Black Second" district.¹⁴

As part of the Republican minority in the House, O'Hara received appointments to the Mines and Mining and the Expenditures on Public Buildings committees when he arrived in Washington for the 48th Congress (1883–1885) in December 1883. He later traded his Mines and Mining position for a spot on the Invalid Pensions Committee in the 49th Congress (1885–1887). O'Hara was active on the Invalid Pensions Committee. In the first session, he introduced more than 100 committee reports, serving as an unofficial subcommittee chairman.¹⁵ O'Hara did not take the floor to make long addresses; instead, he delivered concise speeches and put forth bold legislation, often fighting for the rights he and other Black Americans had lost since the end of Reconstruction.¹⁶

On January 8, 1884, O'Hara boldly proposed a constitutional amendment to ensure equal accommodations for blacks on public transportation. He wanted to reverse a Supreme Court decision delivered in 1883 declaring the 1875 Civil Rights Bill unconstitutional, but the House refused to consider the measure.¹⁷ The following December, O'Hara proposed an amendment to regulate interstate travel and commerce, calling for equal accommodations for all railroad passengers, regardless of color. Under the

existing law, when a railroad passed into southern states, first-class black passengers were typically forced to move to a second-class “Jim Crow car.” O’Hara capitalized on contemporary arguments favoring federal regulation of interstate commerce, maintaining that if Congress had authority over freight passing between states and could set standards for the treatment of animals, it could regulate how railroads served their customers. O’Hara’s amendment passed on the first vote, but Democratic opponents quickly nullified the measure with another allowing railroads to classify passengers at their own discretion. The final bill passed—without O’Hara’s vote—in the 49th Congress with language so vague, the railroads continued their discriminatory practices.¹⁸

In the face of repeated rejections of his civil rights legislation, O’Hara focused on individual instances and locations of discrimination, but he met similar opposition. On January 12, 1885, he offered a bill that would require eating establishments in the nation’s capital to charge customers without discriminating based on race, or risk fines up to \$100. Referred to the Committee on the District of Columbia, the bill was never reported back.¹⁹ He reiterated his request at the opening of the 49th Congress, but the bill met the same fate.²⁰ On March 17, a white mob stormed a Carrollton, Mississippi, courthouse where seven white men were charged with assaulting two black men. The mob opened fire on all of the black men present, killing 11 and wounding nine. O’Hara requested that Speaker John G. Carlisle of Kentucky appoint a five-member committee to investigate the incident and issue a report. His original request was rejected before it could be submitted to the Rules Committee, and a renewed request submitted the following month was referred to the committee but never reported.²¹

O’Hara used his legislative persistence to help his constituents, both white and black. Residing in a coastal district, he sought river and harbor appropriations for North Carolina in nearly every session of his congressional

service, stressing funding to improve waterways on which cotton was shipped to support his district’s cotton-growing industry. Despite his determination, most of O’Hara’s amendments were rejected.²² Recognizing that a great number of his constituents were working-class laborers, he opposed the passage of a labor arbitration bill that allowed a third party to settle disputes between employers and employees. Though he favored arbitration, O’Hara wanted to concentrate on organizing unions to defend labor interests.²³

Internal feuds among “Black Second” Republicans ended O’Hara’s congressional career. Although O’Hara won 75 percent of the nominating convention’s vote, his candidacy was weakened by accusations that he was unable to meet the needs of his constituents, that he did not distribute available patronage positions to other black aspirants, and that, as a light-skinned mulatto, he was not a fair representative for his race.²⁴ Another black Republican, Israel B. Abbott, opposed O’Hara in the 1886 race as an Independent Republican. Abbott had one term in the state legislature to his credit and had served as a delegate to the national Republican convention in 1880, but his most significant advantage was that he was dark-skinned—“a true representative of his race” according to the *Washington Bee*—and “a native of the district,” having escaped to New Bern, North Carolina, after Union forces took over in 1861.²⁵ Nevertheless, O’Hara won most of the black vote from loyal Republican freedmen, taking 40 percent to Abbott’s 15 percent. However, Democrat Furnifold Simmons capitalized on the GOP fissure, capturing 45 percent of the vote for victory.²⁶ Two years later, O’Hara again sought a congressional nomination, but lost to Henry Cheatham, who would reclaim the “Black Second.” O’Hara returned to his law practice, partnering with his son, Raphael. He began publishing a newspaper, the *Enfield Progress* shortly before his death in New Bern, North Carolina, on September 15, 1905.

FOR FURTHER READING

Anderson, Eric. "James O'Hara of North Carolina: Black Leadership and Local Government," Howard Rabinowitz, ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982).

_____. *Race and Politics in North Carolina, 1872–1901* (Baton Rouge: Louisiana State University Press, 1981).

"O'Hara, James Edward," *Biographical Directory of the United States Congress, 1774–Present*, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=O000054>.

Reid, George W. "Four in Black: North Carolina's Black Congressmen, 1874–1901," *The Journal of Negro History* 64 (Summer 1979): 229–243.

MANUSCRIPT COLLECTION

University of Chicago Library (Chicago, IL) Special Collections Research Center. *Papers: 1866–1970*, 1.5 linear feet. The James E. O'Hara Papers consist of miscellaneous materials that document the life and career of one of America's first black Representatives. There are several letters from family and from constituents in North Carolina. In addition, three folders are devoted to photographs of Representative O'Hara, his wife and son, and his associates. An important and detailed resource for the study of the O'Hara family and the social history of the late-19-century South is the biographical sketch of Representative O'Hara and his family written by his granddaughter, Vera Jean O'Hara Rivers, entitled "A Thespian Must Play His Role." Finally, the collection includes some ephemeral material, such as a handbill announcing the establishment of a Canadian newspaper for fugitive slaves, an autograph book and "Register of Documents sent" owned by James E. O'Hara, and a small 20th-century booklet of biographical sketches that includes a brief description of Representative O'Hara. An inventory is available in the repository and online.

NOTES

- 1 *Congressional Record*, House, 48th Cong., 2nd sess. (17 December 1884): 317.
- 2 The names of O'Hara's parents are not known.
- 3 One scholar claims O'Hara was born in the West Indies. See George W. Reid, "Four in Black: North Carolina's Black Congressmen, 1874–1901," *The Journal of Negro History* 64: 3 (Summer 1979): 229–243. O'Hara's childhood is not documented. Most likely, he moved from New York, where he attended public schools, to the West Indies around 1850. See Eric Anderson, "O'Hara, James Edward," *American National Biography* 16 (New York: Oxford University Press, 1999): 649–651 (hereinafter referred to as *ANB*); Thomas Holt, "O'Hara, James Edward," *Dictionary of American Negro Biography* (New York: Norton, 1982): 474–475; Maurine Christopher, *Black Americans in Congress* (New York: Thomas Y. Crowell Company, 1976): 152.
- 4 Anderson, "O'Hara, James Edward," *ANB*.
- 5 The name of O'Hara's first son is not known. There is no evidence that Ann Marie Harris and Elizabeth Eleanor Harris were related.
- 6 Anderson, "O'Hara, James Edward," *ANB*.
- 7 Eric Anderson, "James O'Hara of North Carolina: Black Leadership and Local Government," in Howard Rabinowitz, ed., *Southern Black Leaders of the Reconstruction Era* (Urbana: University of Illinois Press, 1982): 104.
- 8 Stanley B. Parsons et al., *United States Congressional Districts, 1843–1883* (New York: Greenwood Press, 1986): 200.
- 9 Eric Anderson, *Race and Politics in North Carolina, 1872–1901* (Baton Rouge: Louisiana State University Press, 1981): 63–68.
- 10 Anderson, *Race and Politics*: 98.
- 11 Anderson, "James O'Hara of North Carolina: Black Leadership and Local Government": 117.
- 12 *Ibid.*
- 13 Anderson, *Race and Politics*: 141; Kenneth Martis, *The Historical Atlas of Political Parties in the United States Congress: 1789–1989* (New York: Macmillan, 1989): 139; Stanley B. Parsons et al., *United States Congressional Districts, 1883–1913* (New York: Greenwood Press, 1990): 97–99.
- 14 Michael J. Dubin et al., *U.S. Congressional Elections, 1788–1997* (Jefferson, NC: McFarland & Company, Inc., Publishers, 1998): 268; Anderson, *Race and Politics*: 118.
- 15 Anderson, *Race and Politics*: 124. There were no official subcommittees for the Invalid Pensions Committee, but Members were often assigned leadership roles to consider specific bills or were charged with organizing petitions from specific states. See the Minutes of the Committee on Invalid Pensions, 49th Congress, Records of the United States House of Representatives (RG 233), Center for Legislative Archives, National Archives and Records Administration, Washington, DC
- 16 Anderson, "O'Hara, James Edward," *ANB*.
- 17 *Congressional Record*, House, 48th Cong., 1st sess. (10 January 1884): 347.
- 18 Okun Edet Uya, *From Slavery to Political Service: Robert Smalls, 1839–1915* (New York: Oxford University Press, 1971): 120; a more detailed account is available in Christopher, *Black Americans in Congress*: 153–155. Smalls did vote for the final bill; see *Congressional Record*, House, 48th Cong., 2nd sess. (8 January 1885): 554.
- 19 *Congressional Record*, House, 48th Cong., 2nd sess. (12 January 1885): 632.
- 20 *Congressional Record*, House, 49th Cong., 1st sess. (5 January 1886): 438.
- 21 *Congressional Record*, House, 49th Cong., 1st sess. (29 March 1886): 2897; *Congressional Record*, House, 49th Cong., 1st sess. (2 April 1886): 3123.
- 22 Although most of O'Hara's requests were rejected, he obtained funding to remove obstructions from a North Carolina stream and to expand another. See *Congressional Record*, House, 48th Cong., 1st sess. (10 June 1884): 4980–4982; *Congressional Record*, House, 48th Cong., 1st sess. (12 June 1884): 5069; *Congressional Record*, House, 48th Cong., 2nd sess. (18 February 1885): 1857; *Congressional Record*, House, 49th Cong., 1st sess. (22 April 1886): 3748; *Congressional Record*, House, 49th Cong., 1st sess. (12 February 1886): 1404.
- 23 *Congressional Record*, House, 49th Cong., 1st sess. (2 April 1886): 3049.
- 24 Anderson, "O'Hara, James Edward," *ANB*.
- 25 Anderson, *Race and Politics*: 135.
- 26 Dubin et al., *U.S. Congressional Elections, 1788–1997*: 275.