

## Lore of the Corps

### Adam E. Patterson: First African American Judge Advocate in History

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The first African-American lawyer to join our Corps—then known as the Judge Advocate General’s Department—was Adam E. Patterson. He had practiced law in Oklahoma and Illinois for more than fifteen years before being appointed as a Major, Division Judge Advocate, 92d Division, American Expeditionary Force, by General John J. Pershing on October 5, 1918. What follows is the story of a remarkable lawyer and judge advocate.

Born in Walthall, Mississippi on December 23, 1876, Adam E. Patterson went to high school in Kansas City, Kansas and Pueblo, Colorado. After graduating in 1897, he attended the University of Kansas, and earned his LL.B.<sup>1</sup> in 1900.<sup>2</sup>

After being admitted to the bar, 24-year old Patterson began practicing law in Cairo, Illinois. Five years later, he moved to Muskogee, Oklahoma. Active in Democratic Party politics, he was “conspicuous” in supporting Woodrow Wilson in the 1912 elections.<sup>3</sup> As a reward, once he was elected, President Wilson nominated Patterson to be Register of the U.S. Treasury on July 24, 1913. Two days later, however, after two prominent senators from Mississippi and South Carolina and their followers “served notice” on Wilson that the nomination of an African-American “could not be confirmed,” Wilson withdrew Patterson’s nomination.<sup>4</sup> Secretary of State Williams Jennings Bryan subsequently offered Patterson the position of “Minister to Liberia,” but Patterson apparently declined this appointment and returned to Illinois in 1914.<sup>5</sup>



Adam E. Patterson as a student at the University of Kansas, circa 1900.

In Chicago, Patterson continued his involvement in politics. He was elected president of the National Colored Democratic League and, in 1916 “managed the national campaign for [the] Democratic Party among colored voters.”<sup>6</sup> He also had an active civil and criminal law practice and took on a number of high profile cases. On one occasion, Patterson worked alongside the famous lawyer Clarence Darrow<sup>7</sup> in defending Oscar S. De Priest, a black Republican and Chicago alderman, who was being prosecuted for graft; De Priest was acquitted.<sup>8</sup>

In 1917, after America’s entry into World War I, Patterson joined the Officers Training Camp at Fort Des

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<sup>1</sup> A bachelor of laws, which was the basic degree awarded to an individual upon the completion of law school until the late 1960s. THE FREE DICTIONARY, <http://www.legal-dictionary.thefreedictionary.com/LL.B>. (last visited Feb. 18, 2015).

<sup>2</sup> Questionnaire for the Judge Advocates Record of the War, Adam E. Patterson, National Archives and Records Administration, Record Group (RG) 153, Records of the Office of The Judge Advocate General, Entry 45, Box 4. [hereinafter NARA]

<sup>3</sup> THE CRISIS, Sept. 1913 at 227.

<sup>4</sup> *First Negro for Register: Opposition in Senate to President’s Nomination of Patterson*, N.Y. TIMES July 27, 1913, at 4.

<sup>5</sup> NARA, *supra* note 2.

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<sup>6</sup> *Id.*

<sup>7</sup> See IRVING STONE, CLARENCE DARROW FOR THE DEFENSE: A BIOGRAPHY (1941). Clarence Darrow (1857-1938) is perhaps the most famous trial lawyer in U.S. history and was known for taking unpopular cases. He gained national prominence when defending John T. Scopes at the so-called “Scopes Monkey Trial” in Tennessee in 1925. *Id.*

<sup>8</sup> UNITED STATES HOUSE OF REPRESENTATIVES, HISTORY, ART & ARCHIVES, *De Priest, Oscar Stanton*, <http://history.house.gov/People/Detail/12155?ret=True#biography> (last visited Jan. 26, 2015). Oscar Stanton De Priest (1871-1951) was the first African-American to be elected to Congress from outside the southern states. He served as a Republican in the House of Representatives from 1929 to 1935; he was the only African-American in Congress during these years. *Id.*

Moines, Iowa. He spent ten months as a captain of Infantry and was an instructor in the 4th Officers Training Camp, Camp Dodge, Iowa. Then, on October 5, 1918, Patterson was promoted to major and appointed Division Judge Advocate for the 92d Division.

This all African-American division, which had been created by General John J. Pershing as part of the American Expeditionary Force in 1917, had four infantry battalions, three field artillery battalions, and three machine gun battalions. It also had an engineer regiment, an engineer train, a signal corps and a trench mortar battery.<sup>9</sup> While most officers in the division were African-American, black officers could not outrank white officers—meaning black officers generally were unable to attain a rank higher than lieutenant. This meant that Patterson was truly unique; one of only a handful of African-American majors in the Army and the first African-American lawyer to wear the crossed quill-and-sword insignia on his collar.

At the time of his appointment as Division Judge Advocate, the 92d Division was already in existence. Consequently, Patterson sailed to France, joined the unit, and then remained in France at least until February 1919.<sup>10</sup> Assisting him with his legal duties were Captain Austin T. Walden, the Assistant Judge Advocate and two enlisted men.<sup>11</sup> As for what he did as the senior lawyer in the division, Patterson wrote in 1925 that he “personally handled all offenses committed by the soldiers from A.W.O.L. to murder.”<sup>12</sup> Additionally, he would have provided legal advice to commanders and their staffs, and almost certainly was available if soldiers in the 92d needed legal assistance.

After returning to Chicago from France in 1919, Patterson “became a major figure in the city’s Democratic Party.” He also established “The Committee of One Hundred,” composed mostly of African-American war veterans, working for “civic racial uplift” in Chicago.<sup>13</sup>

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<sup>9</sup> STEVEN D. SMITH AND JAMES A. ZEIDLER, A HISTORIC CONTEXT FOR THE AFRICAN-AMERICAN MILITARY EXPERIENCE (1998), 156.

<sup>10</sup> NARA, *supra* note 2.

<sup>11</sup> Walden was the second African-American lawyer to join the Army as a judge advocate. He was commissioned as a captain on November 15, 1918 and ordered to duty as the Assistant Judge Advocate, 92d Division. Born at Fort Valley, Georgia in 1885, Walden received his law degree from the University of Michigan in 1911 and practiced law in Macon, Georgia prior to joining the Army in 1917. Walden returned to Georgia after World War I and became a prominent member of the African-American community in the Atlanta area. He also was active in politics, and when appointed to a judgeship on the Atlanta Municipal Court in 1964, he became the first black judge in Georgia since Reconstruction. Walden died in 1965. NARA *supra* note 2; A. T. Walden (1885-1965), New Georgia Encyclopedia, <http://www.georgiaencyclopedia.org/articles/history-archaeology/t-walden-1885-1965> (last visited Jan.27, 2015).

<sup>12</sup> *92d Division Officer Nails Bullard’s Lie*, CHICAGO DEFENDER, Jun. 13, 1925, at 3.

<sup>13</sup> CHAD LOUIS WILLIAMS, TORCHBEARERS OF DEMOCRACY: AFRICAN AMERICAN SOLDIERS IN THE WORLD WAR I ERA (2010), 322.

Patterson also was very active in refuting an organized campaign by General Robert L. Bullard and other senior white Army officers to discredit the contributions of African-Americans in World War I, especially those of the 92d Division.<sup>14</sup> As General Pershing had lauded the exploits of the division in France, Patterson and other black Americans who had served in the 92d took Bullard’s criticisms “as a personal affront.”<sup>15</sup>

In the 1920s and 1930s, Patterson served as assistant corporation counsel for the City of Chicago, a prestigious and high-paying position. In this job, Patterson defended the city in civil suits for money damages. He continued to use his military rank during this time, and is routinely identified in books and newspaper stories as “Major Adam Patterson.”<sup>16</sup>

Patterson probably remained in Chicago for the remainder of his life but your Regimental Historian has been unable to find an obituary for him that would confirm this assumption; though one must exist given his prominence in the community. In any event, it is unquestionable that Adam E. Patterson was inordinately proud of his service as a Judge Advocate and that he deserves to be remembered.

Correction: The May 2014 Lore of the Corps stated that then Colonel Eugene M. Caffey landed at Omaha Beach on June 6, 1944. This is incorrect as Caffey waded ashore at Utah Beach. The author regrets the error.

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<sup>14</sup> General Bullard, commander of the 2d American Army, insisted that African-American soldiers were “hopelessly inferior” and had been cowards in battle. Historians today view condemnations by Bullard and others to have been “attempts to cover their own failures in combat and pitiful efforts to promote their own belief in black inferiority.” SMITH AND ZEIDLER, *supra* note 6, at 179.

<sup>15</sup> WILLIAMS, *supra* note 13. Pershing told the members of the 92d that the “Division stands second to none in the record you have made since your arrival in France ... I commend the 92d Division for its achievements not only in the field, but on the record its men have made in their individual conduct.” SMITH AND ZEIDLER, *supra* note 9, at 178-179.

<sup>16</sup> WALLACE B. WEST, PASSIONATELY HUMAN, NO LESS DIVINE (2005), 178; *Lays Cornerstone of \$50,000 Church*, CHICAGO DEFENDER, Jul 31, 1937, at 4.