



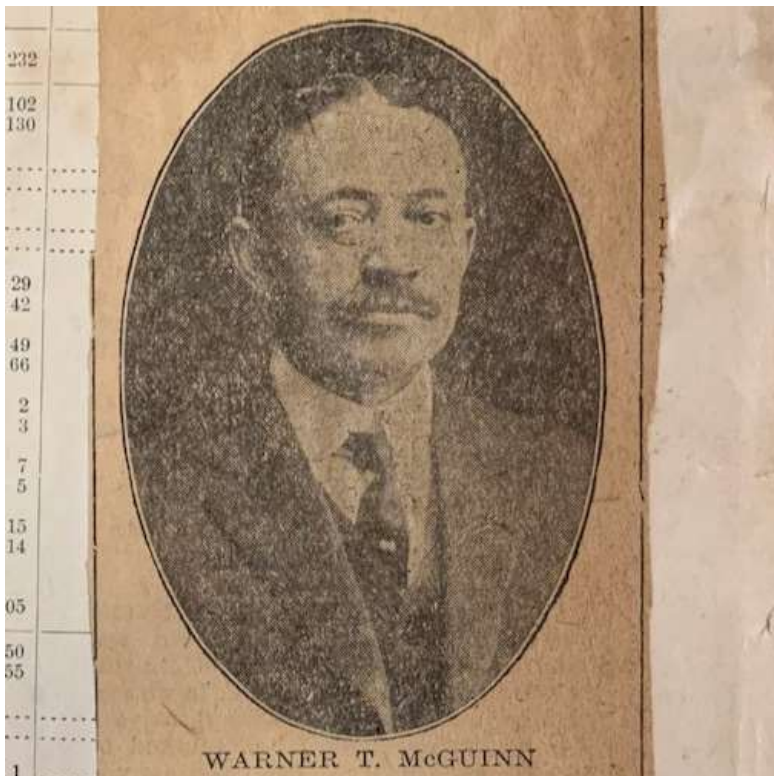
OLD YALE

A civil rights champion

Yale Law grad Warner T. McGuinn 1887LLB was the one degree of separation between Mark Twain and Thurgood Marshall.

By [Mark Alden Branch '86](#) | Jan/Feb 2024

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Manuscripts and Archives

Warner McGuinn 1887LLB argued against segregation as an attorney and political leader in Baltimore. His scrapbook in the Yale archives includes this 1917 clipping from the Philadelphia Tribune. [View full image](#)

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“He was one of the greatest lawyers who ever lived. If he had been white, he’d have been a judge.”

That was US Supreme Court justice Thurgood Marshall’s assessment of Warner Thornton McGuinn, an 1887 Yale Law graduate who was one of Marshall’s mentors. McGuinn, the sixth Black man admitted to the Maryland bar, achieved local prominence as a politician and a lawyer.

But McGuinn's name became more widely known nationally decades after his death, when it was revealed that author Mark Twain had paid McGuinn's living expenses for his time in law school. The 1985 discovery of a letter documenting the arrangement, made public by Twain scholar and former Yale lecturer Shelley Fisher Fishkin '71, '77PhD, caught the public's attention at a time when Twain's writing about race was the subject of debate. In his offer to Law School dean Francis Wayland to pay McGuinn's board, Twain seemed to endorse a kind of reparations: "I do not believe I would very cheerfully help a white student who would ask for the benevolence of a stranger, but I do not feel so about the other color," Twain wrote. "We have ground the manhood out of them, and the shame is ours, not theirs, and we should pay for it."

McGuinn had met Twain as president of the Kent Club, a Law School debating society. When Twain spoke to the club in 1885, McGuinn met him at the train station and brought him to the dean's house. Impressed with McGuinn, Twain wrote his letter to the dean.

McGuinn, who was paying his way by working as a bookkeeper and bill collector, at first waved off Twain's offer. "I am making it all right," he told Wayland. "Yes," the dean replied, "but we would like to see you do what you could do if you were unhampered."

Twain's assistance must have made McGuinn's path to graduation easier, but McGuinn already seemed destined for success. He was born near Richmond, Virginia, in 1862; his father, who died when McGuinn was four years old, was a mine superintendent. Richmond bank records show that McGuinn opened an account at the age of nine, listing his occupation as "paper seller." His family later moved to Baltimore, where he attended school. He worked his way through Lincoln University, a historically Black college in Pennsylvania, where he earned his BA in 1884. After studying law at Howard University for a year, he transferred to Yale, becoming the Law School's fourth Black student.

At his graduation in 1887, he was one of three students who gave orations; his was chosen by a jury to receive the \$100 Townsend Prize. The *New Haven Journal-Courier* declared his speech "a masterly piece of work and well delivered, as was the opinion of the judges and audience."

McGuinn returned to Baltimore in 1891 to practice law. He got involved in politics and government early on, serving on Baltimore's liquor license commission from 1895 to 1899. He was an active Republican, as most Black leaders were at the time, attending several national conventions and speaking out for and against candidates during election season.

In the 1916 campaign, for example, McGuinn excoriated the Wilson administration for removing Black people from federal jobs and for proposing to segregate transit in Washington. "The national administration at Washington for the past three and a half years . . . has energetically exerted the strong arm of the government in keeping the Negro in his place," he said. "That 'place' in the last analysis from a Democratic viewpoint, is none other than a modified form of slavery."

A scrapbook that McGuinn kept, now part of the Yale University Archives, documents his law career and his outspoken support for civil rights. He argued against state and local Jim Crow laws that were being proposed in the early twentieth century, including segregation measures and a voting bill that had a "grandfather clause" designed to exclude Black people. He is credited with helping to get a residential segregation law overturned in Baltimore in 1917. He also spoke out in favor of women's suffrage. He served twice as a city councilman, from 1919 to 1923 and from 1927 to 1931, fighting Democrats who tried to bar Black people from city patronage jobs.

In 1933, Thurgood Marshall, who was fresh out of law school, returned to his hometown of Baltimore to start a career. As Marshall later told it, he asked McGuinn to hire him. “Forget it,” McGuinn told him. “I have known you since you were born, and I have carefully watched your progress in law school. It’s unbelievably good. And you want to let me have your beautiful, great brain, and I am not going to accept it. You’re going to practice by yourself and get your brains kicked out and then come back to me and we’ll talk.” Marshall took an office in the same building as McGuinn, who shared a secretary with Marshall and passed clients to him.

McGuinn died in 1937, survived by a daughter and a grandson; his wife of 37 years, Anna, had died in 1929. In his *Baltimore Sun* obituary, the newspaper quoted its own 1927 endorsement of McGuinn for city council, writing that “no member has been more efficient or more earnest in endeavoring to promote public welfare than Warner T. McGuinn.”

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