In 1960, Nevada gained its first African-American member of the legal community. At the urging of Thurgood Marshall, head of the National Association for the Advancement of Colored People (NAACP) legal division, attorney Charles L. Kellar moved from New York to Las Vegas, a town that had only six years prior welcomed its first African-American medical doctor. Kellar arrived in Las Vegas and established residency to fulfill the one-year requirement before sitting for the bar examination. His almost perfect passing score drew unfavorable attention from the State Bar of Nevada and a decision was made to withhold his license. After a lengthy court campaign, Kellar received his license to practice law in 1965.

Early Years

Kellar had worked as a lawyer in New York state for many years. He was born in Barbados and at 11 years of age he moved with his mother and younger brother to New York. As a young man, he made the acquaintance of Thurgood Marshall who was employed at NAACP Headquarters located at that time in New York City. During Marshall’s service in the NAACP Bar Representation Program, he focused efforts on sending African-American lawyers to states that had no African-American attorneys. In 1960, Nevada had none.1

Challenging Expectations

Initially, Kellar caused quite a stir in Las Vegas. He first attracted attention because of a large certified check from the sale of New York real estate that he tried to deposit in a Las Vegas bank. Most of the local African-American population numbered among the working poor and, since he was not known, the bank called the police. However, the ensuing months prior to the bar exam were quieter. He studied and passed the test to become a real estate broker.

CHARLES L. KELLAR:
Legal Trailblazer in Nevada

BY CLAYTEE WHITE & GERALDA MILLER

In 1960, Nevada gained its first African-American member of the legal community. At the urging of Thurgood Marshall, head of the National Association for the Advancement of Colored People (NAACP) legal division, attorney Charles L. Kellar moved from New York to Las Vegas, a town that had only six years prior welcomed its first African-American medical doctor. Kellar arrived in Las Vegas and established residency to fulfill the one-year requirement before sitting for the bar examination. His almost perfect passing score drew unfavorable attention from the State Bar of Nevada and a decision was made to withhold his license. After a lengthy court campaign, Kellar received his license to practice law in 1965.

Challenging Expectations

Initially, Kellar caused quite a stir in Las Vegas. He first attracted attention because of a large certified check from the sale of New York real estate that he tried to deposit in a Las Vegas bank. Most of the local African-American population numbered among the working poor and, since he was not known, the bank called the police. However, the ensuing months prior to the bar exam were quieter. He studied and passed the test to become a real estate broker.
During Kellar’s five-year interval between passing the bar exam and attaining a license, Robert L. Reid and Earle W. White, Jr. passed the bar exam, were licensed and admitted to practice law in 1964. Both enjoyed successful practices and became judges. Nevertheless, Kellar did not squander the years. During the court proceedings to have his license issued, his involvement with the Las Vegas NAACP branch began and flourished. Branch President and long-time community leader, Donald M. Clark, fully supported Kellar’s efforts and wrote letters on his behalf to the state bar. This relationship was in all probability the reason that Kellar began to give legal assistance to the Las Vegas branch, formed close ties to the African-American community and later served as branch president. He also formed memorable ties with Reno’s African-American community.

One of Us

Eddie Scott and Kellar had plenty of time on their hands in the early 1960s to fight together for civil rights in Nevada. Scott, president of the Reno/Sparks branch of the NAACP from 1961 to 1964, said he was laid off his job and blacklisted by the Chamber of Commerce because of his activism against Reno’s Jim Crow practices.

continued on page 22
Scott has fond memories of those years collaborating with Kellar. The pair began working closely together after the West Coast Regional NAACP authorized, in 1959, a statewide political action committee in Nevada to address discriminatory practices. Scott was one of the four members on the NAACP Coordinating Council from Reno and Kellar joined Dr. James McMillan, a Las Vegas dentist who was president of the Las Vegas branch, as the southern representatives. “Charlie Kellar was wonderful to be around,” Scott recently said. “He was a very friendly and down to earth person. We were very comfortable around him. He was one of us.”

Time to March

Although Kellar organized, planned, strategized and even picketed with the northern Nevada activists, his main function was to draft civil rights legislation. “He would write out the outline, then he’d give it to a legislator to introduce – one of the Las Vegas legislators,” Scott said. “There were a few more friendly legislators down there than up here. They were a little bit warmer than up here.”

During the 1961 Legislative session, Kellar drafted a bill that banned racial discrimination in public accommodations, housing and employment, and established a Commission on Human Relations, and sent it to Governor Sawyer on January 23. The bill, AB 346, was sponsored “by request” by the Assembly Committee on Social Welfare. The Joint Assembly Committee created a watered-down bill, AB 432, which passed the Assembly on March 27. Upset with how the bill was moving through, Scott and Kellar decided to march.

Governor Sawyer pleaded that they not picket but more than 200 African Americans gathered on the capitol lawn, singing and praying, before marching around the building and through Senate chambers. The Reno Evening Gazette said that it was the first time in Nevada history that a “picket protest” was staged at the capitol. Two hours later, the picketing stopped when the bill went to the Senate floor in an emergency session and was defeated by a vote of eight in favor and nine opposed. Kellar told reporters that they would continue to fight. Civil rights advocates began demonstrating in downtown Reno the next day, forming picket lines in front of Harolds Club and the New China Club casinos.

Mission Accomplished

Reno’s casinos, motels and restaurants did not welcome African Americans into their establishments in the early 1960s because of de facto segregation. Scott and Kellar regularly tested the rebuff by walking into cafes and asking for service. “Charlie Kellar says ‘ma’am, would you let us have some coffee,’” Scott said. “That poor waitress. I used to feel so sorry for some of those waitresses. They were being asked to do something they didn’t know how to handle.”

Several days after the capitol march, a waitress really didn’t know what to do when the duo led a sit-in at the Overland Café. While Scott and Kellar sat at the counter, about 40 African-American people took seats in the café as they became available. The Reno Fire Department arrived after someone pulled a fire alarm. Policemen arrived after receiving a call that there was a riot.
“The police never bothered us,” Scott said. “Picketing, demonstrations, sit-in, whatever we did, they wouldn’t bother us.”

The activism made an impact because on April 10, the Senate introduced a bill, SB 246, and passed it. The next day, both the Assembly Ways and Means and Social Welfare Committees and Assembly approved the measure. The bill established the Equal Rights Commission that Governor Sawyer proposed in 1959 and gave it subpoena power and $2,500 for the biennium for expenses. The Legislature included a statement:

It is hereby declared to be the public policy of the State of Nevada to protect the welfare, prosperity, health and peace of all the people of the state, and to foster the right of all persons reasonably to seek, obtain and hold employment and housing accommodations, and reasonably to seek and be granted services in places of public accommodation without discrimination, distinction or restriction because of race, religious creed, color, national origin or ancestry.

Picketing began again during the next Legislative session in 1963 after a bill attempting to give the commission more power died in a 23-14 vote.

After the commission was formed, Kellar told Scott that he had completed his mission and ended his regular drives back and forth on U.S. Highway 95. “He was available to us at any time but he turned it over to me,” he said.

Developing a Legal Niche

Kellar carved a niche for himself among Las Vegas’ established African-American community leaders. His approach to community organizing included all socioeconomic groups and all organizations. His anti-elitist approach expanded the influence of the Westside neighborhood. Kellar excelled as a strategist and he constantly met with Reverend Marion Bennett, Dr. Charles I. West, Lubertha Johnson, William “Bob” Bailey, Dr. James B. McMillan, James Anderson and many other recognized community leaders. He saw his charge, as a designee of Marshall, to push for equal justice in Nevada. Kellar took the mandate seriously. Arguably, his bold, cohesive, assertive political stance caused the face of the Las Vegas integration agenda to become more aggressive as he grounded the movement in legal doctrine. He became Las Vegas’ Malcolm X tempered by the courage of Thurgood Marshall.

Before Kellar arrived in Las Vegas, the California Civil Rights law of 1959, known as the Unruh Civil Rights Act, required equal access to the accommodations, advantages, facilities, privileges or services of all business establishments. The act also provided for the right to be free from discrimination in public accommodations regardless of sex, race, color, religion, ancestry, national origin, sexual orientation or source of income. Nevada carefully monitored this bill because it applied to all businesses including hotels and motels, restaurants, theaters, hospitals, barber and beauty shops, housing accommodations and retail establishments.

Soon after this act, forces within the Las Vegas African-American community threatened the march that opened the Strip to African Americans in the social arena. Thus the social space that African Americans inhabited began to expand but not the economic space.

Lobbying for Jobs, Education and Welfare

In 1962, African Americans from Las Vegas met with Governor Grant Sawyer to discuss the need for employment in the gaming industry in jobs other than those in the back-of-the-house. Though Bailey, Kellar and Clark, representing the NAACP, left Carson City without assurances from the governor, they did leave with plans to attend the March 20 meeting of the Nevada Gaming Commission in Las Vegas. At the meeting the Gaming Commission rebuffed the NAACP’s notion that the group had the authority to enter the field of civil rights. The exact request to the commission was an adoption of a regulation that would make failure to offer equal opportunities for service and employment an unsuitable practice of operation for a gaming resort. Bailey, Kellar and Clark served as the spokespersons for the community addressing much needed employment demands. After a respite, Strip venues began to relent on the issues of African-American employment. In 1963, Anderson noticed that African-American busboys and retail help hired during the holidays were not dismissed after the season. By 1966, Caesars Palace opened for business with two African-American cocktail waitresses, Peggy Walker and D. D. Cotton. By 1971, Faye Todd, Jackie Brantley and Faye Duncan Daniels entered mid-level management jobs at the Desert Inn and the Plaza.

continued on page 24
CHARLES L. KELLAR: Legal Trailblazer in Nevada continued from page 23

Kellar began the legal work that culminated in the Consent Decree, U.S. District Court, Nevada, filed June 4, 1971, United States of America v. Nevada Resort Association, et al., which named all the major hotel casinos and all major labor unions as obstacles to the quality employment of African Americans. The Consent Decree stipulated that 12 percent of all jobs go to qualified African Americans throughout the industry and that it would be implemented within 30 days.

Other challenges loomed as well. Kellar led the Las Vegas NAACP branch beginning in 1967. At that time, he and the local branch membership believed that recent cuts in welfare payments were indefensible. He lobbied the Nevada Legislature trusting that the august body would adopt a welfare budget sufficient to meet the needs of food and clothing for children. Since Kellar’s request was not considered for action by the state Assembly, it is safe to surmise that this inaction led directly to the local famed Welfare Rights Movement managed by poor women like Ruby Duncan, Emma Stampley, Mary Westley, Alversa Beals and Essie Henderson. Unlike the 1960 integration efforts, there was no threat made in 1972; only assertive steps taken when poor women sponsored the largest protest march ever held on the Las Vegas Strip. The march was executed, accepted and supported probably because Kellar had set the stage that allowed this type of blatant, bold action.

Kellar rallied for better education for African-American children through the call for school integration. Kelly v. Guinn recognized that not only were African-American students relegated to Westside schools, but African-American teachers as well. The “neighborhood” school policy morphed into the Sixth Grade Center Plan that turned the African-American Westside neighborhood schools into centers which all sixth graders attended. It was not ideal but teaching staffs became more diverse throughout the city.

Las Vegas became the city it is today because of the cosmopolitan attitude that developed along racial lines during the late 1960s and the 1970s. The status of housing, education and welfare rights were analyzed and strategies put into place from within the African-American community. The final portion of the racial equation was jobs and though forced, they too became available. The progress made in the struggle for equal rights resulted from the combined community efforts that included African Americans and whites, well-to-do and working poor, lay and religious, and legal and non-legal thinkers. At each stage, African-American attorneys were integral to the process beginning with attorney Kellar’s move to Las Vegas.

CLAYTEE D. WHITE is a historian, Director of the UNLV Oral History Research Center, and President of the Southwest Oral History Association. She holds a M.A. in American History from the University of Nevada, Las Vegas, and is completing her dissertation for her Ph.D. in American History at The College of William and Mary.

GERALDA MILLER is a reporter for the Reno Gazette-Journal. She holds a M.A. in History with an emphasis in 20th Century Race and Ethnicity from the University of Nevada, Reno.

4. Author interview with Eddie Scott, October 2011.
7. Ibid.
8. Inland Fair Housing and Mediation Board, Unruh Civil Rights Act of 1959