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Melting Hearts of Stone: Clarence Darrow and the Sweet Trials

by Douglas Linder

Detroit seemed to Dr. Ossian Sweet a good place to launch a medical practice in 1921. Like many Americans in the years just after World War I, Sweet looked forward to “making a little money and getting ahead in the world.” (1) When Henry Ford began paying workers more than six dollars a day—an unheard of wage at the time—, migrants flocked to Detroit to participate in the city’s growing prosperity. Many of those migrants were, like Dr. Sweet, blacks from the South. They crowded into Paradise Valley, three east-side Detroit wards, filling every available home in the area. Only fifty doctors served the booming black population, and Ossian’s practice quickly became successful.

Soon after moving to Detroit, Ossian Sweet met Gladys Mitchell, a striking, sensitive middle-class black woman. The two married in 1922, then traveled to Europe. Anxious to learn about the effect of radium on cancer, Ossian worked in Paris with Madame Currie. Gladys arrived in Paris pregnant. In June 1924, the American Hospital in Paris refused admittance to Gladys Sweet—despite Ossian having contributed 300 francs to the hospital’s fund-raising drive—and the Sweet’s first child, a baby girl, was born in a French hospital. The Sweets found it ironic that the only overt racial discrimination they encountered in a year and a half abroad came in an American facility. (2)

In the fall of 1924, the Sweets returned to Detroit, spending a happy winter living in the home of Gladys’ parents. By the spring, however, the small house began to feel too small, and the Sweets decided to go house hunting. “We were looking for something comfortable,” Gladys said. “Above all, I wanted a place where the baby could be outdoors and have plenty of good fresh air.” (3) In explaining her indifference to the race of her neighbors, Gladys noted that she had lived with her parents in a mostly white world. For years, Gladys was the only black student in her grade. Her old white neighbors and classmates respected her—and she expected that new white neighbors would too. She claimed not to care whether her neighbors were black or white: “I took it for granted that I should have practically nothing to do with them.”

Ossian worried somewhat more about how his new neighbors would take to the idea of having a black family nearby. When the Sweets first saw the brick bungalow on the corner of Garland and Charlevoix that they would eventually purchase, Ossian pointedly sat on the front porch with its white owner, Marie Smith, looking to see how the ethnic whites of the neighborhood might react. The lack of any reaction to his conspicuous inspection of the house encouraged Ossian, as did the fact that Marie Smith’s black husband, Edward had not produced any sort of violent reaction from the Smiths’ neighbors. Ossian may not have fully understood how inconceivable the notion of interracial marriage must have been to the residents along Garland Avenue. They almost certainly had assumed that Edward, an extremely light-skinned black, was white. (4)

The Sweets paid \$18,500 for their new home—\$3,000 down and the balance by mortgage. Under the purchase agreement, the Smiths would continue to live in the house until July. (5)

What happened a few weeks later persuaded the Sweets to postpone the move into their Garland Avenue home. On the morning of June 23, 1925, Dr. Alexander Turner, a black surgeon, and his wife, a woman who had studied music for six years at Leipzig University in Germany, moved into an expensive brick home in northwest Detroit. When Turner's moving van pulled up, a crowd of whites began to form in front of his new house almost immediately. Some in the mostly female crowd began to throw potatoes at black painters working on the side of Turner's house, forcing them to stop work. Around noon the first of many bricks shattered one of Turner's windows. Police arrived on the scene, but made little or no effort to discourage the swelling crowd. By early evening more than 5000 people, watched by over forty police officers, surrounded the Turner home, stalling traffic all around Grand River Avenue.

Two men, calling themselves representatives of the Tireman Avenue Improvement Association, worked their way to Turner's front door. When Turner appeared at the door, one of the men asked, "Will you sell the property back to us?" Turner answered, "Yes." Police escorted Turner and his wife and her mother to his car. As Turner's sedan pulled away, a barrage of bricks and stones crashed through the car windows, cutting Turner over the right eye.(6)

The next month another incident occurred. John Fletcher, a black, sat down about sixty to have dinner with his wife, two children, and two roomers at the home they had moved into the day before on Stoepel Avenue. As they did so, a white woman walked past the house, looked in, and began to shout, "Niggers live in there! Niggers live in there!" Fletcher called police to report that a mob was gathering in front of his house. Within an hour, the Fletchers looked out upon a crowd of four thousand persons watched over by about fifty police officers. People yelled, "Lynch him! Lynch him!" The police did nothing about the verbal provocation, nor about the chunks of coke—picked up from five tons of it delivered that afternoon to a house next door—that people began to hurl at the Fletcher home. The damage mounted: a screen ripped, a window crashed, a mirror broke, a chair was smashed. The police continued to watch. At ten o'clock, as the barrage of missiles and verbal threats continued to escalate, shots rang out from an upstairs bedroom in the Fletcher home. In the crowd, a fifteen-year-old boy fell, his thigh ripped by two bullets. Police entered the home and arrested the occupants. (7)

The next day the Fletchers moved out. Police observed Fletcher carry furniture out of a home left without a single intact window. That same day, ten thousand Ku Klux Klansmen rallied around a fiery cross on West Fort Street in Detroit. They listened to a speaker demand laws to keep blacks confined to designated sections of the city. (8)

Three days after the Fletcher shooting, on July 14, an overflow crowd gathered at the Howe school, diagonally across from the house the Sweets had purchased. Signs posted on utility poles announced the first meeting of the Waterworks Park Improvement

Association. Neighborhood residents were urged to attend “in self-defense.” The advertisements asked “Do you want to maintain the existing good health conditions and environment for your little children?...Do you want to see your neighborhood kept up to its present high standard?” The word was out—a black family planned to move into 2905 Garland. (9)

The head of the Tireman Avenue Improvement Association, the group responsible for evicting Dr. Alexander Turner the month before, spoke at the Howe School meeting. The speaker promised the crowd of seven hundred that his Association could be counted on for assistance, if necessary, to deal with the neighborhood's new threat. You must be willing to do whatever is necessary to preserve your neighborhood, he said. “Where the nigger showed his head, the white must shoot.” (10) Soon after the meeting, Marie Smith received anonymous threats warning that if Sweet moved into her house, she would be killed and her house bombed. (11)

Ossian Sweet understood racial violence all too well. Growing up as the oldest of ten children of a Methodist minister in Orlando, Ossian had witnessed a large crowd of whites running a black boy down a dusty road. As Ossian hid and watched, he saw someone in the mob pour kerosene on the young black and set him on fire. He heard the screams of terror from the black boy and watched, horrified, as drunk white people took pictures and carried away souvenir bones and pieces of charred flesh. (12)

Seeing race hatred in its ugliest forms instilled in Sweet a deep race consciousness and determination not to let bigotry prevent him from achieving his own personal goals. He decided to move into his new home at 2905 Garland, whatever the risks to him and his family: “I could never respect myself if I allowed a gang of hoodlums to keep me out.” Sweet purchased ten guns—two rifles, a double-barreled shotgun, and seven revolvers—and notified police that he planned to move in on Tuesday morning, September 8. (13)

2

The hometown of Clarence Darrow, Kinsman, Ohio (population 400 in the year of Darrow's birth, 1857) lay in abolitionist country. The underground railroad ran directly through the area. Darrow biographer Keven Tierney reported, “To a man, the citizenry was abolitionist in sentiment.” John Brown mustered his men for his attack on Harper's Ferry in West Andover, a town just 15 miles from Kinsman. Clarence's father, Amirus Darrow, supported Brown, and probably knew him personally.

Amirus Darrow—a bookish and impractical man—dedicated himself to large causes, none more so than abolition. The middle name this village dreamer chose for Clarence was “Seward,” coming from William Henry Seward, an abolitionist hero of his. Amirus also named Clarence's older brother, Channing, after a famous abolitionist: Reverend William E. Channing. Clarence later would write of his father's contributions to the abolitionist cause:

As a little child, I heard my father tell of Frederick Douglass, Parker Pillsbury, Sojourner Truth, Wendell Phillips, and the rest of that advance army of reformers, black and white, who went up and down the land arousing the dull conscience of the people to a sense of justice to the slave. They used to make my father's home their stopping place, and any sort of vacant room was the forum where they told of the black man's wrongs. (14) Clarence Darrow's deep commitment to racial justice had its roots in his father's abolitionist fervor. Darrow never doubted the rightness of his father's position on race or most other issues. He attributed his controversial views more to genetics than to his own imagination or experience: "I, like all the rest of the boys, inherited my politics and my religion." (15)

Myths would later spring up to explain Darrow's championing of Negro causes. One such myth, repeated in Irving Stone's popular Darrow biography, *Clarence Darrow for the Defense*, tells of John Brown placing his hand on the head of five-year-old Clarence and telling him, "The Negro has far too few friends; you and I must never desert him." The story cannot be true—Brown was hanged when Clarence was only two—but even without the urging of such a hero of the race wars, Darrow never wavered throughout his career in his outspoken support of racial justice. (16)

Darrow associated with many causes over his long career, but the most constant of all was that of black Americans. From his early identification with what he called "the sacred" cause of abolition to his charitable support of the NAACP at the end of his life, Darrow always stood out as one of the Negro's best white friends. (17)

Even among racial liberals of his time, Darrow's views were remarkably modern. W. E. B. DuBois remembered Darrow as "absolutely lacking in racial consciousness." (19) In his many lectures on racial issues, Darrow told audiences, "When it comes to human beings, I am color blind; to me people are not simply white or black; they are all freckled." (20) Unlike many so-called "enlightened" whites, Darrow did not embrace the view of Booker T. Washington, who urged his black brethren to accept social separation of the races. Though calling Washington "honest and sincere," Darrow said he was "not on the right track." (21) To Washington's argument that "in all things purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress," Darrow responded that the race question "can never be finally settled on any compromise whatever." (22) Rather, he argued in 1901, the problem must be settled on the principle "that all people are equal, that all human beings on the earth, white and black and yellow, men and women, are entitled to the same rights, to perfect social equality, and perfect opportunity, the one with the other." (23)

Most white supporters of black civil rights could not bring themselves to countenance interracial marriage, but Darrow saw nothing wrong with the idea. In a May 1901 speech before a black audience at the Men's Club in Chicago, Darrow outlined his views on the marriage issue:

When Douglas and Lincoln were debating in Illinois, Mr. Douglas, as his last and unanswerable statement asked, "Would you want your girl to marry a Negro?" and that

was the end of it. Well, that is a pretty fair question, and I am inclined to think that really that question is the final question of the race problem; and not merely the catchword of a politician. Is there any reason why a white girl should not marry a man with African blood in his veins, or is there any reason why a white man should not marry a colored girl? If there is, then they are right and I am wrong. Everybody may have his own taste about marrying, whether it is between two people of the same race or two people of a different race, but is there any reason in logic or in ethics why people should not meet together upon perfect equality and in every relation of life and never think of the difference, simply because one has a little darker skin than the other? (24)

Darrow's support of the Negro was not confined to speeches and essays. His personal physician, Dr. Daniel Williams, was black. He donated money in the 1890s to support Chicago's Provident Hospital, billed as "the world's first interracial hospital" and, in 1928, contributed funds to erect a monument to John Brown. (25) At the request of Charles Hamilton Houston, Darrow traveled to Washington, D. C., to lecture for a week in the classrooms of the nation's premier black law school, Howard University. (26) Most tellingly, perhaps, Darrow invited the criticism of other white lawyers—who saw it as a sign of hitting rock bottom—, by frequently accepting the cases of indigent blacks brought to him by Negro lawyers who knew of his sympathies for their race. (27)

In view of Darrow's long and consistent record of support for racial justice, it is not surprising that in 1925, when a highly publicized race case erupted in Detroit, the NAACP would turn to the nation's most famous defense attorney for help.

3

Ossian Sweet expected trouble. He asked several relatives and acquaintances to spend the first day or two at his new home. Making the move with Ossian and Gladys on September 8 were two of Ossian's brothers, Dr. Otis Sweet, a Detroit dentist, and Henry Sweet, a twenty-one-year-old student at Wilberforce University. Other members of the moving party included a friend of Henry, a friend of Otis, and Ossian's chauffeur and his handyman. Ossian's attorney, Cecil Rowlette, advised against moving in with a large contingent of relatives and friends. Rowlette pointed out to Ossian that the unusual number of guests might suggest to law enforcement—should violence break out—that he moved in looking for an excuse to make a show of force. (28)

The Sweets brought relatively little furniture with them to 2905 Garland. They brought a bedroom set, dinnerware, clothes, and lots of food. They also brought ten guns that Ossian had recently purchased and about 400 rounds of ammunition.

At first, there were no signs of trouble. Gladys and some of the rest of the moving contingent cleaned the house. In the afternoon, two interior decorators stopped by to discuss furniture options. Ossian Sweet—pleased with the way things were going—decided he could head down to his office for a few hours of work.

By evening, however, a dense scene developed at new Sweet home. Though Detroit police tried to keep people moving, a crowd had begun to grow. People stopped, looked

into the house, pointed, talked with neighbors. Inside the Sweet home, the two young interior decorators, afraid to go out through the crowd, asked if they could spend the night. At midnight, some 500 to 800 people still mingled outside the home. From time to time, groups of persons met in a nearby confectionery store to discuss plans for dislodging their new neighbors. Not until near daybreak did the last of the crowd leave. (29)

The next morning several of the Sweet house occupants departed for their daily routines. Two departing houseguests reported receiving a warning from an unknown white person as they left the house: "You fellows better watch yourselves. They say they are going to get you out tonight." Ossian took the warning seriously. (30)

Despite his fears about what the coming darkness might bring, Ossian and Gladys felt secure enough during the day to go downtown on a furniture-shopping excursion. They purchased a walnut dining room set, a bedroom set, and several armchairs, and arranged to have them delivered to their new house.

Ossian and Gladys returned to 2905 Garland late in the hot September afternoon. Soon thereafter, three men from the Liberty Life Insurance office stopped by to discuss with Ossian a life insurance policy he had recently purchased. The insurance men accepted the Sweets' invitation to stay for pot-luck. The men accepted. Two of them sat down to play cards with Ossian, while the third read a magazine article about South America. Meanwhile, Gladys, Henry Sweet, and a friend of Henry's busied themselves in the kitchen, preparing a dinner of roast pork, sweet potatoes, and mustard greens. (31)

Someone in the house shouted, "My God, look at the people!" The nine occupants rushed to screen doors and windows and took in an amazing scene. A swelling crowd filled the schoolyard across the street, the space around the grocery store, and the alleys and the porches of nearby houses. Cars parked two deep jammed the surrounding streets. Some in the white mob stared. Some shouted. (32)

In the midst of this worrisome scene, about 8:15 in the evening, a taxi managed to pull up, dropping off Otis Sweet and his friend, William Davis. The two fled into the house under a barrage of stones, coal, and other missiles. Shouts came from the crowd: "Niggers! Niggers! They're niggers—Get 'em! Get the damn niggers!" Ossian opened the door to let them in. "When I opened that door," Ossian would recall later, "the whole situation filled me with an appalling fear—a fear that no one could comprehend but a Negro, and that a Negro who knew the history behind his people." Henry Sweet also reported being filled with dread: "It looked like death if we tried to hide, and it looked like death if we tried to get out. We didn't know what to do." (33)

They pulled down the blinds. A window shattered, either shortly after the taxi incident (according to the Sweets) or several minutes later (according to members of the mob). The male occupants of the house grabbed weapons and scattered to different parts of the house. Lights went out. Then shots rang out—perhaps a dozen or so—from both the upper and lower floors of the Sweet home. Screams arose from the crowd. People ran in

terror. Two members of the crowd who had been standing near a neighbor's porch, lay on the ground wounded, one mortally.

One of the Detroit police officers who had been assigned to the house, Inspector Norman Schuknecht, pushed his way into the house and confronted Ossian Sweet. "For Christ's sake, what in hell are you fellows shooting about?" Schuknecht demanded to know. "They are ruining my property," Ossian replied. After receiving assurances that his property would be protected, Sweet told the officer, "There will be no more shooting." Schuknecht left, only to return with five other officers forty-five minutes later after he discovered that two men had been shot. They handcuffed the eleven occupants of the Sweet home. Police led the ten men to a patrol wagon stationed at the rear of the house. Gladys was put in a Ford sedan. The vehicles headed to the downtown police station, where the blacks learned for the first time that one member of the crowd, a thirty-three-year-old father of two, Leon Breiner, had been killed, and a twenty-two-year-old named Erick Hougberg, seriously wounded. (34)

Officers denied the Sweets' request for a lawyer. For the next six hours, from ten at night until four in the morning, teams of police separately questioned all eleven suspects. They told wildly disparate stories. Some claimed to have been sleeping at the time of the shooting. One claimed to have been taking a bath. Some denied any knowledge of weapons. Ossian Sweet admitted distributing guns to each of the male occupants. The only person who admitted firing a gun was Henry Sweet, who said he shot twice. Police charged all eleven with premeditated murder. Bail was denied. (35)

4

Since returning from the Scopes trial in Tennessee in July, Clarence Darrow had devoted most of his time to speaking and writing on the religious, social, and political issues of the day. After nearly fifty years of trying cases, he said he "determined not to get into any more cases that required hard work and brought me into conflict with the crowd." But Darrow turned out not to be quite ready for a quiet life of reflection. (36)

In the early fall of 1925, Darrow visited the New York home of his longtime friend and co-counsel in the Scopes case, Arthur Garfield Hays. A committee from the NAACP met Darrow at the Hays' home and asked him to represent the eleven blacks charged with murder in Detroit. "I made the usual excuses that I was tired, and growing old, and was not physically or mentally fit," Darrow later recalled. But he knew he would have to take the case: "I had always been interested in the colored people" and "I realized that defending Negroes, even in the North, was no boy's job." The willingness of Arthur Garfield Hays to join in the cause sealed the deal: Clarence Darrow would take the Sweet case. (37)

Soon after arriving in Detroit, Darrow and Hays went to visit their clients in jail. The two defense attorneys climbed two flights of stairs, passed through steel doors, and followed guards to a small, dimly lit room furnished with a table and chairs. Guards ushered ten of

the defendants—Gladys had been released on bail—into the room. Hays described their clients as “cheered by our visit but not hopeful.” Darrow and Hays talked briefly about the case, then took stories from the ten, one by one. For the most part, their clients were “evasive.” They told stories that “didn’t wholly jibe”—which Darrow and Hays attributed to “a very human desire to support their original and inept stories.” Only Henry Sweet admitted shooting, and unfortunately (from the standpoint of the defense), he “was rather proud of the fracas—the whites had learned a lesson.” (38) Henry claimed to have fired over--not at--the crowd. Asked why he fired at all, Henry told police, "To frighten them so they would leave us alone so we could go and finish our supper." (102)

Darrow and Hays concluded (according, at least, to Hays' account) that “the only defense lay in making a clean breast of the whole matter,” and told their clients so directly. It took a while, but over a series of interviews, the stories became more consistent and more plausible. A good thing too: the trial was on a fast track. It would open in Recorder’s Court on October 30th before Judge Frank Murphy. (39)

The defense could not have asked for a better judge. Darrow met Frank Murphy for the first time at a pretrial conference. In his autobiography, *The Story of My Life*, Darrow recalled finding “a judge who not only seemed human, but who proved to be the kindest and most understanding man I have ever happened to meet on the bench.” Thoughts Darrow had of seeking a change of venue evaporated in Murphy’s presence. (40)

A large crowd of mainly blacks lustily cheered Darrow as he fought his way into the courtroom for the opening day of trial. One hundred people stormed the doors of the courtroom when the case of *The People v. Ossian Sweet et al* was called, the doors of the courtroom were stormed by about one hundred people. A special squad of police struggled to keep order. Noise from the corridor penetrated the courtroom as the process of selecting a jury began. (41)

Darrow questioned each prospective juror at length. Every man called had an opinion on the case—almost none of them favorable to the defendants. Darrow worked to exclude prospective jurors with characteristics he believed inclined them to support the prosecution: a cold, serious, unimaginative Presbyterian was Darrow’s worst nightmare. He wished mightily for a jury of twelve alert, witty, emotional Catholics or agnostics. The most important thing in Darrow’s mind was to seat as many jurors as possible capable of sympathizing with the situation faced by the eleven occupants of 2905 Garland on the night of September 9. (42) The prosecution excused the lone black called; Darrow excused the only potential juror admitting to Klan membership. After a week of interrogation by lawyers for both sides, the 200 veniremen were reduced to a final twelve. The final jury included four Catholics and—insofar as Darrow could determine—no Presbyterians. (43)

The upcoming trial occupied the thoughts of 1500 Negroes who packed a YMCA gymnasium for a free Sunday lecture by Clarence Darrow. Darrow disappointed his audience by telling them “I shall not discuss the case now being tried,” but he did identify

what he saw as the underlying problem: 90,000 blacks could not possibly fit into a black district designed to accommodate 9,000 residents. "Obviously, they have to move somewhere," Darrow told the crowd. "If they move into white neighborhoods, they depreciate property values. That is true, and I confess I don't know what can be done about it." (44)

Darrow, wearing a white string tie and rattling keys about in his hand, talked for nearly two hours in his easy, conversational manner. He wondered out loud whether his black audience might be happier "playing with the crocodiles and eating breadfruit by the Congo's shores." Slavery, Darrow said, had given you your "chance for civilization." Without it, you "might still be savages in Africa"—and perhaps "better off there." (45)

"A gloomy peroration...delivered with grim twinkling eyes" is how the *Detroit Free Press* described Darrow's YMCA address. He told the crowd they are hated and misunderstood: "that is your lot here. You have a long, long road to travel, and an arduous foe to fight--and that foe is prejudice." To achieve progress, Darrow said, "You'll have to work harder—harder than the white man—because you're on his home grounds." But there is no reason why success might not someday come: "There is no inherent difference between your capacity for growth and that of any other man, whatever his color." (46)

"Hope is the salvation of the world," Darrow said—"inasmuch as it has any salvation." The shaggy-haired lawyer peered into the sea of black faces. "Life is a mystery. We don't know what we are, or why we are here, or whence we came." Then he summed up his philosophy of life: "But as long as we're here, we might as well make the best of it." With that, Darrow stepped down from the platform. (47)

5

Lacking evidence as to which of the eleven defendants fired the fatal bullet, forced the prosecution to rely on a conspiracy theory. The prosecution attempted to prove that the occupants of the Sweet home premeditatedly armed themselves with the agreement that one or more of them would shoot to kill in the event of trespass or threatened damage to the property. (48)

Through its witnesses, the prosecution attempted—absurdly, in the opinion of defense lawyer Arthur Garfield Hays—to paint a picture of "a warm summer evening in a quiet neighborly community. The Sweet house stood on a corner....Opposite and along the street were small frame houses occupied by simple, kindly people—the men mostly mechanics, the women housewives, dutifully caring for broods of children. People were sitting on their porches enjoying the cool air after dusk, visiting and chatting. A few sauntered casually along the street. Some were on their way to the corner grocery. Here and there a car was parked." (49)

Prosecution witness Ray Dove, who owned a home across the street from Sweet, testified that only about twenty people stood near his house at the time shots rang out, and that

most of those were women and children. The predominately black crowd filling the courtroom to capacity listened intently as Darrow cross-examined Dove. "Was there a crowd?" "No." "Was there a disturbance?" "No." "Do you belong to any organization or club?" No answer. "Have you any reason for not answering that question?" Darrow, knowing of Dove's participation in the Waterworks Improvement Association, pressed the issue. He asked Dove when he first learned that his new neighbors would be black. "Six weeks or two months" before they moved in, Dove replied. "You heard it from all the neighbors?" "Yes." "Quite a discussion?" "Yes, I guess so." "You discussed it with your wife?" "Yes." "You didn't want him there?" "I am not prejudiced against them but I don't believe in whites mixing with blacks." "So you did not want him there?" "No, I guess not." (50)

As Darrow slouched in his chair, filling in crossword puzzles, the prosecution called a parade of neighborhood witnesses to the stand. Many claimed to have been on the scene "out of curiosity." When one witness claimed to have been in front of the Sweet home for an hour "waiting for his wife," Darrow asked skeptically on cross-examination, "You kind of got impatient there all that time, didn't you?" "No," the witness responded, "Everybody should do the same thing." "Huh?" responded Darrow incredulously as his wife, Ruby, seated in the first row of the public seats smiled broadly. When, minutes later another witness said 50 or 60 persons were "waiting" in front of the Sweet home, Darrow asked, "Were they waiting for their wives too?" (51)

The prosecution strategy of minimizing the size of the crowd gathered in front of the Sweet home became apparent during the testimony of Dwight Hubbard, a teenage boy who lived in the Garland and Charlevoix neighborhood. Asked by Prosecutor Robert Toms what he saw on the night of September 9, Hubbard stumbled: "Well, there were a great number of people and officers—I won't say a great number, there were a large—there were a few people there." On cross, Darrow asked Hubbard, "Do you know how did you happen to change your mind and whittle it [the estimate of the crowd size] down so fast?" When Hubbard replied that he did not know, Darrow suggested that a police officer who talked with Hubbard the previous day might have coached his testimony. "You kind of forgot you were to say 'a few people'?" Darrow asked. "Yes, sir" the boy replied. (52) If the Hubbard boy's testimony wasn't enough to convince jurors that a sizeable crowd had gathered in front of the Sweet home, the sheer number of prosecution witnesses should have been.

Police officers called by the prosecution claimed that the shooting erupted without provocation. Inspector Norton Schuknecht, the officer in charge of guarding the Sweet house, testified that when he arrived about 7:30, "There were people on the street, but they were walking up and down and there was no congregating." Schucknecht testified that he told his eight fellow officers that "Dr. Sweet could live there if we had to take every man in the police station to see that he did." At the time of his instruction the need to empty the station must have seemed remote, as Schuknecht testified that at no time did he see anyone outside the home carry a weapon of any sort. The inspector testified that, suddenly about 8:15, "a volley of shots was fired from the windows of Dr. Sweet's

home." Asked how many shots were fired, Schuknecht answered, "About fifteen or twenty." (53)

Evidence showed that the bullet that killed Leon Breiner struck him in the back as he stood on a neighbor's porch, one hundred feet from the Sweet house, smoking a pipe. Bruce Stout, a neighborhood resident, stood near Breiner when he fell. Stout testified, "I ran to him and found him leaning against the porch steps of a house. His feet were sprawled out and I was unable to raise him. I yelled for help, but I got no answer." His last words, according to Stout, were "Boys, they've shot me." A police officer finally "covered Breiner with a blanket and took him away." (54)

The prosecution displayed on the counsel table in front of the jury the arsenal of ten guns found by police in the Sweet home. Which of the guns killed Breiner was a mystery: police never located the bullet that entered his back and exited two inches to the left of his belly button. Officers did testify, however, that they found large quantities of ammunition in the Sweet home. They also produced photos showing bullet holes in streets and in the plaster and windows of homes across the road. (55)

After presenting his seventy witnesses, Prosecutor Toms would tell the jury that the case was a simple one: "Leon Breiner, peacefully chatting with his neighbor at his doorstep enjoying his God-given and inalienable right to live, is shot through the back from ambush. You can't make anything out of these facts, gentlemen of the defense, but cold-blooded murder...." (56)

6

Clarence Darrow wanted the jury to understand the fear felt inside 2905 Garland on the night of September 9. Questioning a prosecution witness who said he heard what sounded like "pebbles" hitting the house shortly before the firing began, Darrow picked up one of the stones—about two inches in diameter—discovered in the front yard of the Sweet home the day after the arrests. He carried it toward the witness chair. Just as he was about to hand it to the witness, Darrow dropped it--almost certainly intentionally. The rock, according to Arthur Hays, "resounded loudly as it bumped along the floor." (57)

Through a series of defense witnesses, Darrow presented a very different version of the scene at the corner of Garland and Charlevoix. Alonzo Smith, a black passenger in a car passing through Garland Avenue about 8:00 P.M., testified that a "dense" crowd, spread out over the entire street, bombarded the car with stone and lumps of cement, breaking one of the windows. Responding to Darrow's questions, Smith told the jury, "We heard people yelling, 'Here's a nigger now; kill him. He's going to the Sweets.'" Afraid for his life, Smith testified that he told his nephew, the driver of the car, "to keep going even if he had to run over someone." (58)

Although confident that he had refuted the prosecution's depiction of a quiet late summer night shattered by gunfire, Darrow knew that the case could only be won by helping the jury understand what was going on in the heads of the defendants shortly after eight

o'clock on September 9. Darrow knew that the jury most likely saw Dr. Ossian Sweet as the principal villain in the tragedy. Fortunately for Darrow, Ossian Sweet was dignified, articulate, and intelligent. He would make a good witness. (59)

Darrow wanted the Sweet trial to be about more than the events of one night in Detroit. He wanted the trial to be about a history of black suffering in America. Nearly every day after trial, Darrow walked to the Wayne County jail to study, using materials provided by the NAACP, the history of race relations in America to prepare for the critical examination of Ossian Sweet. (60)

Under questioning by Arthur Garfield Hays, Sweet told the jury how he, as a black man, grew up in America. He talked of his boyhood in Florida, the oldest of ten children of a poor Methodist preacher. He talked of his struggle to make a life: working as a bellhop, a waiter on steamships, a porter, and a furnace-tender to pay his way through Wilberforce and Howard universities. He told of his travels in Europe and then of his return to Detroit and the purchase of a home on Garland Avenue because he had nowhere else to go. Then the questioning turned to his fears. Sweet began to tell of the stories his grandfather would tell of slavery and the encounters with white racism he had experienced as a child. (61)

Robert Toms jumped to his feet and complained, "Is everything this man saw as a child justification for a crime twenty-five years later?" Darrow argued, essentially, that it was: "This is the question of the psychology of the race—of how everything known to a race affects its actions. What we learn as children we remember—it stays fastened to the mind. I would not claim that the people outside the Sweet home were bad. But they would do to Negroes something that they would not do to whites. It's their race psychology. Because this defendant's actions were predicated on the psychology of his past, I ask that this testimony be admitted." In his most important ruling in the trial, Judge Murphy sided with Darrow and allowed the testimony to continue. (62)

Then Sweet spoke of lynchings of innocent blacks, of horrible deaths by fire, of women mistreated by mobs, and of black men being taken from the police that were supposedly guarding them. Sweet stated that three thousand black people had been lynched in the past generation. He spoke of bloody riots in Orlando, East St. Louis, Tulsa, Chicago, and Arkansas. Sweet described witnessing race riots in Washington, where he saw a black pulled from a streetcar, carried through the streets by a group of white men, then finally beaten to death. Then he recounted the story of Dr. Turner and his ill-fated attempt to move into a white Detroit neighborhood: "One of the leaders simply knocked, and when Turner came to the door said, 'Open Turner, I'm your friend.' Turner believed him and opened the door. The next moment he was dough in the hands of the mob." Sweet testified that he had come to understand that the blacks who survived were those prepared to defend themselves. Such thoughts, he said, weighed on his mind the night of the shooting. They also likely weighed on the mind of Henry Sweet he implied, noting that he had discussed the alarming incidents of racial violence with his younger brother while visiting him at Wilberforce and attending a football game. (63)

Hays next brought Sweet to the evening of September 9. Ossian Sweet testified that "we were playing cards about eight o'clock" when "something hit the roof. Somebody went to the window and I heard them remark, 'The people! The people!'" "And then?" prompted Hays. "I ran out to the kitchen where my wife was. There were several lights burning. I turned them out and opened the door. I heard someone yell, 'Go raise hell in front; I am going back.' Frightened, and after getting a gun, I ran upstairs. Stones were hitting the house intermittently. I threw myself on the bed a short while—perhaps fifteen or twenty minutes—when a stone came through a window. Part of the glass hit me." "What happened next?" Hays asked. "Pandemonium—I guess that's the best way to describe it—broke loose. Everyone was running from room to room. There was a general uproar. Somebody yelled, 'There's someone coming!' They said, 'That's your brother.' A car had pulled up to the curb. My brother and Mr. Davis got out. The mob yelled, 'Here's niggers, get them! Get them!' As they rushed in, the mob surged forward fifteen or twenty feet. It looked like a human sea. Stones kept coming faster. I ran downstairs. Another window was smashed. Then one shot. Then eight or ten from upstairs; then it was all over...."

Hays asked Sweet to "State your mind at the time of the shooting." "When I opened the door and saw the mob, I realized I was facing the same mob that had hounded my people throughout its entire history. In my mind, I was pretty confident of what I was up against, with my back against the wall. I was filled with a peculiar fear, the kind no one could feel unless they had known the history of our race. I knew what mobs had done to my people before." (64)

The next day, in cross-examination, Robert Toms did his best to undercut Sweet's compelling testimony from the day before. He asked why his testimony now differed from that he gave police on the night of his arrest. "I am under oath now," Sweet replied. "I was very excited then and afraid that what I said might be misinterpreted." Toms pressed Sweet to admit that he stored large amounts of ammunition in a suitcase and, just prior to Breiner's shooting, got a pistol out of a closet. Then the prosecutor asked Sweet, "You admit, of course, that Leon Breiner was killed by a bullet fired from your home?" "No, I don't," the doctor calmly replied. (65)

7

In his autobiography, *The Story of My Life*, Darrow described the scene in Judge Murphy's courtroom on November 24, 1925: "The courtroom during the closing arguments presented a pitiful and tragic picture. The whole of the space beyond the railing was packed with Negroes. With strained and anxious faces they made a powerful mute appeal..." Outside the door another hundred or so blacks clamored for entrance. Noises of their shuffling could be heard inside the courtroom as Darrow began his summation. (66)

Darrow told the all-white jury that but for prejudice this would be an easy case: "If I thought any of you had an opinion against my clients, I would not worry about it because I might convince you; it is not so hard to show men that their opinions are wrong, but it is

the next thing to impossible to take away their prejudices. Prejudices do not rest upon facts; they rest upon the ideas that have been taught to us and that began coming to us almost with our mothers' milk, and they stick almost as the color of the skin sticks. It is not the opinion of anyone of these twelve men that I am worrying about; much less is it the evidence in this case...I know just as well as I know that you twelve men are here at this minute that if this had been a white crowd defending their homes, who killed a member of a colored mob...no one would have been arrested, no one would have been on trial....My clients are here charged with murder, but they are really here because they are black."

The mob is a fearful thing, Darrow reminded the jury. He compared mob power to that of a prairie fire: "Let me tell you just a minute about the dangers of a mob....It is not what they do. It is what they might do. You gentlemen know the danger. One man might not bother about driving a Negro out of his home, but get 100, 50, 1000, one man gathers from another, and mob psychology is the most dreadful psychology that man has to contend with. It is like starting a prairie fire, this gathering of a mob. Somebody comes along and throws a match into the dry stubble, and it spreads and spreads and spreads and the winds fan it, and the flame makes the wind, and finally the two together, spreading and spreading, will pass all obstacles and devour everything in its way."

Ossian Sweet did what any brave man would do under the circumstances. Ossian Sweet took guns "to protect the rights of the colored man, which ought to be sacred and which would be if people had a few regards for the law and the Constitution and the human instincts which make all men kind. I deny the statement of counsel that we wish to excuse his cowardice. Coward? Oh, no, gentlemen, not a coward, but a hero. You may take him and his family and send him to prison for life, he may live there and die there, and his name will live and people will honor it and bless it wherever any human heart believes in justice and freedom."

Darrow closed his summation with an emotional appeal: "Gentlemen, I ask you to use all of your judgment, all of your understanding, all of your sympathy in the decision of this case. I speak not only for these eleven people, but for a race that in spite of what you may do will go on and on and on to heights that it has never known before. I speak to you not only in behalf of them, but in behalf of the millions of blacks who look to these twelve white faces for confidence and trust and hope in the institutions of our land, and in the guarantees that the laws have made to them, those blacks who live up and down the length and breadth of our land, and whose ancestors we brought here in chains, I speak to you for those black people of Detroit who have come to work in your factories and your mills by the invitation of your men of business, and who must live or they cannot work. I speak to you in behalf of those faces that have haunted this court room from the beginning of this case, and whose lives and whose hearts and whose hopes and whose fears are centered upon these twelve men before you. I ask you gentlemen in behalf of my clients, I ask you more than everything else, I ask you in behalf of justice, often maligned and downtrodden, hard to protect and hard to maintain, I ask you in behalf of yourselves, in behalf of our race, to see that no harm comes to them. I ask you gentlemen in the name of the future, the future which will one day solve these sore problems, and

the future which is theirs as well as ours, I ask you in the name of the future to do justice in this case." (67)

Robert Toms followed Darrow. He admitted the racial tension was a serious problem in Detroit, but told the jury "it isn't your business to settle it....Remember this courtroom is just a tiny speck in the world." He criticized Darrow for turning the case into "a psychological one." Toms argued that "The trouble with this case is this: Darrow doesn't want to look at it as a criminal case, but as a cross-section of human nature. But that's not what we're here for."

Toms tried to bring attention back to the person he saw as the innocent victim in the case. "Breiner was killed because he was indiscreet enough to stop in front of a house where some Negroes wanted to live." The "one civil right more important than all the others," Toms told the jury, "is the right to live." (68)

Judge Murphy instructed the jury to set aside all prejudices: "All men are equal under the law, whether they are rich or poor, black or white, humble or great. It is the duty of each of you to reach for justice." At 3:30 on November 25, the day before Thanksgiving, the case went to the jury. (69)

8

Deliberations continued throughout the next day. The press reported that court officials delivered "a splendid turkey with fixings" to the jury. Despite the holiday, numerous visitors shuffled into and out of the courtroom, anxious to discuss the twenty-day trial and to speculate on its probable outcome. Clarence Darrow and Arthur Garfield Hays hung around the courtroom for most of the day. A reporter for the *Detroit Free Press* noted that "Darrow lolled on a sofa in the judge's office and confessed to being very tired." He told the reporter that he expected the jury to have difficulty in reaching its decision. In confirmation of Darrow's prediction a "murmur of voices, often raised in heated debate, could be heard in the jury room." "What's the use of arguing with these fellows." "Two of you had them convicted before you came here." "I'll stay here twenty years if necessary, and I'm younger than any of you." Finally, at 11:15 at night—after thirty-three hours of deliberation—the jury came in asked Judge Murphy for additional instructions. Murphy looked at the twelve tired souls in front of him and recommended sleep. (70)

The next day the jury again appeared before Murphy, still without a verdict. "Do you believe it will be impossible to reach a verdict in this case?" the judge asked the foreman. "We do, your honor," he replied. Judge Murphy released the jury and declared a mistrial. (71) Reports later indicated that seven of the jurors had favored acquittal; five held out for conviction of Ossian Sweet, Henry Sweet, and Leonard Morse on a charge of manslaughter. One of those supporting conviction reportedly told other jurors, "A nigger has killed a white man and I'll be burned in hell before I ever vote to acquit a nigger who has killed a white man." (72)

A month later, the case was put on the calendar for re-trial.

The streets of Detroit remained calm during the winter of 1925-26 as Darrow began preparations for the second trial. No crowds drove blacks from homes, no mass rallies took place, the black ghetto remained calm. There was, however, one ugly incident: an unidentified white man tried to burn down Doctor Sweet's house. The man was observed running from the premises after the fire started, but was never apprehended. The house was placed under police guard. (73)

In March, Darrow called Thomas Chawke, reputed to be the best criminal lawyer in Michigan. It was Darrow's second call to Chawke. He had called him four months earlier, during jury deliberations, to ask Chawke's advice on whether to push for a mistrial or to encourage the judge to keep the jury deliberating. Darrow called Chawke this time because he needed a lawyer to replace Arthur Garfield Hays who, because of other commitments, could not participate in the second trial. Chawke agreed to meet Darrow when he arrived back in Detroit. (74)

Chawke accepted Darrow's invitation to join the defense, insisting on but one condition. Chawke said he would enter the case only if the defendants were tried separately. Under Michigan law, the defense could demand separate trials. Separate trials eliminated the risk of a compromise verdict and, if the first defendant won an acquittal, the prosecution most likely would drop charges against the remaining defendants. Darrow agreed, and requested separate trials.

The State chose to try first Henry Sweet, Ossian Sweet's youngest brother, then a junior at Wilberforce College in Ohio. Toms chose to proceed first with Henry because of his admission to police that he had fired out of the front window in the general direction of the deceased—even if, as Henry insisted, he had fired over—not into—the crowd. (75)

The prospect of a second trial in Detroit pleased Darrow for several reasons. He believed strongly in his client's case. He also looked forward to trying another case before Frank Murphy, who he considered to be an outstanding judge. Even Robert Toms was a fine fellow—at least as far as prosecutors go. Best of all, however, liquor was only a short ride away in the Canadian city of Windsor. Darrow observed: "Even before the Civil War the runaway slaves would come to Detroit, for this city was in sight of the Union Jack which was flying beyond the river, in Windsor, Canada. To the footsore slave fleeing from his master, the Union Jack was the emblem of freedom, just as it is today for the thirsty." (76)

In Darrow's words, the second trial—in April 1926—"seemed to run more smoothly than the first." One observer of the trial declared that Darrow and Chawke made "a glorious and invincible team." Chawke's constant movement about the courtroom and his "full,

strong, ringing voice" sharply contrasted with "the quietness and extreme simplicity of Darrow's own more subtle method....Chawke's vitality emphasized all the ripe repose of the older man." Still, in this observer's mind, Darrow "was always the dominating figure." (77)

Darrow rose from his chair and walked straight to the twelve white men, ranging in age from 24 to 82, who would decide the fate of Henry Sweet. Darrow addressed the jury in the "quiet, colloquial and intimate fashion" that marked his opening statements. After introducing the jurors to Ossian Sweet and his brother Henry, Darrow described the problem faced by blacks seeking new housing in Detroit. The black district was simply too small, its boundaries were constantly pushed outward: "Sometimes leaping over a few doors, sometimes a few blocks—whenever it is extended, meeting with resistance, as people don't want the colored man too near them." He described the "average people" who lived around Garland and Charlevoix, then added--with a chuckle and a hunch of his shoulders—"not any more than average: you'll see when they testify." He told of Dr. Sweet's house hunting and move into 2905 Garland. (78)

Then, after about thirty minutes of this quiet narrative, Darrow "sharply raised that flexible voice of his" and declared: "So when Dr. Sweet moved, Henry went along with him, and he knew why he went. We don't propose to dodge any issue in this case. He went to help defend his brother's home, if need be, with his life. I don't know just how much of an agreement was made—but they proposed to die defending the home if necessary." (79)

Darrow described a growingly chaotic scene in front of the Sweet home on the evening of September 9, with the occupants of the house "huddled together." "The crowd increased, stones came through the window and they shot," Darrow declared simply. He paused dramatically. Then he added quietly: "I don't know any more than Mr. Toms does, how many shots were fired. I don't know who killed Breiner. Perhaps it was Henry Sweet. I can't tell, and he can't." (80)

Darrow told the jurors the issue that they would be called upon to decide. "If Henry Sweet went there," he said, "or agreed after he got there to kill somebody upon slight provocation, then he would be guilty of murder regardless of who fired the shot. But if he went there, as we claim, for the purpose of defending his brother's home and family as it was not only his right, but his duty to do so, or if he went there for that purpose and made a mistake and shot when in fact it wasn't necessary to kill, but he thought it was—he is innocent." (81)

As the prosecution paraded its seventy-one witnesses before the jury, Darrow and Chawke with "persistent, wearing diligence" tried during cross-examination to establish the key facts of their case. They tried to show: a large crowd had gathered in front of the Sweet home, the police expected trouble, Dr. Sweet had every reason to make the same

assumption about the probability of trouble as did the police, and the crowd intended to eject the Sweets, using force if necessary. (82)

By the end of the second week of trial, Darrow was battling a cold as well as evasive witnesses. Facing a witness named Andrews, Darrow looked, to courtroom observer Marcet Haldeman-Julius, like "a cross, rumpled lion." Darrow pressed Andrews on what the speaker at the Waterworks Improvement Association had said about the Sweets and their planned move. Andrews admitted that the speaker "had called a spade a spade when he talked." "Why can't you do it?" Darrow asked. "Now can't you put it just the way he did?" A few minutes later, after Andrews had admitted to having applauded the "very outspoken" speaker, the witness cautiously added that he favored only "legal means" of blocking the Sweets move. Darrow "let his face fill with withering scorn," shoved his hands into his pockets, and hunched his shoulders for battle:

Q. Did the speaker talk about "legal means"?

A. I admitted to you that this man was radical.

Q. Answer my question. Did he talk about legal means?

A. No.

Q. He talked about driving them out, didn't he?

A. Yes, he was radical-I admit that.

Q. You say you approved of what he said and applauded it, didn't you?

A. Part of his speech.

Q. In what ways was he radical?

A. Well, I don't-I myself do not believe in violence.

Q. I didn't ask you what you believed in. I said in what ways was he radical? Anything more you want to say about what you mean by "radical," that he advocated?

A. No, I don't want to say any more.

Q. You did not rise in that meeting and say, "I myself don't believe in violence," did you?

A. No; I'd had a fine chance with 600 people there!

Q. What? You would have caught it, yourself, wouldn't you? You wouldn't have dared to do it at that meeting?

Toms interrupted. "Don't answer it!" he shouted to his witness. Then, turning to Judge Murphy, added, "I object to it as very, very improper." Murphy in a calm voice ruled, "The objection is sustained."

Darrow continued again: "What did you mean by saying you had a fine chance?"

A. You imagine I would have made myself heard with 600 people there? I wasn't on the platform.

Q. What did you mean by saying you would have had a fine chance in that meeting where 600 people were present-to make the statement that you said?

A. I object to violence.

Q. Did anybody-did anybody in that audience of 600 people--protest against advocating against colored people who moved into the neighborhood?

A. I don't know.

Q. You didn't hear any protest?

A. No.

Q. You only heard applause?

A. There was-as I stated-this meeting in the schoolyard-

Q. You heard nobody utter any protest, and all the manifestation you heard was applause at what he said?

A. Yes, that is all.

Upset by the concessions Darrow had been able to extract from Andrews, Toms asked on redirect examination: "Did he advocate violence?" The cue was clear to anyone in the courtroom, but Andrews had gone too far to back off now. "I said this man was radical," he replied. "I know you did," persisted Toms. "Did he advocate violence?" Andrews said nothing for a minute, then answered, "Yes." (83)

12

In his long career, Clarence Darrow delivered many a powerful summation. Perhaps none, however, had the ability to move hearts and minds like the one he gave on May 11, 1926 in Judge Murphy's courtroom. Darrow, often his own harshest critic, believed because of "my long sympathy for the colored race" his final speech in the Henry Sweet trial proved to be "one of the strongest and most satisfactory arguments that I ever delivered." To Marcet Haldeman-Julius, Darrow "seemed like one of the prophets of old come back to speak a word of warning and of guidance." His plea "was a mighty climax which made inevitable the final curtain." Even Judge Frank Murphy was heard to enthusiastically exclaim, "This is the greatest experience of my life. That was Clarence Darrow at his best. I will never hear anything like it again. He is the most Christ-like man I have ever known." (84)

Darrow, in his summation in the Henry Sweet trial, borrowed heavily from his summation in the first trial, but radically shifted his emphasis. Unlike in his first summation, Darrow approached the issue of race head-on. The risk of offending a white juror, which seemed to temper his remarks in the first trial, no longer seemed to concern him. Seventy-five years later, the bluntness of Darrow's language still startles. (85)

"Gentleman of the jury," he began, "you have listened so long and so patiently that I do not know whether you will be able to stand much more. I want to say, however, that while I have tried a good many cases in the forty-seven or forty-eight years that I have lived in courthouses, that in one way this has been one of the pleasantest trial I have ever been in. The kindness and consideration of the Court is such as to make it easy for everybody, and I have seldom found as courteous, gentlemanly and kindly opponents as I have in this case." (86)

No one who heard Clarence Darrow ever doubted his greatness as a speaker. His speeches were not grandiose or flowery. They achieved their effect through understatement, informality, specificity, humor, and good argument. Darrow especially

excelled when addressing audiences that might be inclined against his position or his client. More than any man of his time, Darrow knew how to melt hearts of stone. (87)

Darrow argued Henry Sweet's cause for over seven hours that day in May of 1926. One who was there wrote: "I shall never forget that final plea to the jury. One could have heard a pin drop in the crowded courtroom. Everyone listened breathlessly, crowded so closely together that women fainted and could not fall. He went back through the pages of history and the progress of the human race to trace the development of fear and prejudice in human psychology. Sometimes his resonant, melodious voice sank to a whisper. Sometimes it rose in a roar of indignation. The collars of jurors wilted. They sat tense, in the grip of strained contemplation of historic events and the tragic happenings which he made real and present again before their eyes." (88)

You need not tell me you are not prejudiced. I know better. We are not very much but a bundle of prejudices anyhow. We are prejudiced against other peoples' color. Prejudiced against other men's religion; prejudiced against other peoples' politics. Prejudiced against peoples' looks. Prejudiced about the way they dress. We are full of prejudices. You can teach a man anything beginning with the child; you can make anything out of him, and we are not responsible for it. Here and there some of us haven't any prejudices on some questions, but if you look deep enough you will find them; and we all know it. All I hope for, gentlemen of the jury, is this: That you are strong enough, and honest enough, and decent enough to lay it aside in this case and decide it as you ought to. And I say, there is no man in Detroit that doesn't know that these defendants, everyone of them, did right. There isn't a man in Detroit who doesn't know that the defendant did his duty, and that this case is an attempt to send him and his companions to prison because they defended their constitutional rights. It is a wicked attempt, and you are asked to be a party to it. You know it....

Was Breiner innocent? If he was every other man there was innocent. He left his home. He had gone two or three times down to the corner and back. He had come to Dove's steps where a crowd had collected and peacefully pulled out his pipe and begun to smoke until the curtain should be raised. You know it. Why was he there? He was there just the same as the Roman populace were wont to gather at the Colosseum where they brought out the slaves and the gladiators and waited for the lions to be unloosed. That is why he was there. He was there waiting to see these black men driven from their homes, and you know it; peacefully smoking his pipe, and as innocent a man as ever scuttled a ship. No innocent people were there. What else did Breiner do? He sat there while boys came and stood in front of him, not five feet away, and stoned these black people's homes--didn't he? Did he raise his hand? Did he try to protect any of them? No, no. He was not there for that. He was there waiting for the circus to begin....

My friend, Moll, said that my client here was a coward. A coward, gentlemen....Who are the cowards in this case? Cowards, gentlemen! Eleven people with black skins, eleven people, gentlemen, whose ancestors did not come to America because they wanted to, but were brought here in slave ships, to toil for nothing, for the whites—whose lives have been taken in nearly every state in the Union,—they have been victims of riots all over

this land of the free. They have had to take what is left after everybody else has grabbed what he wanted. The only place where he has been put in front is on the battle field. When we are fighting we give him a chance to die, and the best chance. But, everywhere else, he has been food for the flames, and the ropes, and the knives, and the guns and hate of the white, regardless of law and liberty, and the common sentiments of justice that should move men. Were they cowards? No, gentlemen, they may have been gun men. They may have tried to murder, but they were not cowards....

Perhaps some of you gentlemen do not believe in colored men moving into white neighborhoods. Let me talk about that a minute, gentlemen. I don't want to leave any question untouched that might be important in this case, and I fancy that some of you do not believe as I believe on this question. Let us be honest about it. There are people who buy themselves a little home and think the value of it would go down if colored people come. Perhaps it would. I don't know. I am not going to testify in this case. It may go down and it may go up. It will probably go down for some purposes and go up for others. I don't know. Suppose it does? What of it? I am sorry for anybody whose home depreciates in value. Still, you can not keep up a government for the purpose of making people's homes valuable. Noise will depreciate the value of a house, and sometimes a street car line will do it. A public school will do it....Livery stables used to do it; garages do it now. Any kind of noise will do it. No man can buy a house and be sure that somebody will not depreciate its value. Something may enhance its value, of course. We are always willing to take the profit, but not willing to take the loss. Those are incidents of civilization. We get that because we refuse to live with our fellow-man, that is all...

The Police Department went up there on the morning of the 8th, in the City of Detroit, in the State of Michigan, U. S.A., to see that a family were permitted to move into a home that they owned without getting their throats cut by the noble Nordics who inhabit that jungle. Fine, isn't it? No race question in this? Oh, no, this is a murder case, and yet, in the forenoon of the 8th, they sent four policemen there, to protect a man and his wife with two little truck loads of household furniture who were moving into that place. Pretty tough, isn't it? Aren't you glad you are not black? You deserve a lot of credit for it, don't you, because you didn't choose black ancestry? People ought to be killed who chose black ancestry..... Did any of you ever dream that you were colored? Did you ever wake up out of a nightmare when you dreamed that you were colored? Would you be willing to have my client's skin?....

Imagine yourselves colored, gentlemen. Imagine yourselves back in the Sweet house on that fatal night. That is the only right way to treat this case, and the court will tell you so. Would you move there? Where would you move? Dancy says there were six or seven thousand colored people here sixteen years ago. And seventy-one thousand five years ago. Gentlemen, why are they here? They came here as you came here, under the laws of trade and business, under the instincts to live; both the white and the colored, just the same; the instincts of all animals to propagate their kind, the feelings back of life and on which life depends. They came here to live. Your factories were open for them. Mr. Ford hired them. The automobile companies hired them. Everybody hired them. They were all

willing to give them work, weren't they? Everyone of them. You and I are willing to give them work, too. We are willing to have them in our houses to take care of the children and do the rough work that we shun ourselves...They have always had a corner on the meanest jobs. The city must grow, or you couldn't brag about it.

The colored people must live somewhere. Everybody is willing to have them live somewhere else. The people at the corner of Garland and Charlevoix would be willing to have them go to some other section....Everybody would be willing to have them go somewhere else. Somewhere they must live. Are you going to kill them? Are you going to say that they can work, but they can't get a place to sleep? They can toil in the mill, but can't eat their dinner at home. We want them to build automobiles for us, don't we? We even let them become our chauffeurs. Oh, gentlemen, what is the use! You know it is wrong. Everyone of you know it is wrong. You know that no man in conscience could blame a Negro for almost anything. Can you think of these people without shouldering your own responsibility? Don't make it harder for them, I beg you....

Gentlemen, nature works in a queer way. I don't know how this question of color will ever be solved, or whether it will be solved. Nature has a way of doing things. There is one thing about nature, she has plenty of time. She would make broad prairies so that we can raise wheat and corn to feed men. How does she do it? She sends a glacier plowing across a continent, and takes fifty-thousand years to harrow it and make it fit to till and support human life. She makes a man. She tries endless experiments before the man is done. She wants to make a race and it takes an infinite mixture to make it. She wants to give us some conception of human rights, and some kindness and charity and she makes pain and suffering and sorrow and death. It all counts. That is a rough way, but it is the only way. It all counts in the great, long broad scheme of things. I look on a trial like this with a feeling of disgust and shame. I can't help it now. It will be after we have learned in the terrible and expensive school of human experience that we will be willing to find each other and understand each other....

All the fathers and all the mothers and all the husbands and all the wives were gathering the chickens under their wings for the coming storm. Weren't they? Just before eight o'clock. They were clearing the decks for action and getting the children out of the schoolyard and out of the crowd, so that the only strong, healthy men, and plenty of them, could get these "gun" men who were trying to live in their own home....

They sent for two more policemen. At the station they had twenty or thirty in reserve waiting for a riot call. Didn't they? They had ten or twelve policemen, twenty or thirty waiting for a riot call, and they sent up for two more, in a hurry, and they hustled down. And then two policemen were sent to the top of that flat across the way, where they could "view the landscape" o'er the highest point of vantage, which, of course, would be used to protect the civilization and culture of Charlevoix Avenue; and they had just got started to go to the top of the flat when they sent for six more. Gentlemen, six more policemen, making some fifteen or eighteen policemen around that corner. Was there any need of it? It was perfectly peaceful. Only four people on the schoolhouse grounds, according to some of them. Nothing doing. All quiet on the Potomac; warm summer evening, and the

children lying on the lawn. Children, gentlemen,—children. There might have been some children earlier in the evening, but they had all been gathered under their mothers' wings before that time, and most of the women had disappeared. Just before these fatal shots were fired. Why were the policemen there?....

Oh, they say, there is nothing to justify this shooting; it was an orderly, neighborly crowd; an orderly, neighborly crowd. They came there for a purpose and intended to carry it out. How long, pray, would these men wait penned up in that house? How long would you wait?....

Suppose they shot before they should. What is the theory of counsel in this case? Nobody pretends there is anything in this case to prove that our client Henry fired the fatal shot. There isn't the slightest. It wasn't a shot that would fit the gun he had. The theory of this case is that he was a part of a combination to do something. Now, what was that combination, gentlemen? Your own sense will tell you what it was. Did they combine to go there and kill somebody? Were they looking for somebody to murder?....

They did go there knowing their rights, feeling their responsibility, and determined to maintain those rights if it meant death to the last man and the last woman, and no one could do more. No man lived a better life or died a better death than fighting for his home and his children, for himself, and for the eternal principles upon which life depends. Instead of being here under indictment, for murder, they should be honored for the brave stand they made, for their rights and ours. Some day, both white and black, irrespective of color, will honor the memory of these men, whether they are inside prison-walls or outside, and will recognize that they fought not only for themselves, but for every man who wishes to be free...

Now, gentlemen, how long did they need to wait? Why, it is silly. How long would you wait? How long do you suppose ten white men would be waiting? Would they have waited as long? I will tell you how long they needed to wait. I will tell you what the law is, and the Court will confirm me, I am sure. Every man may act upon appearances as they seem to him. Every man may protect his own life. Every man has the right to protect his own property....He has a right to defend the life of his kinsman, servant, his friends, or those about him, and he has a right to defend, gentlemen, not from real danger, but from what seems to him real danger at the time.

Here is Henry Sweet, the defendant in this case, a boy. How many of you know why you are trying him? What had he to do with it? Why is he in this case? A boy, twenty-one years old, working his way through college, and he is just as good a boy as the boy of any juror in this box; just as good a boy as you people were when you were boys, and I submit to you, he did nothing whatever that was wrong....

Now, let us look at these fellows. Here were eleven colored men, penned up in the house. Put yourselves in their place. Make yourselves colored for a little while. It won't hurt, you can wash it off. They can't, but you can; just make yourself black men for a little while; long enough, gentlemen, to judge them, and before any of you would want to be

judged, you would want your juror to put himself in your place. That is all I ask in this case, gentlemen. They were black, and they knew the history of the black....

Our friend makes fun of Dr. Sweet and Henry Sweet talking these things all over in the short space of two months. Well, gentlemen, let me tell you something, that isn't evidence. This is just theory. This is just theory, and nothing else. I should imagine that the only thing that two or three colored people talk of when they get together is race. I imagine that they can't rub color off their face or rub it out of their minds. I imagine that is it with them always. I imagine that the stories of lynchings, the stories of murders, the stories of oppression is a topic of constant conversation. I imagine that everything that appears in the newspapers on this subject is carried from one to another until every man knows what others know, upon the topic which is the most important of all to their lives....

Michigan used to protect the rights of colored people. There were not many of them here, but they have come in the last few years, and with them has come prejudice. Then, too, the southern white man has followed his black slave. But that isn't all. Black labor has come in competition with white. Prejudices have been created where there was no prejudice before. We have listened to the siren song that we are a superior race and have superior rights, and that the black man has none.

It is a new idea in Detroit that a colored man's home can be torn down about his head because he is black. There are some eighty thousand blacks here now, and they are bound to reach out. They have reached out in the past, and they will reach out in the future. Do not make any mistake, gentlemen. I am making no promises. I know the instinct for life. I know it reaches black and white alike. I know that you can not confine any body of people to any particular place, and, as the population grows, the colored people will go farther. I know it, and you must change the law or you must take it as it is, or you must invoke the primal law of nature and get back to clubs and fists, and if you are ready for that, gentlemen, all right, but do it with your eyes open. That is all I care for. You must have a government of law or blind force, and if you are ready to let blind force take the place of law, the responsibility is on you, not on me....

Who are these people who were in this house? Were they people of character? Were they people of standing? Were they people of intelligence?

First, there was Doctor Sweet. Gentlemen, a white man does pretty well when he does what Doctor Sweet did. A white boy who can start in with nothing, and put himself through college, study medicine, taking post graduate work in Europe, earning every penny of it as he goes along, shoveling snow and coal, and working as a bell hop, on boats, working at every kind of employment that he can get to make his way, is some fellow.

But, Dr. Sweet has the handicap of the color of his face. And there is no handicap more terrible than that. Supposing you had your choice, right here this minute, would you rather lose your eyesight or become colored? Would you rather lose your hearing or be a

Negro? Would you rather go out there on the street and have your leg cut off by a street car, or have a black skin?

I don't like to speak of it; I do not like to speak of it in the presence of these colored people, whom I have always urged to be as happy as they can. But, it is true, Life is a hard game, anyhow. But, when the cards are stacked against you, it is terribly hard. And they are stacked against a race for no reason but that they are black.

Who are these men who were in this house? There was Doctor Sweet. There was his brother, who was a dentist. There was this young boy who worked his way for three years through college, with a little aid from his brother, and who was on his way to graduate. Henry's future is now in your hands. There was his companion, who was working his way through college,—all gathered in that house.

Were they hoodlums? Were they criminals? Were they anything except men who asked for a chance to live; who asked for a chance to breathe the free air and make their own way, earn their own living, and get their bread by the sweat of their brow?....

Gentlemen, these black men shot. Whether any bullets from their guns hit Breiner, I do not care. I will not discuss it. It is passing strange that the bullet that went through him, went directly through, not as if it was shot from some higher place. It was not the bullet that came from Henry Sweet's rifle; that is plain. It might have come from the house; I do not know, gentlemen, and I do not care. There are bigger issues in this case than that. The right to defend your home, the right to defend your person, is as sacred a right as any human being could fight for, and as sacred a cause as any jury could sustain....

Some things that these defendants said were not true, as is always the case. The prosecutor read a statement from this boy, which is conflicting. In two places he says that he shot "over them." In another he said that he shot "at them." He probably said it in each place but the reporter probably got one of them wrong. But Henry makes it perfectly explicit, and when you go to your jury room and read it all, you will find that he does. In another place he said he shot to defend his brother's home and family. He says that in two or three places. You can also find he said that he shot so that they would run away, and leave them to eat their dinner. They are both there. These conflicting statements you will find in all cases of this sort. You always find them, where men have been sweated, without help, without a lawyer, groping around blindly, in the hands of the enemy, without the aid of anybody to protect their rights....

Gentlemen, I feel deeply on this subject; I cannot help it. Let us take a little glance at the history of the Negro race. It only needs a minute. It seems to me that the story would melt hearts of stone. I was born in America. I could have left it if I had wanted to go away.

Some other men, reading about this land of freedom that we brag about on the 4th of July, came voluntarily to America. These men, the defendants, are here because they could not help it. Their ancestors were captured in the jungles and on the plains of Africa, captured as you capture wild beasts, torn from their homes and their kindred;

loaded into slave ships, packed like sardines in a box, half of them dying on the ocean passage; some jumping into the sea in their frenzy, when they had a chance to choose death in place of slavery. They were captured and brought here. They could not help it. They were bought and sold as slaves, to work without pay, because they were black....

Now, that is their history. These people are the children of slavery. If the race that we belong to owes anything to any human being, or to any power in this Universe, they owe it to these black men. Above all other men, they owe an obligation and a duty to these black men which can never be repaid. I never see one of them, that I do not feel I ought to pay part of the debt of my race,—and if you gentlemen feel as you should feel in this case, your emotions will be like mine.

Gentlemen, you were called into this case by chance. It took us a week to find you, a week of culling out prejudice and hatred. Probably we did not cull it all out at that; but we took the best and the fairest that we could find. It is up to you.

Your verdict means something in this case: It means something, more than the fate of this boy. It is not often that a case is submitted to twelve men where the decision may mean a milestone in the progress of the human race. But this case does. And, I hope and I trust that you have a feeling of responsibility that will make you take it and do your duty as citizens of a great nation, and, as members of the human family, which is better still...

"Few of us will ever forget the picture of him as he stood, worn after a long day of intense, if for the most part quiet, pleading. With arm uplifted, on a level with his breast, hand out-spread in that typical gesture of his when he wants his listeners to concentrate, his eyes searching the very hearts of the men before him, he spoke once more the long road ahead for the Negro...." (89)

Now, gentlemen, just one more word, and I am through with this case. I do not live in Detroit. But I have no feeling against this city. In fact, I shall always have the kindest remembrance of it, especially if this case results as I think and feel that it will. I am the last one to come here to stir up race hatred, or any other hatred. I do not believe in the law of hate. I may not be true to my ideals always, but I believe in the law of love, and I believe you can do nothing with hatred. I would like to see a time when man loves his fellow man, and forgets his color or his creed. We will never be civilized until that time comes.

I know the Negro race has a long road to go. I believe the life of the Negro race has been a life of tragedy, of injustice, of oppression. The law has made him equal, but man has not....

Gentlemen, what do you think is your duty in this case? I have watched, day after day, these black, tense faces that have crowded this court. These black faces that now are looking to you twelve whites, feeling that the hopes and fears of a race are in your keeping.

This case is about to end, gentlemen. To them, it is life. Not one of their color sits on this jury. Their fate is in the hands of twelve whites. Their eyes are fixed on you, their hearts go out to you, and their hopes hang on your verdict.

This is all. I ask you, on behalf of this defendant, on behalf of these helpless ones who turn to you, and more than that,—on behalf of this great state, and this great city which must face this problem, and face it fairly,—I ask you, in the name of progress and of the human race, to return a verdict of not guilty in this case!

13

Robert Toms, summing up for the prosecution, had the inevitable task of following Darrow. Although Toms turned in a respectable performance, according to Marcet Haldeman-Julius, "somehow it reminded one of the clatter of folding chairs after a symphony concert." (90)

Judge Murphy gave the jury its charge. He told them that Henry Sweet should be found guilty if he aided and abetted in a felonious assault on the crowd, even if he did not fire the bullet that killed Breiner. Sweet should not, however, be found guilty if he fired in the good faith and reasonable belief that it was necessary to repel "a riotous attack" on the Sweet home. In evaluating whether a reasonable man might have "an honest belief in danger," the jury should consider "the circumstances which confronted the accused at the time, his situation, their situation, his race and color." (103)

After receiving its instructions from Judge Murphy, the jury began its deliberations on May 13. Through the afternoon, the twelve men debated the fate of Henry Sweet. Once the door of the jury room opened and "loud wrangling issued." Reporters watched the clock, wondering whether the jury would reach its verdict before the deadline for the last editions. Then, at 4:59, came a loud knocking on the jury door. (91)

The courtroom began to buzz with excitement. Judge Murphy poked his head into the courtroom to tell the bailiff, "Don't bring that jury until we are ready for them." The room filled steadily until it was more crowded than for any day of the trial. In the midst of it all, Henry Sweet stood facing the wall, his hands pressed together, chin quivering. The jury door opened. The first man out was jury foreman George Small, the young, well-groomed Detroit manager of Cunard Anchor Lines. The other eleven men followed Small in single file. Darrow grasped the arms of his chair and stooped forward to await the verdict. "Have you gentlemen in the course of your deliberations reached a verdict in the case of Henry Sweet? And if so, who will answer for you?" Small answered: "We have and I will." The dark-haired foreman with a pleasant face cleared his throat. "Not guilty," he said, his voice breaking. (92)

Toms couldn't seem to believe the words he just heard. He asked to have the verdict repeated. Then the room filled with laughs, sobs, and congratulations. The deep-set blue eyes of Clarence Darrow filled and tears rolled down his cheek. (93)

Darrow told the press, "The verdict meant simply that the doctrine that a man's house is his castle applied to the black man as well as the white man. If not the first time that a white jury had vindicated this principle, it was the first time that ever came to my notice." W. E. B. DuBois, in the *Crisis*, called the Sweet verdict a great victory for racial justice: "We are not sure that even in their rejoicing most colored Americans appreciate the significance of the acquittal of Henry Sweet." DuBois expressed the opinion that "the eleven defendants in Detroit were doomed" if not for the brilliant efforts of Clarence Darrow. Writing from Charlestown Prison in Massachusetts, where he faced execution as the result of a jury decision in another celebrated trial of the time, Bartolomeo Vanzetti praised Darrow's success: "Darrow said, 'If you have progressed a little, you should acquit these Negroes.' And the jury acquitted them." (94)

Darrow demanded that charges be dropped against the ten remaining defendants, but Toms stubbornly refused to accept Darrow's argument that he could never get a conviction in the other cases. Finally, on July 21, 1927, after more than a year of indecision, Toms filed his motion to dismiss all charges. Toms' motion stated: "It is significant that since the trial of this case there has not been a single so-called interracial clash in the City of Detroit and a noticeably improved spirit of tolerance and forbearance has arisen between the colored and white groups in this city." Toms also noted, with approval, that "the defendant Ossian Sweet has not attempted to occupy the residence at the corner of Garland and Charlevoix Street and has offered the same for sale." (95)

Ossian Sweet and his family moved back into their home at 2905 Garland in 1928. Sweet would sell the house twenty years later. (97)

Judge Frank Murphy became first Governor Frank Murphy, then--after his 1940 appointment by President Franklin Roosevelt--Justice Frank Murphy. In 1944, Justice Murphy, one of the Supreme Court's great civil libertarians, authored a famous dissent in *Korematsu vs. United States*, a case upholding the constitutionality of a World War II order interning Japanese-Americans in "relocation centers" in the West.

Darrow would not formally retire until 1928, but shortly after the Sweet trial he began to wind down his law practice. He packed up his papers and moved his black desk and chairs from his office to his apartment on East 60th Street in Chicago. By 1927, Darrow took to calling himself "a man of leisure." He and Ruby set sail that year from Montreal--"where," Darrow said, "you can get a drink at the start"--for a long European vacation. The trip retraced the route that they had taken on their honeymoon. (96)

While staying with friends in Switzerland, Darrow began writing his autobiography, *The Story of My Life*. The book might have been more aptly titled, as Darrow biography Irving Stone observed, *The Story of My Philosophy*. The book, as Darrow recognized,

revealed less about his private life than about his ideas. He questioned "how much of it can be called biography and how much propaganda." (98)

Whether by way of writing or by speaking on the lecture and debate circuit, Darrow continued to champion the causes of criminal justice reform, repeal of Prohibition, agnosticism, and racial tolerance. *Variety* described him as "America's greatest one-man stage draw." T. V. Smith agreed, reporting that Darrow "alone was enough to draw a crowd anywhere in America." But spectators no longer saw the Darrow that used his old moral fire to win jurors' sympathy. The man had mellowed. By the late 1920s, the "driven idealist" had become the "cool professional." (99)

In 1929, at the age of 72, Darrow wrote to Walter White, director of the NAACP, an organization Darrow had joined decades earlier as a charter member: "As you know I am getting damn old. And like all people who have no outdoor sport I am making a will. I want to include your organization in it. There won't be enough to make it of any great consequence. But still enough to show how I feel and possibly attract some others to do likewise." (18)

In 1931, one last opportunity arose for Darrow to advance the cause of racial justice. In northern Alabama, nine black teenagers--called "The Scottsboro Boys" in the press--stood accused of raping two white women on a Southern Railroad freight train. Eight of the nine blacks had been sentenced to death after rapid-fire trials (a mistrial was declared in the case of the ninth defendant, a twelve year old, when the one juror refused to go along with the other eleven on the death sentence). Civil rights leaders saw the trials as a travesty of justice. NAACP officials hoped that Darrow might succeed in convincing the young defendants to allow the civil rights organization to represent them in their appeals and second trials. NAACP Secretary Walter White persuaded Darrow to travel to Alabama with Arthur Garfield Hays to see what might be done. They arrived too late. The International Labor Defense, the legal arm of the Communist Party, already had rounded up the necessary signatures to gain the right to represent the Scottsboro Boys. Arriving in Birmingham, Darrow received a telegram, signed by all nine black prisoners (though probably concocted by ILD lawyers): "We do not want you to come and fight the ILD...just to help the NAACP." Yet the ILD could hardly afford to flatly close the door on an attorney with the reputation of Darrow. The ILD offered Darrow the case on the conditions that he repudiate the NAACP and allow the ILD to dictate legal tactics. Darrow found it impossible to accept the case on the ILD's terms, and returned home. (100)

Darrow's health became a "constant preoccupation" by the mid 1930s. He died on March 13, 1938. (101)

Sources

KT Kevin Tierney, *Darrow: A Biography* (Thomas Crowell Publishers, 1979).

CD, SML Clarence Darrow, *The Story of My Life* (1932).

MHJ Marcet Haldeman-Julius, *Clarence Darrow's Two Greatest Trials* (1927).
DFP *Detroit Free Press*

Notes

- (1) KW, p6
- (2) KW, pp6-7; HJ 29
- (3) HJ 30; DAL, 160
- (4) KW, 8-9
- (5) KW, 9
- (6) DAL, 153-54
- (7) DAL, 157
- (8) DAL, 157-58; DS
- (9) DAL, 158
- (10) DS
- (11) DAL. 160
- (12) DAL, 159
- (13) DAL, 161; KW, 20; HJ, 32
- (14) KT, 8-9, 233
- (15) KT, 6
- (16) IS, 470
- (17) KT, 141
- (18) KT, 398
- (19) IS, 471
- (20) IS, 470
- (21) CD, PON, 74
- (22) CHH—CD, PON, 74
- (23) CD, PON, 74
- (24) CD, PON, 70
- (25) KT, 141, 398
- (26) IS, 470 & CHH
- (27) KT, 282-83
- (28) DAL, 161-62
- (29) DAL, 161-62
- (30) KW, 26
- (31) DAL, 162-63; HJ, 32-34
- (32) HJ, 40.
- (33) HJ, 41.
- (34) DAL 164, HJ, 41, KW 28-29, 32, 34.
- (35) DAL, 164-65, KW 35.
- (36) CD, SML, 301.
- (37) CD, SML, 302.
- (38) AGH, 198-99.
- (39) AGH, 199.
- (40) CD, SML, 306-07.
- (41) DFP, 10/31/25
- (42) DFP, 10/31/25, CD, SML, 307-08.

- (43) KW, 77-78.
- (44) DFP, 11/9/25
- (45) DFP, 11/9/25
- (46) DFP, 11/9/25
- (47) DFP, 11/9/25
- (48) AGH, 202-03.
- (49) AGH, 201-02
- (50) AGH, 205-06
- (51) DFP, 11/11/25, AGH 208-09
- (52) TT, CDS ("A Great Number"), 11/24/25
- (53) AGH, 204-05
- (54) DFP, 11/11/25
- (55) AGH, 207-08; KW, 88
- (56) TT, RTS
- (57) AGH, 211; DAL, 177
- (58) KW, 102
- (59) KW, 103
- (60) KW, 103-04
- (61) DAL, 178; MHJ, 35-36
- (62) DFP, 11/19/25
- (63) AGH, 226-27, DAL, 179; NAACPT, LMS
- (64) AGH, 225-26; DFP, 11/19/25
- (65) DFP, 11/20/25
- (66) CD,SML, 309-10; DFP, 11/25/25
- (67) TT, CDS, 11/24 &25/25
- (68) DFP, 11/26/25
- (69) DFP, 11/26/25
- (70) DFP, 11/27/25; DAL, 183
- (71) DFP, 11/28/25
- (72) DAL, 183-84
- (73) CD, SML, 310-11; DAL, 184
- (74) DAL, 184-85
- (75) CD, SML, 310; DAL, 185
- (76) KW, 124-25
- (77) CD, SML, 311; MHJ, 50-51
- (78) MHJ, 57
- (79) MHJ, 57-58
- (80) MHJ, 58
- (81) MHJ, 58
- (82) MHJ, 58-64
- (83) MHJ, 64-66
- (84) CD, SML, 311; MHJ, 73; IS, CDFD, 484
- (85) BF, FTWS
- (86) TT, CDS, 5/26
- (87) KT, DAB, 360-61
- (88) Is, CDFD, 484 (Gomon)

- (89) MHJ, 73
- (90) MHJ, 73
- (91) MHJ, 74
- (92) MHJ, 55, 74
- (93) MHJ, 7, 74
- (94) KW, 129-130; KT, DAB, 385
- (95) KW, 130-32
- (96) IS, CDFD, 486; KW, 138-41; KT, DAB, 386-89
- (97) KW, 134-136
- (98) KT, DAB, 389
- (99) KT, DAB, 394-99
- (100) KT, DAB, 403-04
- (101) KT, DAB, 427, 437-38
- (102) NAACPT, RTS (5/12/26), "So They Would Go Away"
- (103) NAACPT, CTJ (5/13/26)