

## MEN AND WOMEN SHED JOY TEARS

### STRONG MEN SHOW DEEP EMOTION WHEN VERDICT RENDERED

Warned By Trial Judge Against Making Any Demonstration When Verdict Was Read—Emotion Found Vent in Tears

#### JUDGE MURPHY CHARGES JURY

Carefully Outlines What Constitutes Homicide, First Degree Murder, and Warns Against Passion and Prejudice.

Detroit, Mich., May 20.—By the Associated Negro Press.—“Not guilty!” was the verdict of the twelve jurymen in the Sweet case after a deliberation of about three hours. And Henry Sweet, charged with the murder of Leon Breiner, was a free man. Tears were in the eyes of nearly everyone in the court room, including the legal champion of the Sweets, Clarence Darrow, again victor in his fight for the freedom of a man held in the clutches of the law. Judge Murphy's warning against any demonstration of emotion upon hearing the verdict seemed to leave but one outlet for the expression of the joy of those who heard the verdict—tears—and they flowed freely through smiles.

In the morning, at the opening of court, Judge Murphy denied the motion of the defense to declare a mistrial due to prejudicial statements by Prosecutor Toms in his plea.

In the court's charge to the jury he carefully outlined the law on what constituted homicide, murder in the first degree, second degree, and manslaughter, and what constituted a justifiable, excusable, or felonious murder.

“It is my duty to warn you that prejudice or intolerance or passion should not enter into your deliberations upon the facts, else reason would depart and the calm consideration necessary for a just verdict would be lacking. Rich or poor, white or black, each man brought before the bench or jury is entitled to equal consideration and justice.

Judge Murphy Charges Jury. In charging the jury, Judge Murphy stated: “Gentlemen of the Jury: The information in this case charges that Dr. Ossian P. Sweet and 10 co-defendants on the 9th day of September did with malice aforethought shoot to kill Leon Breiner.

Further that it was an agreement to commit an unlawful act. “Gentlemen of the jury, while eleven defendants are considered in the bill of particulars, you are only to consider the innocence or guilt of Henry Sweet. In this you are to summon your best judgment in order to be fair with the defendant.

“The accused in every criminal case is presumed to be innocent. He comes to the court surrounded by that presumption. It is the duty of the prosecuting attorney to prove his guilt to the satisfaction of each and every one of you, beyond all reasonable doubt, before you can return a verdict of guilty.

“Gentlemen of the jury: Because of the particular facts surrounding this case, because of what has been said here, I consider it my duty to caution you and warn you against prejudice. I urge you to summon the best judgment you have. Strive to be equally fair with the defense and the prosecution. If you have prejudice or hate, good reason will depart, and that calm judicial fairness necessary in doing justice, will depart. All men are equal before the law. Real justice does not draw any color, race or creed, or class line. All are entitled to the same rights before the law. It may be hard, but it is our duty to strive for it. I again urge you to summon the best judgment and the best conscience that you possess. Keep in mind not to become angry or excited. Don't be too hasty. Try to understand each other and try to see each other's points of view. If you keep this in mind, you will be able to reach a verdict.

James Weldon Johnson, Secretary of the National Association for the Advancement of Colored People, who attended the trial, said: “When it was announced that the jury had reached a verdict after only four hours of deliberation, there was surprise and apprehension. When the verdict of Not Guilty was rendered waiting women sobbed audibly and tears ran down the cheeks of men. It is more than probable that no other cases will be tried. Thus ends one of the most vital fights ever waged for the race.”

The first trial of the Sweet case resulted in a jury disagreement. In this second trial it was arranged to have each one of the eleven defendants tried separately. Henry Sweet was selected by the prosecution to stand trial first as the case against him was thought to be strongest. In view of his acquittal, it is unlikely the State will try any of the other defendants.

The Sweet case has been the dramatic high point of the fight against segregation in America. It is one in a series of cases beginning with the Louisville case, won before the U. S. Supreme Court in 1917, outlawing all State and municipal segregation ordinances. Another case in the series was taken by the N. A. A. C. P. before the U. S. Supreme Court this year when the Washington Segregation Case (Corrigan & Curtis vs. Buckley) was argued by Messrs. Louis Marshall and Moorfield Storey, urging that segregation by agreement among white property owners was unconstitutional.

The Sweet case establishes the Negro's right to defend his life and family and home from riotous mobs having segregation as their objective. The N. A. A. C. P. brought its entire power to bear on this case, spending upwards of \$21,000 on the first trial, retaining the ablest criminal lawyer in the country, Clarence Darrow of Chicago, and associating with him Arthur Garfield Hays, of New York. In the second trial rough estimates indicate that the cost will be at least \$16,000 bringing the total cost of the two trials very nearly to \$40,000. In the second trial Michigan's ablest criminal lawyer, Thomas W. Chawke, and a colored attorney, Julius W. Perry, were associated with Mr. Darrow.

In the course of the legal battle, the N. A. A. C. P. undertook to raise a Legal Defense Fund to cover this and other segregation and legal defense cases, raising up to March 12, the sum of \$71, 619, contributions pouring in not only from every part of the United States but from Ehrope and the West Indies as well.

Both trials have profoundly affected public opinion on segregation in America. The first trial in its presentation of the Negro's suffering from mob violence throughout the country swung decent sentiment in favor of the defendants. The right of self-defense in his home has been conclusively established for the Negro.

### EDITORIAL

THE verdict in the Sweet case at Detroit, Michigan, must prove gratifying not only to our own people who were primarily deeply concerned in its outcome, but to all real broad minded Americans who believe that the Constitution of the United States means precisely what it says. Vital issues and fundamental principles were at stake in this trial and these issues and principles affect not only the black man, but the white man as well. Justice is not racial but national and universal. A triumph of justice for the weak man, means the guarantee of justice for the strong.

The issues and principles involved in the Sweet murder trial deal with the right of a man to protect his home and his life from the attack of a mob. This was the real and vital issue at stake. In this case it had to do with a respectable, self-respecting, law-abiding colored American citizen. Tomorrow it might be the case of a white American citizen. So as Clarence Darrow said, “That mob was out to make an assault upon the occupants of the Sweet home and to disregard the constitution of the country and the laws of the state. Like blind Samson in the temple, they came to tear down a structure that protects us all.”

If a mob can attack the home of a black American today and get away with it, they may attack the home of a white American tomorrow.

For protecting his home surrounded by a mob in which a man by the name of Breimer, a member of the mob, was shot and killed, Dr. Ossian P. Sweet and wife, his brother, Henry, and eight other persons, were charged with murder and conspiracy to commit murder. The first trial resulted in a failure to arrive at a verdict after more than forty hours' deliberation. A second trial was set and a separate trial for each defendant demanded. Henry Sweet who admitted to firing was tried first because the state believed it had a strong case against him. The jury after three and a half hours deliberation brought in a verdict of “Not Guilty.”

It is noteworthy and praiseworthy, and bespeaks volumes for the innate sense of justice which animates the average American citizen, that despite the passion engendered where the two races are involved, that after hearing the evidence a white jury should bring in as promptly as it did a verdict which must have the approval of all but the wilfully prejudiced and purblind.

Had the verdict been adverse it would have served notice upon the lawless element to be found in almost every community that the colored citizen's home might be attacked with impunity and without fear of punishment and if he dared to protect himself and home the penitentiary or the electric chair must be his punishment. This verdict will have a salutary and far-reaching effect. It is to be regretted that Dr. Sweet and his relatives were put to the necessity of defending their home. This necessity ought not to be placed upon any man, black or white, in any civilized or Christian community. It is to be hoped that no occasion of this kind shall ever again arise anywhere in our land. We hope the principle that a man's home is his castle shall be so firmly implanted in the minds of all that no mob will dare to presume to violate this principle.

The Sweet trial demonstrates the wisdom and power of such an organization as the National Association for the Advancement of Colored People which was able to secure the services of the best legal talent in the country to defend a cause which vitally concerns all and its priceless services in fighting for justice and right by violence or force but by legal processes and the creation of a sound and righteous public opinion.

#### HARRISON FERRELL WINS THIRD SCHOLARSHIP

Chicago, Ill.—(By The Associated Negro Press).—Harrison Ferrell, who for several years has given the most distinguished concerts among musicians in this city, in the exclusive Blackston Theatre, next the Blackston Hotel, has just been awarded his third scholarship in German at Northwestern University. Mr. Ferrell is a violinist.

Young Ferrell's accomplishments have been in spite of physical and other disadvantages. During the World War he was injured in a football game, an injury which later developed into infantile paralysis. Since that time he has had to get about on crutches. At his concerts, his accompanist has had to assist him to the front of the stage. Northwestern University is twenty miles from his home in Chicago, but daily he has made the trip, has won his master's degree and is now pursuing his doctorate. He graduated two years ago.

#### HAYES FILLS PITTSBURGH HALL TO OVERFLOWING

Pittsburgh, Pa.—The largest crowd that has ever crammed itself into Carnegie hall this season gave Roland Hayes, the famous Negro tenor, the sort of ovation that is given the great ones who come to the Mosque. He has at last arrived in Pittsburgh after having met with acclaim in all the greatest centers from the Pacific coast to the court of Spain. This was the seventy-fifth and last concert in the States before his summer engagements in Paris and other French cities.

Philadelphia, Pa.—(By The Associated Negro Press).—In a book just of the press, Dr. Cheesman A. Herrick, President of Girard College (that college that positively and boastfully refuses to admit Negroes) gives much information about a peculiar form of slavery that once existed in Pennsylvania. One reads throughout its pages that in the early days Pennsylvania depended for its industrial progress upon the slavery of white men and women. It is believed that at no time in the history of Pennsylvania were there more than 5,000 Negro slaves. Dr. Herrick points out that the number of white slaves or those held in servitude by law numbered many thousands.

Even when Pennsylvania was striving to abolish slavery, “White Servitude in Pennsylvania” points out that this state outranked all others in promoting that vicious system of slavery among whites.

White slaves are said to have been working in Pennsylvania before William Penn came; and it is pointed out that the favorite sport of the Swedes was to sell Finns in slavery to the colony on the Delaware.

Continuing, one finds that a ship passage to America sometimes cost the equivalent of \$140 in American money, and the person who paid for that passage in toil, in more than one case, died before he had worked out his freedom. The ordinary term of what Dr. Herrick terms “white slavery” was four years. Very often it appears to have been much longer.

Dr. Herrick says that of the 530 new arrivals in Philadelphia's first four years, 193 were classed as servants.

### WHITE SERVITUDE IN PENNSYLVANIA

Recent Publication Discloses Fact That Many Thousand White Men and Women Were Held in Bondage.

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#### LUKE PARSONS, WHO FOUGHT WITH JOHN BROWN, IS DEAD

Salina, Kas.—Death he had confronted often as a youth, Friday claimed Luke F. Parsons, 93, last survivor of the famous John Brown band of slavery days.

When Parsons came west into Kansas in 1856, the country was in the throes of the free state and slave state agitation. He joined the famous abolitionist, John Brown and his five sturdy sons in their fight to make Kansas a free state and was with him in all of his battles with the border raiders, who sought to control Kansas politics and to extend slavery into the state.

Although selected by Brown as one of his ten picked men for the raid into Virginia at Harper's Ferry, Parsons could not be with him and thus probably escaped the fate that befell that little party. He was in Colorado at the time.

Parsons was day clerk at the famous Eldridge or Free State hotel at Lawrence, Kas., when it was burned by Quantrill's band, which destroyed the printing presses and sacked the town.

In the battle of Osawatimie, Kas., August 31, 1856, Brown had but a handful of men to oppose more than 400 border raiders from Missouri. Parsons and ten other men were selected by Brown to hold a block house.

After the hanging of Brown, Parsons became the first sheriff of Salina county, Kas. He entered the Sixth Kansas cavalry at the outbreak of the Civil War, serving nearly four years.

The latter part of his life was spent on a farm near here.

#### BUSINESS LEAGUE OFFICIAL TOURING TEXAS

Dallas, Tex.—(By The Associated Negro Press).—To give impetus to economic progress of the race in Texas, and to create new interest in the National Negro Business League, Bert Roddy, prominent business man of Memphis and Vice-President and Field Director of the National Negro Business League, is making an extended tour of the State. Mr. Roddy will visit the principal cities of the state and will remain in this section two weeks.

#### BOYS PUBLISH PAPER.

Shreveport, La.—(By The Associated Negro Press).—One of the most remarkable examples of what boys can do by themselves is found here in “The Negro Youth,” a four-page 15x22, semi-monthly newspaper, published by boys of the Central High School, with Albert J. White as editor. The paper is not connected with the school, but is managed in every particular by boys in their teens. The editor expresses as the object of the paper, the stimulation of interest in journalism among the youth of the “Race.”

#### DETT TO GET DOCTOR'S DEGREE.

New York, N. Y.—(By The Associated Negro Press).—Nathaniel Dett, head of the music department of Hampton Institute, and one of the foremost musicians and composers of the race, will be honored by Oberlin College, in June, with the degree of Doctor of Music, as a recognition of the achievement and distinction that has come to him in the field of music. Dr. Dett, who also was given the Doctor's degree in Music from Howard University, has long been recognized as one of the foremost composers in America, whose work in the preservation and development of Negro Music is widely known.

### “HIAWATHA” TO BE PRESENTED BY NEGRO SINGERS AT SESQUI

Samuel Coleridge Taylor's Masterpiece to Be Important Feature of Sesqui-Centennial Exposition.

#### LEADING ARTISTS TO ASSIST

Present Plans Include Roland Hayes, Tenor; Florence Cole Talbert, Soprano, and Paul Robeson, Baritone.

Philadelphia, Pa., May 20.—Sesqui-Centennial Exposition officials directing Negro Participation, are developing with great success the details for the production of a cantata with “Hiawatha” for its epic hero. This musical composition was written by Samuel Coleridge-Taylor. Taylor's compositions are marked by variety and vigorous originality and even described as possessing tenderness of feeling and by poetic imagination.

The Negro Year Book describes Taylor's works as having “something of the plaintive,” wistful quality of plantation song. His best and most considerable scores are those written for the chorus, and it is by “Hiawatha” he is best known and will be longest remembered. This production has given him distinction and popularity on both sides of the Atlantic.

There has been invited to carry out this program not only a well trained chorus of Negro singers, but also such outstanding artists as Roland Hayes, tenor, Florence Cole Talbert, soprano, and Paul Robeson, baritone. Other singers possessing musical ability and training will be included in the cast.

The production will be staged in the great Municipal Stadium with seating capacity of 100,000 persons. The stadium lends itself in a very satisfactory way for the full enjoyment of this presentation. Special arrangements have been made for amplifying the voices with the latest devices, so that those present in the audience may enjoy the work of the artists.

#### SCIPIO JONES TO CARRY COMMENCEMENT MESSAGE TO TUSKEGEE

Tuskegee Inst., Ala.—(By The Associated Negro Press).—Scipio A. Jones, prominent attorney of Little Rock, Ark., will be the commencement day speaker at the forty-fifth anniversary exercises of Tuskegee Institute, to be held here May 27. Mr. Jones has for a number of years been a leader in the civic and political life of the southern Negro. It was largely through his efforts that the release of the Elaine rioters was secured.

#### NEW YORK LIBRARY FILES N. A. A. C. P. ANNUAL REPORT

The National Association for the Advancement of Colored People, 69 Fifth Avenue, New York City, has received a letter from the New York Public Library announcing that the 1925 Annual Report of the Association has been placed in the Library's files for the use of readers and students.

The Library lacks copies of Numbers 1 and 2 of the N. A. A. C. P. Reports, these numbers being out of print. The N. A. A. C. P. requests that any members or friends of the Association having copies of the first two Annual Reports which they can spare, send them to the N. A. A. C. P. in order that the New York Public Library's file may be made complete.

#### A MEETING CALLED FOR SATURDAY NIGHT

A meeting is called for Saturday night, May 22, at the K. P. Hall, 1423 North Twenty-fourth street, corner Charles, to take definite action towards securing representation in the schools, gas plant, water works and other public utilities commensurate with our numbers and taxation. All persons interested in removing discrimination and securing these results are invited to attend. Please remember the time and place, next Saturday night, May 22, at K. P. Hall, Twenty-fourth and Charles streets.