

Michigan Every Day **By Patrick Sullivan and Carole Eberly**

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Clarence Darrow: a man's home is his castle

Ossian Sweet worked hard to move his black family out of the ghetto. He put himself through college, medical school and did post graduate work in Europe to become Ossian Sweet, M.D. But amid Detroit's turbulent racism, the violence and the tumult of the ghetto followed Sweet to the good side of town.

Sweet and his wife Gladys bought a home on the corner of Charlevoix Avenue and Garland Street on the City's east side. Trouble began on Sept. 8, 1925, the day the family moved into the house and started receiving threatening phone calls. But Sweet was determined and resourceful. The following day, the Sweets took their two-year-old daughter to relatives and asked Ossian's brothers and seven friends to come to the house for protection. The men armed themselves, prepared to defend the home.

As the day progressed, a mob of whites congregated outside the house. Police arrived, but they made no attempt to prevent the crowd from bombarding the house with rocks. Increasingly, the people inside Sweet's home felt under attack and the evening climaxed in a flurry of bullets shot from inside the darkened house. When the firing was over, Leon Breiner, a white man who had been smoking on a porch across the street, was killed. Police arrested eleven people inside the house, including Sweet and his wife, and charged them with first-degree murder. At first, the case garnered little attention and the Sweets and their friends' prospects of obtaining justice seemed dim in a city angry over the killing of a white man by a black defendant. However, the defendants' outlook improved when famous attorney Clarence Darrow agreed to take the case. Police, prosecutors, and white witnesses insisted there was no mob outside the home and the shooting was entirely unprovoked, the product of a conspiracy to commit first-degree murder.

During the trial, Darrow systematically poked holes in this version of events until a truer picture of what happened that day emerged. Darrow based his defense on a case precedent in Michigan law, *People V. Augustus Pond* , that recognized an individual's right to defend himself if he were under attack in his own home.

It was fortunate for Darrow that he was able to argue his case before Judge Frank Murphy, who would go on to become mayor of Detroit, governor, United States attorney general and a justice of the United States Supreme Court. Murphy was a champion of human rights.

A mistrial was declared after an all-white jury could not reach a verdict. Prosecutors attempted to convict Henry Sweet, Ossian's 21-year-old brother, but the jury found the defendant not guilty, putting an end to the case.

"The verdict meant simply that the doctrine that a man's home is his castle applied to the black man as well as the white man," Darrow wrote of the trial.

Sweet would go on to found the Good Samaritan Hospital in Detroit and live in his house until 1944.