IN THE CLUTCHES OF THE LAW: CLARENCE DARROW'S LETTERS

CLE Credit: 1.0
Thursday, June 19, 2014
12:00 noon - 1:00 p.m.
Ballrooms D-E
Northern Kentucky Convention Center
Covington, Kentucky
A NOTE CONCERNING THE PROGRAM MATERIALS

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THE PRESENTER

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RANDALL TIETJEN is a partner at Robins, Kaplan, Miller & Ciresi, LLP in Minneapolis, Minnesota and also serves as Chair of the firm’s Professional Responsibility Committee. Mr. Tietjen focuses his practice on a variety of subjects, mainly related to businesses, securities, antitrust, constitutional issues, and intellectual property. He received his B.A. from the University of Minnesota and his J.D., *cum laude*, from William Mitchell College of Law where he was editor-in-chief of the law review. After law school and prior to joining Robins Kaplan, he served as law clerk to the Hon. C. Arlen Beam of the United States Court of Appeals for the Eighth Circuit (1990-1992). Mr. Tietjen is a member of the American, Federal, and Minnesota Bar Associations. His book of Clarence Darrow’s letters - titled *In the Clutches of the Law: Clarence Darrow’s Letters* - was published by the University of California Press in 2013.
### Chronology of Clarence Darrow's Life

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<th>Age</th>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1857</td>
<td>1847</td>
<td>Born 18 April in Farmdale, Ohio, the fifth of eight children (six boys and two girls). Farming supported the family from 1853 to 1855, when Darrow's father started a modest furniture shop.</td>
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<td>8</td>
<td>1865</td>
<td>Moves with his family to the nearby village of Kinsman, Ohio, where his father reestablishes his furniture shop and opens a furniture store. Attends country school and the academy in Kinsman.</td>
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<tr>
<td>15</td>
<td>1872</td>
<td>Mother dies of cancer. Later in the year, enrolls at Allegheny College in Pennsylvania. Attends one year in the preparatory department of the College.</td>
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<tr>
<td>16</td>
<td>1873</td>
<td>Begins teaching country school in the Kinsman area, which he continues for three years. Works in his father's furniture shop and store during the summer months. Studies law on the side.</td>
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<td>20</td>
<td>1877</td>
<td>Enrolls in the law department at the University of Michigan at Ann Arbor and attends one year of classes.</td>
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<td>21</td>
<td>1878</td>
<td>Works in a law office in Youngstown, Ohio, where he reads for the law.</td>
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<td>22</td>
<td>1879</td>
<td>Admitted to the bar and starts a law practice in Youngstown.</td>
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<td>23</td>
<td>1880</td>
<td>Marries Jessie Ohl and moves his law practice to Andover, Ohio, where he also sells real estate and insurance.</td>
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<tr>
<td>26</td>
<td>1883</td>
<td>Darrow and Jessie's son (their only child), Paul, is born.</td>
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<td>27</td>
<td>1884</td>
<td>Moves to Ashtabula, Ohio, and continues to practice law. Elected city solicitor, a part-time position that he holds until he moves to Chicago. Speaks and writes on free trade and other subjects.</td>
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<td>30</td>
<td>1887</td>
<td>Moves to Chicago where he rents desk space in a law office. Becomes actively involved in politics and the labor movement.</td>
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<td>32</td>
<td>1889</td>
<td>Moves his office to the ten-story Montauk building. Appointed Special Assessment Attorney for the city and later appointed Assistant Corporation Counsel.</td>
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<tr>
<td>Year</td>
<td>Event</td>
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<tr>
<td>1890</td>
<td>Tries many municipal-related cases and provides many legal opinions for the city. Considered by some as a potential candidate for Congress or a judgeship.</td>
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<td>1891</td>
<td>Loses a contest to become Cook County Attorney. Continues speaking on a variety of subjects. Resigns from his position with the city and becomes General Attorney for the Chicago &amp; North-Western Railway Company in Chicago.</td>
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<tr>
<td>1892</td>
<td>Rejects efforts in political circles to convince him to run for Congress or State’s Attorney.</td>
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<td>1893</td>
<td>Resigns from the railroad and accepts a position as Assistant Corporation Counsel for the city. Four months later, resigns that position and forms a law partnership with prominent attorneys and former judges.</td>
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<tr>
<td>1894</td>
<td>Represents Patrick Eugene Prendergast, who shot and killed Chicago Mayor Carter Harrison. Represents Eugene Debs and several other leaders of the American Railway Union, charged with contempt of a federal-court injunction arising out of a strike among employees of the Pullman Palace Car Company.</td>
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<td>1895</td>
<td>Continues representing Debs and other union leaders when they stand trial again for conspiracy to obstruct the mail. Travels to Europe. After returning, his law partnership dissolves and he establishes a new partnership.</td>
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<tr>
<td>1896</td>
<td>Separates from Jessie, who travels with Paul to Europe for several months. Nominated by the Democratic Party for a congressional seat in Chicago but loses the election by approximately 300 votes.</td>
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<td>1897</td>
<td>Files a petition for divorce from Jessie, which is granted without contest, on terms agreed to in advance with Jessie.</td>
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<td>1898</td>
<td>Represents Thomas I. Kidd and other labor leaders who helped organize a strike by the woodworkers at the Paine Lumber Company in Oshkosh, Wisconsin, seeking higher wages, recognition of their union, and the abolition of child labor.</td>
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<td>1900</td>
<td>Involved in a consumer lawsuit against a utilities company, charging the company with discriminatory pricing.</td>
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<td>1901</td>
<td>Takes in his friend and former governor of Illinois, John Altgeld, as law partner.</td>
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<td>1902</td>
<td>Represents, among others, striking machinists in a dispute with the Allis-Chalmers company; a man charged with defrauding a</td>
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bank; four men indicted for operating an illegal poolroom and gambling house; three lawyers charged with bribing jurors on behalf of the Union Traction Company; striking members of a street-car union; a union of striking wholesale grocers; and, striking anthracite miners in Pennsylvania. Helps organize a new local bar association. Writes short stories for the Chicago American newspaper. Publishes his second book, Resist Not Evil, a theory of non-resistance heavily influenced by Tolstoy. Elected to the Illinois House of Representatives on the Public Ownership party ticket, serving one term.

1903 Completes the arbitration hearing for the striking anthracite miners in Pennsylvania. Declines to run for mayor of Chicago. Serves in the state legislature, introducing legislation with a variety of objectives, including to abolish common-law conspiracy; to make it unlawful to raise birds for the purpose of shooting them for amusement; to abolish capital punishment; to abolish prison sentences for debts; and, to prohibit free railroad passes and telephones and telegraph franks for members of the legislature. Forms a new law partnership, with Edgar Lee Masters (which lasts until 1911). Continues public speaking, including on topics such as trade unions, crime, municipal ownership, and the plight of Russian and Polish Jews. Represents many unions in labor disputes. Marries Ruby Hamerstrom and travels to Europe on a three-month honeymoon, where he writes a series of travel essays for the Chicago Daily News. Writes an autobiographical novel about his childhood, which is published the following year as Farmington.

1904 Represents, among others, John Turner, an anarchist speaker from Great Britain threatened with deportation because of his political speeches; the Chicago Teachers Federation, seeking back wages for teachers; and, a law clerk accused of killing his wife. Serves as an editor of a short-lived Chicago literary magazine called Tomorrow. Serves on a committee investigating voter fraud. Participates in the National Democratic Convention in St. Louis, giving a speech supporting a motion to nominate William Randolph Hearst as the presidential candidate. Gives speeches on the open shop, crime, and other subjects. Forms a new political club (called the Jefferson Club) with several friends. Darrow's father dies in April.

1905 Writes a short naturalistic novel, published as An Eye for an Eye, about a man who murders his wife and is sentenced to death. Appointed by the mayor of Chicago as Special Corporation Counsel for the city, with full control of traction litigation and with the goal of achieving municipal ownership of the city railways; resigns from the position approximately six months later after differences with the mayor. Represents, among others, a rector of an Episcopal church claiming that he had been libeled; a physician charged with violating postal laws by selling pills through
the mail; a company seeking to copy the indexes, tract book, and records of the County Recorder's office; the Teamsters Union in a strike; seventy-one-year-old Alice Stockham, charged with sending sexual advice through the mail in the form of a pamphlet for newlyweds titled "The Wedding Night"; the International Harvester Company, working up evidence to indict its patent agent for defrauding the company; and, an abstract company suing a title company. Continues public speaking on a variety of topics.

49  1906  Following his own investigation into the finances of a bank that he helped to start in Chicago, arranges payment (with reimbursement from bank assets later) all of the small, non-commercial depositors, while the bank itself is placed into receivership. Works with the South Side Woman's Club and others to obtain the right of women to vote in municipal elections. Represents the city in traction cases before the U.S. Supreme Court. Hired by the Western Federation of Miners to represent William "Big Bill" Haywood, Charles H. Moyer, and George Pettibone – all of whom were kidnapped by state authorities and private detectives and taken to Idaho where they were charged with arranging the murder of the former governor of Idaho. Gives many speeches, including at an African-American church in Chicago urging blacks to avoid employment in positions of servitude and criticizing the methods of accommodation and vocational instruction advanced by Booker T. Washington.

50  1907  Defends Steve Adams, an itinerant miner, in Wallace, Idaho, on the charge of murdering a property-claim jumper (authorities prosecuting Haywood, Moyer, and Pettibone hoped to use a conviction of Adams to persuade him to reaffirm his earlier confession that he had been hired by Haywood and others to kill the former governor of Idaho). Participates in the trial of Haywood. Writes a series of articles about the trial for newspapers. Publishes his closing argument as a pamphlet. Cause a stir in Spokane, Washington, when he refuses to stand during the national anthem. Represents Adams again, in a retrial, which ends in a hung jury. Begins the trial of Pettibone, leaving at the end of the prosecution's case in chief (and after his opening statement to the jury) because of an ear infection. Travels to Los Angeles for possible surgery.

51  1908  Operated on for mastoiditis in Los Angeles. Returns to Chicago, where he and Ruby rent an apartment in the Hyde Park area, where they live for the rest of his life (except for two years in Los Angeles). Delivers many speeches, including against prohibition and on behalf of unions. Represents, among others, a wealthy married woman who is arrested in a rooming house with a man who was not her husband; sixty-six or more men indicted for election fraud; and, a Russian refugee (Christian Rudovitz) whose extradition was sought by the Russian government on the charge that he had murdered three people in a Russian village.
Represents, among others, a nineteen-year-old man who killed a policeman, arguing to the governor and pardon board to commute the man's death sentence to life in prison; Sydney Love, a once wealthy stockbroker, in a divorce action; Fred Warren, on trial in Kansas on charges of unlawfully mailing a flyer publicly calling for the kidnapping of the former governor of Kentucky; a banker from Milwaukee convicted of embezzlement and forgery, seeking his release through the parole board; several defendants accused of fixing juries in Cook County; individuals indicted for election fraud; and, the receiver for the failed bank in which Darrow had invested, arguing strenuously to the pardon board for no clemency for a convicted officer of the bank. Continues public speaking, including on Walt Whitman, Abraham Lincoln, against prohibition, and in protest of the sentences of Samuel Gompers, John Mitchell, and Frank Morrison for violating a labor injunction.

Represents, among others, alleged jury fixers; a man convicted for killing a plain-clothes policeman in a gun fight in a bar; a city engineer accused of fraud as part of an excavation project for the city; peddlers who object to a new city ordinance prohibiting them from crying their wares on the streets; railroad switchmen in an action seeking higher wages before the state board of arbitration; general counsel for a railroad charged with bribing members of the Illinois Legislature; and, the Brotherhood of Locomotive Firemen and Enginemen seeking higher wages in an arbitration. Among many public debates and addresses, speaks on jails and penitentiaries; the abuse of the injunction power by judges against labor; the progressive thought in Norway and among writers like Björnstjerne Björnson and Henrik Ibsen; nonresistance; and, the problems of race, at the second Annual National Negro Conference in New York City (during which the National Association for the Advancement of Colored People was formed). Writes articles, among others, highly critical of Theodore Roosevelt and the November elections and attacking patriotic sentiments as empty and destructive.

Appointed by a judge in Chicago to investigate the charge of a citizens' association that city officials had colluded with plaintiffs in settling property-damage claims in track-elevation lawsuits. Represents, among others, a railroad engineer in a personal-injury lawsuit against his employer; a group of distillers convicted of defrauding the federal government of revenue taxes; investors (of which Darrow was one) in a lawsuit against two promoters and agents selling a gold mine in California; directors of the Kankakee Manufacturing Company in a fraud claim brought by an investor and sales representative; and, a banker and businessman in San Diego fighting extradition to Oregon, where he was sought on a charge of embezzlement. Serves as an arbitrator selected by a union of striking garment workers in a dispute with Hart, Schaffner & Marx. Moves to Los Angeles to defend J.J. and James
McNamara, who are accused of blowing up the Los Angeles Times building and killing of some of its occupants.

55 1912 Indicted in Los Angeles on two counts of jury bribery following the guilty pleas of the McNamara. Represented by Earl Rogers and others, as well as representing himself, he is acquitted on the first count after several weeks of trial. Goes on a short speaking tour, talking to labor audiences in the West. Also delivers addresses on Ibsen, John Brown, and industrial conspiracies, among other subjects.

56 1913 Stands trial on the second count of jury bribery and does most of the trial work himself, ending with a hung jury and the indictment eventually dismissed. Appears in "From Dusk to Dawn," a silent labor film based roughly on recent labor experiences in Los Angeles. Returns to Chicago and attends a banquet in his honor sponsored by the state bar association. Resumes his law business. Lectures on labor, Walt Whitman, socialism, education, the open shop, and Henry George, among other topics. Defends two brothers, both woolen merchants, and an insurance adjuster, all charged with arson in Chicago.

57 1914 Represents, among others, an Assistant State's Attorney charged with illegally marking ballots in a general election; an assistant cashier of a bank charged with embezzlement; a black man convicted of murdering a white woman; and, two brothers and another young man charged with shooting and murdering a man. Involved in efforts to settle a strike in copper mines in Michigan. Gives public addresses on many topics, including Voltaire, eugenics, legislation, child welfare, socialism and labor, and prohibition.

58 1915 Represents, among others, an attorney charged with embezzling client funds; Frank Lloyd Wright regarding an accusation that Wright violated the Mann Act by his love affair with a woman; the Children's National Tuberculosis Society on a charge that it was operating fraudulently as a non-profit society; a real-estate dealer before the pardon board who was convicted of forging deeds and notes; and, William Lorimer, former U.S. Senator, charged with crimes connected to the failure of a bank that Lorimer founded and for which he was an officer. Gives public talks on a variety of subjects, including war and personal liberties. Testifies before the U.S. Commission on Industrial Relations, tasked with inquiring into the labor conditions in certain industries and determining the underlying causes of labor unrest.

59 1916 Delivers a moving memorial address for his brother-in-law, J. Howard Moore, who committed suicide. Publishes articles on crime, Nietzsche, and Voltaire, among other topics. Causes a stir by telling members of the Woman's Law League, as a speaker at their meeting, that women can never be good lawyers because
they do not have a high grade of intellect and they are not cold blooded enough. Represents, among others, the chief engineer of the Eastland (a passenger ship that capsized in July 1915 while docked in the Chicago river, killing over 800 crew and passengers), in federal court in Michigan; the writer and suffragist Crystal Eastman, in her divorce proceedings with her first husband; a man with a long criminal record who was reportedly arrested "on principle" for disorderly conduct; a physician (before the pardon board) who had been convicted of murdering his wife; a gypsy who allegedly sold his daughter for $2,000 and was fighting extradition from California to Illinois; a father and son charged with criminal conduct involving a failed private bank they operated in Chicago; several members of an allegedly illegal gambling ring, in federal court in Chicago; and, a nineteen-year-old boy convicted of robbing and murdering a woman in her apartment.

Publicly lectures on the war, the French entomologist Jean Henri Fabre, "Heredity and environment," Tolstoy, and crime and criminals. Engages in public debates, usually with friends, on such subjects as "Is life worth living?," "Will democracy cure the ills of the world?," "Is there a law of progress in the world?" – Darrow always answering in the negative. Writes articles on Arthur Schopenhauer and the war, among other subjects. Represents, among others, the striking International Ladies' Garment Workers' union in Chicago, including appealing from contempt orders for violating a labor injunction; Oscar De Priest, a Chicago alderman, on charges of conspiracy to take bribes and extort money, and the former chief of police, Charles Healey, charged as part of the same conspiracy; a pacifist who refused to submit to a medical examination for the draft and was charged with obstructing draft registrations; and, twelve-year-old and fifteen-year-old boys charged with murdering a junk dealer by beating him with a baseball bat.

Represents, among others, a man who placed a bomb in an opera theater and who tried to extort money from a banker; a fire-insurance adjuster who was also an arsonist; the stenographer for the fire-insurance adjuster, who perjured herself to protect the adjuster; a ward boss accused of accepting graft money from saloons and others in his ward; a sociologist at the University of Chicago charged in the morals court with disorderly conduct after being arrested in a hotel with a woman who was married to another man; Edward Fielding, head of the Volunteers of America, in a divorce action in which Fielding was alleged to have had a long extramarital affair; and, Eugene Debs, seeking his release from prison for violating the federal Espionage Act by a speech against the war. Continues to give public addresses, including on the war, crime and punishment, and censorship in films. Participates on a committee to campaign for a state constitutional convention. Meets with the U.S. Postmaster General and others
to try to convince the government to stop banning publications from the mail. Selected by the federal government, at the request of the British and French governments, to speak in England and France on the war. Writes accounts of his travels that are published in the Chicago Daily Journal. Appointed by the board of education in Chicago to serve on a committee to search for a new superintendent of schools.

1919

Receives, among others, an alleged forger of municipal and school bonds; a public lecturer who is charged in morals court with disorderly conduct after allegedly engaging in acts of sadomasochism in a hotel room with a woman to whom he was not married; Emma Simpson, who shot and killed her husband in a courtroom during an argument over alimony in their divorce proceedings; a man charged with killing a detective in a saloon fight; two men convicted of a bank-robery murder who were sentenced to die after pleading guilty without the aid of an attorney; the striking Actors' Equity Association, charged with violating an injunction; and, a typhoid carrier operating a boarding house who was quarantined by the health department. Serves on a committee to organize a memorial for Theodore Roosevelt. Debates with other public figures on questions like: "Is the human race permanently progressing toward a better civilization?"; "Will socialism save the world?"; "Are internationalism and the League of Nations practical and desirable schemes for ending war?" (argues in the negative on each occasion). Continues an active public-speaking schedule, including on topics as diverse as Walt Whitman, the killing of Jews in Poland, the American Medical Association, war prisoners, and the League of Nations.

1920

Represents, among others, Benjamin Gitlow, who helped form the Communist Labor Party in 1919 and who was indicted that same year under New York's Criminal Anarchy Act for advocating communism; Arthur Person, a workingman and member of the Communist Labor Party in Rockford, Illinois, charged with violating a state law making it a crime to assist or join any organization that advocates change or overthrow of the government; together with several other lawyers, defends twenty communists in Chicago who are charged with similar offenses, including Henry Demarest Lloyd's son, William Bross Lloyd; together with Frank Walker and another attorney (together, dubbed "the million dollar defense"), represents three men, said to be gangsters, charged with the murder of another gangster; several relatives of the late widow of one of the owners of the Barnum Bailey Circus, in a dispute regarding the widow's estate; and, several officials of a meat-packing company charged with defrauding stockholders. Publicly lectures on subjects such as labor, Jean Henri Fabre, pessimism, materialism. Publicly debates questions such as: "Is the human race getting anywhere?"; "Is live worth living?"; "Is civilization a failure?" (always responding in the negative). Speaks to the judiciary committee of the state constitutional convention,
advocating against appointment of judges and favoring the election of judges.

64  1921 Writes a book entitled Crime: Its Cause and Treatment. Debates Scott Nearing on the proposition: "Permanent progress for the human race is impossible." Debate Shirley Jackson Case on the question: "Has religion ceased to function?" Addresses the annual meeting of the American Medical Liberty League on "How Liberty Is Lost." Represents, among others, a stock and bond promoter charged with the murder of his business associate; several men on trial for conspiracy to illegally transport and sell liquor in Chicago; three officials of the upholsters' union, including the vice president of the international organization, charged with beatings and bombings during a strike; four men charged with robbing a bank in Indiana and murdering a man in the process of their getaway; Vincent St. John, a mine worker and one of the founders of the Industrial Workers of the World, convicted of violating the Espionage Act of 1917; and, Harold McCormick, president of the International Harvester Company, in his divorce from his wife, Edith McCormick, daughter of John D. Rockefeller, Sr.

65  1922 Represents, among others, a nineteen-year-old woman labeled in the press as the "boulevard vamp," who allegedly lured a man to a forest preserve where he was attacked and robbed; and, three men accused of participating in graft with the public-school system. Spends nearly three months travelling in Europe and the Middle East. Opposes a new proposed state constitution for Illinois that followed from a state constitutional convention; among other objections, opposes the provisions that would grant judges the right to deny bail, that would expressly allow public schools to have readings of the bible, and that would politicize the judiciary by allowing the supreme court to select lower appellate judges.

66  1923 Represents, among others, a state official and others accused of selling physicians and pharmacists' licenses to unqualified people; a president of a bank charged with embezzlement; a Ukrainian school teacher who shot a priest during a church service; an inspector of airplanes for the army signal corps, charged with misuse of funds; Fred Lundin, a business man and former Republican congressman, who, along with many other men, including city officials, was indicted and tried for conspiracy to defraud the Chicago school system of some $1 million through bribes, phony contracts and bids, and excessive purchase prices for supplies; four men alleged to be part of a vice ring, accused of murdering a rival in Rock Island, Illinois; and, several individuals charged in federal court with violating the Volstead Act, in a scheme whereby they sold stock in a company whose assets were liquor, which were then distributed to the stockholders when the company went out of business. Continues his public debates and speeches.
67  1924 Represents, among others, a former president of the board of local improvements in Chicago and an official of a paving company, both charged with fraudulent contracts regarding bridge improvements; a beer runner charged with violating the Volstead Act; Nathan Leopold and Richard Loeb, two wealthy young men who kidnapped and murdered a fourteen-year-old boy in Chicago and confessed to the crime after their arrest; and, an eighteen-year-old boy charged with vehicular manslaughter. Elected as a delegate to the national Democratic convention but does not attend because of his work on Leopold and Loeb's case. Issues a written statement of support for the development of a hospital in New York to treat mental disorders. Speaks at the annual dinner of the Walt Whitman Fellowship in Chicago. Presides at a political debate in New York between Samuel Untermyer and Morris Hillquit. Continues public debates and speaking on a variety of subjects.

68  1925 Represents, among others, a wealthy man charged with vehicular manslaughter after his automobile hits and kills an eighty year-old farmer driving a truck; a riding master who stands trial for shooting and killing the owner of a riding academy with whom he was romantically involved; the wife of a former minister of a wealthy congregational church, in a divorce action; John Scopes, a high-school teacher who agreed to serve as a defendant to test a recently enacted law that prohibited teaching the theory of evolution in the public schools in Tennessee; a fourteen-year-old black boy who stabbed a white boy to death in a schoolyard fight; and, a black physician (Ossian Sweet) and his family in Detroit, Michigan, who were charged with conspiracy to commit murder and assault after shots were fired from their new house in a white neighborhood, where a hostile crowd had gathered outside. Publicly debates, among other subjects, the responsibility of criminals and the purpose of punishment and the question "Does the mechanistic theory explain man?" Writes an introduction to the autobiography of Mother Jones and writes articles on eugenics, the methods of salesmanship, and other topics. Speaks at meetings in Harlem to raise funds for the defense of the Sweets.

69  1926 Represents Ossian Sweet's brother, who admitted to shooting from the house, in a separate trial. Testifies before a judiciary subcommittee in the U.S. House of Representatives in support of a bill to abolish capital punishment in the District of Columbia. Publicly debates the merits of the World Court, which he argues is dangerous and futile. On a radio station in Chicago, publicly debates Wayne Wheeler, the leader of the Anti-Saloon League, on whether prohibition is a failure. Writes book reviews and articles on eugenics, crime, John Brown, prohibition, and other subjects.
Attends a celebration of his birthday at the Palmer House in Chicago, with 1,200 people in attendance. Writes an anti-Prohibition book with Victor Yarros, which is published as The Prohibition Mania. Travels with Ruby to England – where they meet many writers and popular figures, including Thomas Hardy, George Bernard Shaw, James Frazer, and A.E. Housman – and then to Paris and other cities. Represents, among others, a convicted murderer before the Vermont Supreme Court who was sentenced to die; two black men convicted and sentenced to death (before Darrow represented them) for the murder of a grocer during a robbery; and, two anti-fascists indicted for the murder of two Italian Fascists in the Bronx. Publicly debates prohibition and questions such as "Is Man a Machine?"; "Can the Individual Control His Conduct?"; "Is Zionism a Progressive Policy for Israel and for America?"; "Will Democracy Give Way to Dictatorship?". Writes book reviews and articles on prohibition, religion and science, crime, divorce, and education, among other subjects.

Blacklisted as a speaker by the Daughters of the American Revolution. Also barred by the National Interdenominational Ministerial Alliance of America from speaking in its members' churches. Continues giving many public lectures and participates frequently in debates with other public figures on questions such as race relations and immigration. Campaigns for Al Smith for president. Writes for several popular magazines, including Scribner's Magazine, Vanity Fair, and McCall's, on a variety of subjects, including capital punishment, fundamentalism, women on juries, prohibition, and crime. Defends a man in Jefferson, Ohio, accused of bribery.

Testifies in the Illinois state senate in opposition to a bill that would authorize the judiciary (rather than the legislature) to make rules of procedure for courts. Delivers a speech in Boston opposing censorship and the next day reads passages from Theodore Dreiser's An American Tragedy to a jury. Travels to Europe with Ruby in July and remains in England, Switzerland, and France until the following spring. Addresses the American Club in Paris. Loses a substantial amount of money in the stock-market crash. Writes book reviews and articles, including articles on prohibition, Herbert Hoover, farmers, and crime. Compiles, with Wallace Rice, an anthology of verse and prose on agnosticism, religion, god, morals, and many other subjects, entitled Infidels and Heretics.

Represents, among others, two reputed mobsters in Chicago, arrested for violation of vagrancy laws; and, a bank clerk charged with embezzlement. Lectures and debates throughout the country in opposition to prohibition, including a debate tour in many cities with the Rev. Clarence True Wilson. Participates in a radio-broadcast dramatization of the trial of Benedict Arnold on the
charge of treason. Writes several articles on prohibition and religion, among other subjects.

74 1931 Appears in and narrates a movie about evolution called "The Mystery of Life," which was produced by Universal; the movie is banned by some theaters, restricted to adults in others, and criticized as anti-biblical and anti-Christian by ministers and others. Gives addresses on crime, Walt Whitman, and other subjects. Debates the question "Will the world return to religion?" with G. K. Chesterton in New York City. Debates the subject of religion with several other people who support one religion or another. Travels to several major cities in the south debating religion in each one with a Jew, a Catholic, and a Protestant. Writes an editorial on the causes of recent prison riots at the Illinois prisons. Represents, among others, a seventeen-year-old who had been sentenced to death for killing a streetcar conductor during a robbery; a young black woman who worked as a secretary at a bank that failed and who was charged with criminal acts that led to the failure of the bank; and, briefly, at the invitation of the National Association for the Advancement of Colored People, the "Scottsboro" defendants – nine black youths, ranging from twelve to nineteen years of age, all poor and generally illiterate, convicted of raping two white women in a railroad freight car traveling through Alabama.

75 1932 Finishes his autobiography, The Story of My Life, which is published by Charles Scribner's Sons. Debates questions such as "Is life worth living?" and "Is religion necessary?" Travels to Hawaii to represent Lieutenant Thomas Massie (an officer in the United States Navy), Massie's mother-in-law, and two enlisted men, all charged with the murder of a native Hawaiian whom they believed had participated in beating and raping Massie's wife. Gives an address to the Chicago Bar Association on race relations and the law in Hawaii. Represents, among others, an owner of some brewing equipment and related materials that were seized in a federal raid; a man who robbed a beauty parlor after losing his grocery business; and, a seventeen-year-old youth who had been sentenced to death for murdering a man during a holdup in Chicago. Among other items, writes a supplemental chapter for his autobiography on the Massie trial, an article on the concept of justice for Scribner's Magazine, and a short piece on the Scottsboro case for Crisis magazine.

76 1933 Speaks at the annual conference of the National Association for the Advancement of Colored People in Chicago and speaks to a large audience in Chicago protesting spending cuts by the school board. Participates in the defense of farmers in Iowa who abducted and threatened to lynch a judge in an effort to halt mortgage foreclosures.
1934 Serves as chair of President Roosevelt's new National Recovery Review Board, which issues three controversial reports critical of the National Recovery Administration.

1936 Appears before the parole board at Joliet, Illinois, to urge the release of a seventy-one-year-old African-American banker who had been convicted of embezzlement.

1938 Dies in Chicago on March 13 at the age of eighty. His ashes are scattered in Jackson Park, Chicago.
Selected Letters of Clarence Darrow

To the Chicago Herald • Chicago • Saturday 18 November 1893

Chicago, Nov. 18. – Editor of The Herald: If any further evidence were needed to show that man had his origin in the brute creation, the conduct and utterances of the public in reference to the shooting of our mayor has furnished that proof.¹

Everyone realizes the terrible nature of the deed and the frightful consequences of the act. Nothing can be said or done to make the calamity less or greater or to unmake the facts that are beyond recall. Heaping reproaches upon the miserable being who took his life cannot help the dead or alleviate the sorrows of his family and friends.

It seems as if the whole community had gone mad at the sight of blood and were ready to forget the better instincts that it was supposed civilization had developed in mankind. Some of our papers say that no loophole of the law must be found by lawyer, judge or jury that will permit the prisoner's escape. Others, that all that is now needed is a piece of rope and that no time should be wasted in a trial of the case. We read a graphic description of how the prisoner was told by guards and fellow prisoners that a mob outside the jail were preparing to batter down the walls and put him to death without the aid of law. We are told how he trembled and turned pale with fear, and as we realize his exquisite torture we are consoled for the loss of the thumbscrew and the rack and conclude that we can accomplish the same object quite as well without.

Most men admit that the prisoner was insane and yet lawyers, doctors, merchants and men of all classes are almost unanimous in saying that, whether sane or insane, the wretched being ought to hang. In this cry for blood the clergy seem to lead. They are paid for teaching mercy and pity, and it seems as if some of them, at least, might say some kind word of the unfortunate being or, at least, of his mother and his kin. I suppose that from their standpoint even he has a soul that must be saved or lost. The ablest criminal lawyer in the west has been employed to prosecute the case and numberless expert doctors have been hired by the state to prove him sane.

Against this array the voice of justice must be very loud to be heard above the din. Is it possible that the community measures the consequences of its acts?

Here was a young man or boy delivering papers from door to door; he caught the mania of a popular craze; he caught it in the air from those who write and speak; he believed that he was to be made corporation counsel, although a paper peddler who had never read a line of law; he went to the law office of the city and told the corporation counsel that he wished his place. The corporation counsel told him he could have it in a little while, and introduced him to the office force as his successor in the place. He did not get the office; he went to the mayor's house and shot him, then went out onto the streets, no one knowing who he was or what he was, went two miles or more to a police station and placed himself in the custody of the law. Were these the acts of a sane man, responsible for his deeds?

¹ On 28 October 1893, Patrick Eugene Prendergast (1868-94) called on Mayor Carter Harrison Sr. at the mayor's house and shot him dead in his house.
The chief of police, Inspectors Shea, Kipley and Ross are all on record as saying that he is insane, and still it is proposed to kill him whether he is sane or not.

It is urged by nine men out of ten that it makes no difference whether he is crazy or not, he ought to be hanged, and those who protest are called "sickly sentimentalists." Is it not time for a sober second thought? Under the laws of Illinois, if this man were crazy he is not guilty of a crime. Can we afford to sweep away the law because a great majority believe a prisoner has no right to live? Shall a majority say that the law shall be ignored when they believe the necessities demand? If this be the case, then there is no longer need for law. If the law is not strong enough to protect the humblest and weakest citizen it deserves the contempt of all. We cannot use it when we would and ignore it when we will. We cannot sow the wind without reaping the whirlwind.

Can the community afford to say that they hanged a lunatic against the law, because the world was better with him dead? If this were the standard the hangman and the foolkiller would be a very busy pair.

Suppose this man had been ill with typhoid fever and in a moment of delirium had seized a revolver and gone to the mayor's house and shot him down; would the community say he should be hanged, lest if he were locked up the fever might sometime leave him and he would be turned loose? Neither in morals nor in law is he responsible if he was not himself, and to put a crazy man to death would not be worthy of a savage tribe. The law of compensation controls the universe. It may not matter much to the unfortunate prisoner or even to his mother and brother whether he shall live or die; but the spectacle of a civilized community pitilessly killing a crazy man will furnish an example of cruelty and fury that in some way must bear evil fruit.  

C. S. Darrow.


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2 Prendergast's trial began in December 1893. His lawyers pleaded insanity as a defense, but he was found guilty and sentenced to hang. Darrow and Stephen S. Gregory represented Prendergast in his post-trial proceedings and eventually obtained an order postponing his execution under a statute that authorized a judge to appoint a jury to inquire into the sanity of a person convicted of a capital crime if the convicted person allegedly became insane after the trial. A trial on that issue – whether Prendergast became insane after his criminal trial – began in June 1894. The jury returned a verdict finding Prendergast sane (again) and he was hanged on 13 July 1894, after Governor Altgeld refused to commute his sentence.
To "Miss S." • Chicago • March 1895

My Dear Miss S.³

If I did not care for you and your friendship, as well as that of the other members of the "settlement," Hull House, Chicago, I would do as you requested, not answer your letter.⁴ I hope you know that I would understand the spirit in which you wrote. I know you know and appreciate the feeling of friendship which prompted you to write as you did.

Although you may not think it, I am very sensitive to public opinion, even the opinion of those who are glad to criticize what I do. But when it comes to the opinion of those whom I know to be my sincere friends, and well wishers, like yourself, I feel it much more deeply. I should be very sorry to have you change your opinion of me, as I am sorry to have so many other of my good friends feel hurt (almost personally) in reference to the matter of which you wrote. I have always acted legally on my own judgment. I know I have many times made mistakes. I have sometimes admitted them, but I believe I never sought to evade the consequences of anything I have done or to make any defense or excuse for my acts.

I wish to put this matter before you from my own stand point, and in so doing will endeavor not to place myself in the position so frequently occupied by those who wish to excuse something they know to be wrong. An ordinance was passed by the city council granting certain valuable rights to an Electric Co., or to some people purporting to be an electric co. I never heard of this ordinance until after it was passed. The Mayor refused to sign it in the shape in which it passed. I was employed in getting as favorable amendments to the ordinance as I could, and to otherwise act as their attorney.

³ The intended recipient might have been Ellen Gates Starr (1859-1940), a settlement worker, social reformer, and co-founder with Jane Addams of Hull House in Chicago in 1889. This is suggested by the salutation ("My Dear Miss S.") and the reference to Hull House, among other indications. But the fact that this document appears to be a typewritten copy of a letter or a draft of a letter (undated and by an unknown typist) leaves some doubt about the identity of the recipient.

⁴ The letter that Darrow received apparently complained about his representation of the Cosmopolitan Electric Company. In February 1895, the city council for Chicago had passed ordinances granting franchises to the Ogden Gas Company and the Cosmopolitan Electric Company. The ordinances were passed quickly, without any second reading and without being referred to a committee for consideration. One week later, a reported 5,000-plus people gathered at Central Music Hall to denounce the ordinances and protest against approval by the mayor. On 4 March 1895, despite the protests, the mayor, "amid curses and laughter," approved the ordinance for the Ogden Gas Company and suggested some amendments (encouraged, apparently, by Darrow) for the Cosmopolitan Electric Company, which were then approved by the council. A few days later, some citizens filed a petition in Superior Court in Chicago, seeking an injunction that would prohibit the companies from using any of the streets and alleys for their businesses. The judge assigned, although "practically [holding] the ordinances were invalid," dismissed the petition on the ground urged by Darrow – that it should have been brought by the state attorney general. "History of the Three Measures," Chicago Tribune, 11 April 1895; "Zeisler Picks Flaws," Chicago Tribune, 21 March 1895.
I did not know how this ordinance was passed, I do not know now. I however know enough about municipal affairs to believe it was passed for boodle like every ordinance granting valuable privileges in this city.

I undertook to serve this company or these people, believing they had an ordinance procured by the aid of boodle. Judged by the ordinary commercial and legal standard of ethics I did right. Every law book and every instructor constantly teaches that all clients have the right to have their cases represented and to receive the benefit and protection of the law. I know that in your mind this is no justification. It is no justification in mine. I do not care a cent for all the ordinary rules of ethics or conduct. They are mostly wrong. I am satisfied that judged by the higher law, in which we both believe, I could not be justified, and that I am practically a thief. I am taking money that I did not earn, which comes to me from men who did not earn but who get it because they have the chance to get it. I take it without performing any useful service to the world, and I take a thousand times as much as my services are worth even assuming they were useful and honest.

This is my position, judged by the high rules of conduct and ethics in which I believe and in which I have in my way and to the best of my ability tried to urge the world to adopt. I came to Chicago about eight years ago, before I came I lived in a small country town.

These modern thoughts about the rights of labor, and the wrongs of the world, had just taken possession of me. My attention was called to these by a friend named Swift, whom I believe you have once met in Boston. We discussed these questions not only abstractly, but as applied to our own life and our own conduct. He took one view and I another, both agreed the ideal life was well nigh unlivable, both had in view doing some good. His father owned a drug store, he died and Swift was appointed administrator of his father's estate. He took all the patent medicines out in the back yard and broke the bottles; he then left his town without money, refused to compromise with the world, lived as best he could, was nearly a tramp. He raised a Coxe army, marched to Washington, is now I believe shunned by most earnest people who cannot follow him. He is no doubt loved by those who know him, but has lived his life as he thought right and best, has perhaps done some good in his way by refusing to compromise with evil, and be a party or participator in wrong. I believed then and I believe now, that society is organized injustice, that business is legal fraud, that a land owner is a pirate, who takes money from the poor for standing on the ground should be free to all, that society consists of two classes, the despoiler and despoiled, that all who directly or indirectly live off the proceeds of labor are enjoying the fruits of robbery, and the poor are their victims.

5 Morrison Isaac Swift (1856-1946), socialist writer and lecturer. Swift was born in Ravenna, Ohio. He attended Western Reserve University and then Williams College, from which he graduated in 1879. He received a Ph.D. from Johns Hopkins, 1885, concentrating in political economy, and then spent two years studying philosophy at the University of Berlin. Returning to the United States, he performed settlement work in Philadelphia and New York. In 1894, he took a lead role in the march of a Coxe Army of poor and unemployed people from Boston to Washington, D.C. He later moved for a short time to Los Angeles, where he was active in the utopian Alturia Colony. After his return east, he was the chief lecturer and director of the Humanist Forum in Boston, 1907-14, and a frequent contributor of letters to the Boston Transcript. See William O. Reichert, "The Melancoly Political Thought of Morrison I. Swift," New England Quarterly 49 (December 1976): 542-59. Swift's many books include The Monarch Billionaire (New York: J.S. Ogilvie, 1903); Human Submission (Philadelphia: Liberty Press, 1905); Can Mankind Survive (Boston: Marshall Jones, 1918); and The Evil Religion Does (Boston: Liberty Press, 1927).
I determined then to give my energies and ability to help change the system under which all of us are compelled to live. I did not take the course that was adopted by my friend, like him I chose deliberately, and have followed consistently. I came to Chicago. I determined to take my chances with the rest, to get what I could out of the system and use it to destroy the system. I came without friends or money. Society provides no fund out of which such people can live while preaching heresy. It compels us to get our living out of society as it is or die. I do not choose yet to die although perhaps it would be the best. Long ago I laid out my course in life. I have followed it without much variation ever since. I care nothing whatever for money except to use it in this work and to bring me such comforts as I want and to help my friends.

After being here a short time I took a position in the law department of the city, where I learned something of municipal affairs. I then served a railroad company for three years. I have since sold my professional services to every corporation or individual who cared to buy, the only exception I have made is that I have never given them to oppress the weak, or convict the innocent. Aside from this I have used them to the best of my ability to serve my clients almost every one of whom are criminals judged by the higher law in which I firmly believe. I have taken their ill-gotten gains and have tried to use it to prevent suffering, sometimes I have succeeded, often I have failed. My preaching and my practicing have never been the same. I have always tried to show a state and a way to reach where men and women can be honest and tender. I have never advised anyone not to get a living out of this society, for I want the best of society to live. I believe that there is absolutely no difference in my conduct whether I serve a corporation conceived in oppression and fraud as all of them are, or whether I take rent from a tenant or sell goods to the poor, all of it is bad, none of it could live in a world that is beautiful and just. My conduct in this matter, if the facts generally believed are true, is nearer right than anything I have ever done for money in a business way. I have harmed no one who cannot afford to lose, and who has the least moral right to their possessions. Now, as when I went to serve the railroad company the only question that is pertinent from my standpoint what are his motives? And what attitude will he assume towards those things he condemns? If I let my professional business change my views of life, or allow it to influence me as a citizen, the support of measures in which I do not believe, I am wrong. Otherwise as I see the light I am doing my duty. It may be that people cannot look at this in the way I view it, I believe the wisest do. I may be condemned and lose influence, this I expected at the time and it hurt me, hurt me grievously. I would have been glad not to have taken the employment, and thus escape the censure which I have received and will receive, and which I knew would come. But had I refused it, I would have done so not because I thought it wrong but because I thought it would not pay. I will not allow myself to be influenced by that consideration. I have defended the poor and weak, have done it without pay, will do it again. I cannot defend them without bread, I cannot get this except from those who have it, and by giving some measure of conformity to what is.

While I am very sensitive to public opinion I have never in my life considered it in determining my course, I hope I never will. I have even dared to do right in face of public opinion, and this is always dangerous. I believe that after a while most of the people, nearly all the laborers, will believe I was right and that I am true to their cause. I hope they will, but I must abide it if they do not. The qualities which you say I possess, and the usefulness which you say might come to me, are due only to taking the same course in other matters that I have taken here. I do not believe that on the whole I would have been as useful in any other way, and yet no one can know. I could have taken the
course pursued by my friend Swift, I chose the other. In my mind there is no middle ground. We must take one path or the other. I do not say that he did wrong, but I cannot say that I was wrong. Only infinite wisdom can determine this, and I am inclined to think, that if such a judgment is ever pronounced it will be determined that neither one did wrong. I don't want you to think I did this or anything for the money because I like money, for I do not. I did it as I mean to do all things because I thought it best, because I believe that the only way any person or deed can be judged is by the purpose and the full results.

Sincerely your friend,

MS: Tc, DCL-MSS, Darrow Papers.

To the Chicago Daily News • Chicago • Monday 26 February 1900

Chicago, Feb. 26, 1900. – To the Editor of The Daily News: One of the morning newspapers quotes me as saying at a meeting that "judges are out for what they can get." "They do things that would send the ordinary man to the penitentiary." "Senatorial courtesy protects them." I said nothing of this sort and nothing that could bear any such interpretation. I distinctly said that in almost every instance judges were honest, but that they were chosen from the class whose views were hostile to the interests of the working classes. I did say that lawyers were ready to take any side of any case – it was only a question of what there was in it. While I believe that the tendency of judges to issue injunctions against working men is subversive of liberty and constitutional rights, I do not believe and have never intimated, either publicly or privately, that judges were influenced by any corrupt consideration – it is simply a result of the environment from which they are chosen, and the tendency to tyranny that goes with arbitrary power.

Clarence S. Darrow.

MS: "Mr. Darrow Says 'Not Guilty,'" (Chicago) Daily News, 26 February 1900.

Darrow, Jessie (Ohl) (1857-1953). Darrow's first wife. Brownlee was born in Burghill, Ohio, and raised in the same area of Ohio as Darrow. She was one of six children born to Michael and Eliza Ohl. Her father died in 1865, from injuries caused by falling from a bridge that he was helping to build. She married Darrow in 1880 and they lived in Andover and Ashtabula, Ohio, before moving to Chicago in 1887, where they divorced in 1897. She continued living in Chicago, most of her years, until her death. Darrow and Jessie had one child together, Paul Darrow (q.v.). Jessie eventually married again, in 1912, to Mungo Brownlee.

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6 The day before this letter, Darrow spoke at a meeting of the Chicago Single Tax Club on the subject of "Government by Injunction," during which speech he was critical of judges. "Darrow Attacks Judges," (Chicago) Inter-Ocean, 26 February 1900. What morning newspaper quoted him using the words above is unknown.
To Jessie Darrow • Chicago • Tuesday 14 July 1903

Darrow & Masters July 14th 1903

My Dear Jessie

I trust you will not be in any way disappointed or saddened by this letter. I tried to tell you & Paul but somehow I could not. I am going to be married Thursday before starting to Europe. I think that you will feel as I do and realize that I have worked so very hard for several years & been through so much that I feel as if my health will not stand the strain unless I find a regular quiet home, again. I want to do some work. Something that will live for Paul & all of us & as I am my time is so destroyed that it is almost hopeless. For many reasons which I cannot go into fully I feel that I really must & my only or rather my chief trouble in it all is the fear that you & Paul especially Paul may think I have done wrong. All my life I have tried as hard as I could to be considerate & kind to all who came near me. I may have failed, but if I were to die tonight I could say honestly that I have tried and have never meant to let my selfish desires keep me from doing my duty to others as I have seen it. You have always been so true & gentle & loyal to me that I feel that I could not live, I know I could not be happy, if you censured me or disapproved of me. I am sure of this that always I have meant to think of you as I do more tenderly & gently than of anyone else, & I am sure I always shall. I remember that you once told me you wished I would marry. I presume you then felt as I do now that it was absolutely necessary for me to have a steady home as I grow older. Of course a woman can have a home but a man who works & fights as I have done must rely on someone else for that.

The woman I am to marry is Miss Ruby Hammerstrom a name I presume you never heard though Paul has met her brother. I have known her three years, met her first at the White City Club when I read my paper. For two years she has lived in St. Louis. She is kind & good & feels right toward you & Paul & wants me to be happy & I know will look after me well. She is a friend of Mrs. Gregg whom you know & is about 33 years old. I hope you will think I am doing right & will make Paul think so for this is of the first importance to me. And above all things else I want things to be as they always have been. You know how I love Paul & how miserable I should be if he did not love me.

Ever & ever Your friend Clarence

ms: ALS, Darrow Family.

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7 Darrow and Ruby Hamerstrom were married on 16 July 1903 by Edward F. Dunne (then a judge), in the home of John R. Gregg (1867-1948), publisher and inventor of the Gregg shorthand system. Ruby Darrow to Irving Stone, TL, n.d. (“We were married on . . . .”), DCL-MSS, Darrow Papers.

8 The White City Club was an intellectual club of artists, writers, and musicians. Darrow lectured on Omar Khayyam the night that he met Ruby Hamerstrom. Ibid.
**Parton, Mary Field** (1878-1969). Journalist. Parton was born in Cincinnati and raised in Detroit with a Quaker mother and a fundamentalist Baptist father. She rebelled against her strict father, graduated from the University of Michigan, 1900, and taught school in Ovid, Michigan, before moving to Chicago, where she worked in settlement houses and then for the Immigrants' Protective Association. Later, she began working as a labor reporter. In 1907 or 1908, she met Darrow, introduced to him by Helen Todd (q.v.). Throughout her career as a journalist, Parton covered many labor trials, including the trial of James and John McNamara (q.v.). She wrote many magazine articles during the 1920s through 1940s and played a substantial role in writing *The Autobiography of Mother Jones* (1925) (Darrow wrote an introduction to the book), although she only listed herself as editor of the work. She and her husband, Lemuel Parton (q.v.) lived much of their married lives in Palisades, New York.

**To Mary Field Parton • Chicago • Thursday 25 November 1920**

140 North Dearborn Street Thanksgiving day

Dear Mary

I came down this morning to write you a letter but I don't know as there is anything to say. I got yours yesterday and it was like all of them, the best any one ever wrote. Why don't you pick out a few people and subjects & write into the air and have them published. No one can do it like you and they would make a great hit. I read it to Frank Wolfe who was crazy about it and said what a shame it was that you didn't write. He said that he couldn't write but made a living out of it while you could beat any one, & did nothing. Go on and do it.

I, like you, find nothing new from day to day. My office is filled all the time mainly by poor clients in trouble, people who have got money against the rules of the game & are trying to stay out of jail. People in all sorts of troubles: their wives crying & begging me to help as if I could do any thing if I only tried: how I wish I could but I can't. Lord what an awful mad house the world is, and it is Thanksgiving day and all the damn fools in the world are giving thanks that they are alive. Well I am not.

Sunday I am to debate with Starr⁹ on the question is civilization a failure. It ought to be easy to show. How any one can think any thing else I can't conceive. I don't know why I do these things. I never convert any one and don't want to. I am getting more and more convinced that if any one has any dope they ought to keep it. The only trouble is they insist that we shall take their dope or go without. Chicago is now on a mad hunt for criminals, the big ones are after the little ones as usual except worse. People are getting more cruel all the time more insistent that they shall have their way. I wish I was either younger or older. If I was younger I would go to the South Seas or somewhere east of Suez. If I were older I shouldn't care so much. Any how it wouldn't have the same personal meaning for me. I have grown quite convinced that the happiest time of the human race was in Barbarism and likewise convinced that we are going back to it, although I presume I shall not be able to go. I have been thinking of the civilized cattel & hogs & horses. Take a Berkshire hog for instance. All fat. It can hardly waddel. Stays in its pen and drinks swill. All the good people think that this shows that civilization has

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⁹ Frederick Starr.
improved the hog. Still turn out a Berkshire to run wild in competition with one of the primitive Razor backs and which would win. There can't be a doubt the Berkshire would die. Of course the men have only considered hogs from the standpoint of their use to men: they have not thought of it from the standpoint of hogs. The human race are going the same way. We are getting so civilized that we can't live. The old time savage chased the game & digested its food. We have it brought to us and take pills. The civilized man can't live. The race is only replenished by the primitive people. Nature is boss and when we get too far away she just snuffs us out. I am for the snuffing. Still it won't be snuffed out. We will just go over the same old ground that civilization has traveled over before. I have no doubt but what the human race is going back, neither have I any regrets. All we need to do is to teach the good women birth control & we will get rid of them & their kind, and repopulate the world with those who don't know anything about birth control; in fact don't know what causes birth. I see that a campaign has been started to bring back the New England Sunday laws to stop every thing that people want to do. I have been thinking of the woman's party made of Radical women who wanted the ballot. Now they have it and the great mass of conservative women are used by the preachers to suppress life. It would be different if the Y.W.C.A. had done it; but the radical women did it and now they will get theirs; the only pleasure I have out of it is that I told them so. Steffens is to be here next month. Suppose he will go from here to California speaking on the way; he and I are to debate in [x] Dec 19th. We do it to get money for the Socialists, so they can help suppress people. When he gets out there perhaps he may fix it so I can come. I would really like to come, would like to see you and all the rest. Gee Mary you are about the only one that knows anything; -- you and I. But see what advantage you have had. I presume when the Soviets get to boss the world they will snuff out what little freedom is left. The fact is I am getting afraid of everyone who has convictions. When one loves a theory more than they do human beings they are dangerous. I hope I won't believe in any theories again. I was interested in the things you are doing. In your rosy faced lady with five children, all older than the mother, but what does it prove? The children will not be rosy faced, will not lure men; will understand birth control, will die. The rosy faced women who grade 10 mentally will keep on populating the world. It would be all right if the wise ones could destroy life, but they can't. There will be some left with low intellect & big busts, and they will breed. Which kind are the best and what are the Eugenists doing anyhow? Nature is always working for the normal which are the low grade intellectually. They have no imagination. The present moment is all there is to life with them, and so they enjoy the process of having children & only suffer for a short time. This is the law of life and it can't be changed. It is interesting to study it for people like us who get interest from ideas; but all their fads prove the opposite from the conclusions that they reach. Write often. You always have something to say & can say it. I will try to do better in the future for I do miss you.

Your friend always | Clarence

MS: ALS, ICN, Parton-Darrow Papers, Box 1, Folder 8.

Keller, Helen (1880-1968). Author and lecturer. Keller was made blind and deaf by an illness at the age of nineteen months. She learned to speak and read Braille and graduated from Radcliffe College, 1904. A socialist and pacifist in her politics, she often lectured on political subjects and advocated many causes, including female suffrage and anti-militarism. She often campaigned for the blind and promoted the work of
organizations for the blind, especially the American Foundation for the Blind. She was the author of many books, including The World I Live In (1908) and Teacher (1955).

To Helen Keller • Chicago • Thursday 21 March 1929

My Dear Helen Keller

Our good friend Edna Porter¹⁰ wrote me that she received a letter from you in which you suggested that I probably consented to be a member of the Association for the blind on your account and not through any interest in the other blind, which really includes almost all the people in the world. There are so many ways of being blind. The main difference between the physically blind and the mentally blind is that the physically blind would like to see, while the mentally blind prefer to stay blind. The mentally blind prefer not to see because it would make them unhappy, the same reason should make the physically blind contended with their lot. But that is an other story: No one can tell just why they do anything unless it is rising suddenly when one sits on a pin. Of course I would have done it for you, not only that but almost any thing else. I could even strike out the almost. But I would rather you should not think it was the only reason. For many years I was one of the directors of "The Industrial home for the blind" in Illinois.¹¹ I gave of a good deal of time, for no salary and no graft but why did I do that? It was because I was once a close friend of a beautiful and intelligent woman (Miss Hyman)¹² of Chicago. I used to go to her home and read to her and take her to art galleries and tell her about the pictures, take her to the lake, and the parks and I always enjoyed being with her. She died a few years ago. I liked all the residents of the home. The board of directors were once greatly shocked to learn that one of the girls was in the way of having a child. They met in special session to consider where to send her. I made a fight to keep her where she was, and finally won. I was indignant that all pleasure should be denied the blind. I even argued that one who saw too much could get no comfort out of life. To get back to the girl, (Miss Hyman) she too was on the board and of course stood with me. I was interested in her at first because I was sorry for her, but I learned that she had so many things to do that she was as happy as I or any one else. I know that you have more handicaps than that poor girl (now dead). I stayed away from you for many years after I

¹⁰ Edna Porter (1882–1946), actress and writer. Porter lived in New York City and was an actress in many plays. She had a deep interest in the blind and she compiled a short anthology of writings about Helen Keller, including a short entry by Darrow. See Double Blossoms: Helen Keller Anthology (New York: L. Copeland, 1931), 13.

¹¹ The Illinois Industrial Home for the Blind was created by Illinois in 1887 for the purpose of providing a home and training and employment for the blind. Both men and women lived at the Home, which was located at Marshall Boulevard and Nineteenth Street in Chicago.

¹² Belle Hyman Egler (1863-1926), whose parents were German immigrants, was born in Chicago. Her father was a prominent jeweler in Chicago. She was blind from the age of four, as a result of an illness. She studied at the State School for the Blind in Jacksonville, Illinois, and later studied music in Chicago and Europe. She was an accomplished musician and well known in Chicago for her efforts to benefit the blind and poor. She was an important influence in the establishment of the Illinois Industrial Home for the Blind in 1887 and she served as one of its trustees until 1897.
wanted to see you because I was sorry for you and did not want to give myself pain by seeing you. But my visit has taken all of that away. I do not pity you any more. I found that your life was so full in helping others and trying to make the blind world see, that I almost envied you. I wonder if you ever read Tolstoi's Master & Man. If not I would like to send it to you. That and life has taught me that the greatest joy comes in trying to help some one else. I have lived up to it the best I could but am always sluffing. My visit to you did me lots of good and has brought me happiness. So much that when I am in N.Y. again I will go and see you. Please remember me to Miss Sullivan whom I am sure is happy too.

With all good wishes and affection –

Your friend | Clarence Darrow

MS: ALS, NNAF, Helen Keller Archives.

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14 Anne Sullivan Macy (1866-1936), teacher and life-long companion of Helen Keller.