

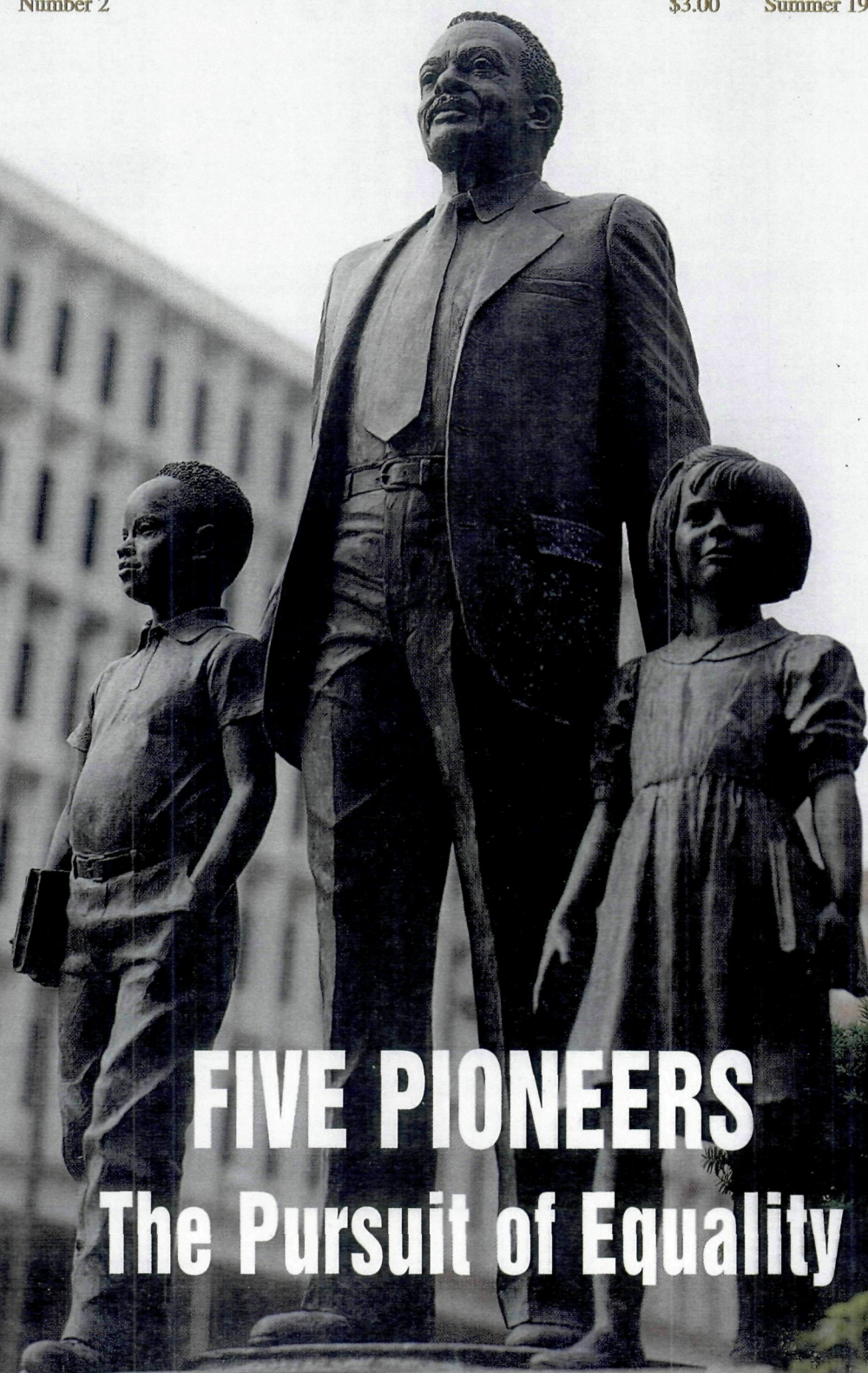
AFRICAN AMERICAN LAWYERS: CHALLENGE, COURAGE, ACHIEVEMENT

DELAWARE LAWYER

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Volume 16 Number 2

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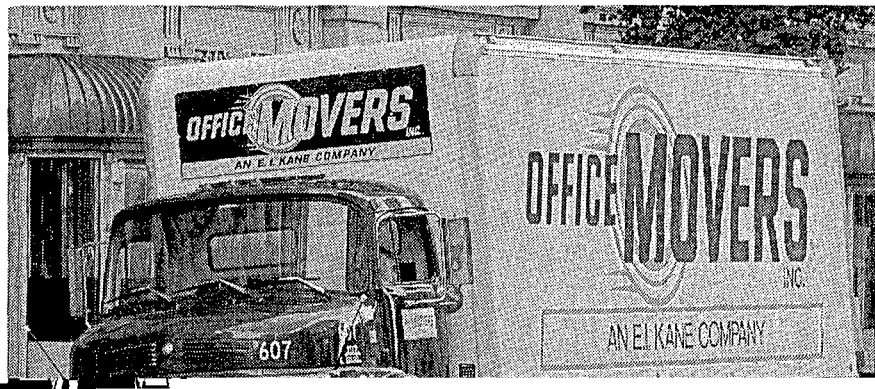


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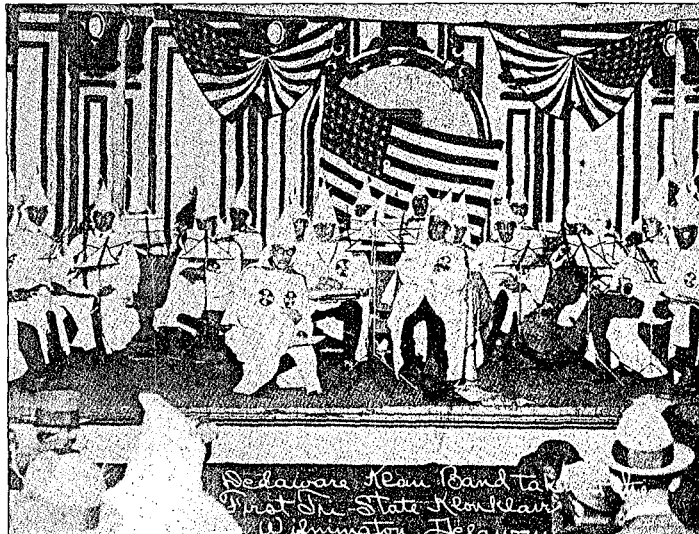
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Cover Photograph by Luigi Ciuffetelli.
The Charles Parks statue of Mr. Louis Redding at the
entrance to the City-County Building, Wilmington,
named in honor of Mr. Redding.

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January 7, 1997

Dear Editor,

I couldn't agree more with the main point of an article that appeared in your Winter 1997/1998 issue entitled "Pre-trial Jury Tampering." Author Charles Brandt aptly describes the disturbing reality that in era of media saturation, and a preoccupation with the sensationalistic, high-profile cases are too often being debated (and decided) by the public long before its merits are argued in court.

But the effect of the media on the legal process reaches further than just influencing potential jurors. As we witnessed in the double murder trial of O.J. Simpson, the lure of fame and the potentially large monetary rewards associated with selling information on a case that has captured the media's attention can corrupt the system from within. Several of the incidents connected to that case prompted me to introduce two bills in the Delaware General Assembly in 1997: H.B. 286 and H.B. 287.

H.B. 286, which has already been signed into law, rewrites Delaware Code so that the traditional definition of *tampering with a juror* now includes a person who "negotiates, confers, or agrees to confer any payment or benefit to the juror" in exchange for information depicting the juror's service.

H.B. 287 addresses the same problem from the perspective of the juror. The bill, currently awaiting action by the full Senate, seeks to amend the charge of *misconduct by a juror* to include a jury member who seeks to sell information on their jury service before or during the trial. Neither bill changes the classification of the crimes as Class A misdemeanors.

Hopefully these precautionary actions will help Delaware avoid embarrassments - similar to those which arose out of the Simpson case - when the Grossberg-Peterson and Capano trials get underway and become front page copy around the country.

State Rep. Nancy H. Wagner
Republican - Dover
31st Representative District

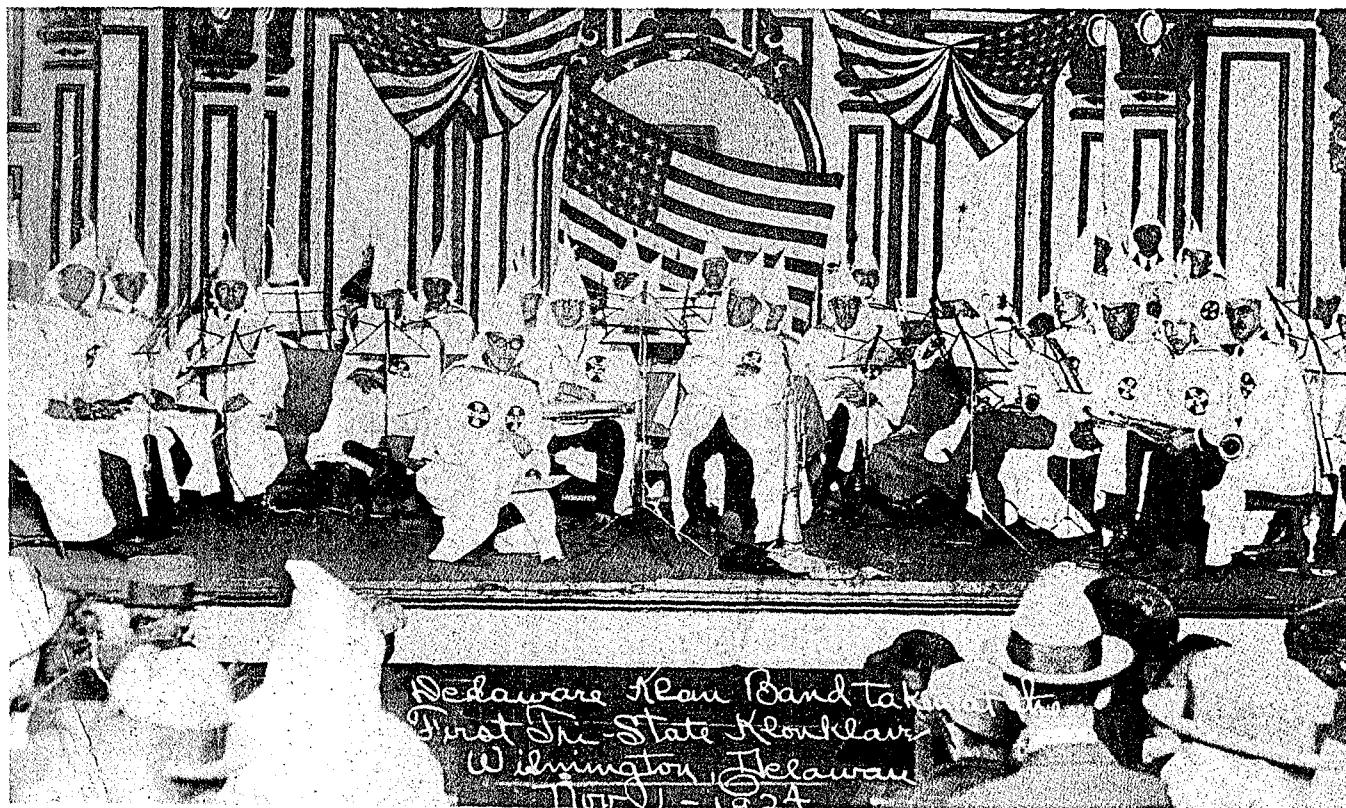
TAKING COURAGE FOR GRANTED

This issue of *DELAWARE LAWYER* arose as the result of a series of speeches delivered in February 1995 at a dinner given by the Delaware Conference of the NAACP. The speakers dealt with the first five African American lawyers to be admitted to the Delaware Bar: Louis Redding, Theophilus Nix, Sidney Clark, Frank Hollis, and Leonard Williams. This issue celebrates their achievement and reminds us of the obstacles they surmounted so that others would find a far smoother path to professional recognition. In the very different Delaware of today it is all too easy to forget their heroic efforts.

These brief biographies describe a progress, an advance in civility, fairness, and good sense that seem to us today natural and inevitable. It was not always so. Until the continuing civil rights revolution of the 1960's and thereafter, Delaware was



Milford, Delaware – a throng inflamed by segregationist oratory protests the enforcement of *Brown vs Board of Education**



Bed sheets and dunce caps: The Ku Klux Klan's musicale of November 1, 1924 in Wilmington, Delaware*

*Courtesy of the Historical Society of Delaware

CHAIRMAN'S NOTES *cont.*

very much a border state with a long memory of a slave-owning past.

Walk to that charming and restful spot on the west side of French Street in Wilmington, next to the Federal court house. There you will find a plaque memorializing passage on the Underground Railroad that ended in freedom but only *north* of Wilmington. Our state, ambivalent in the progress of the Civil War, was slow to abandon inequalities, which stoutly survived the national and constitutional transition to a supposedly color-blind society.

If you were gifted and diligent, but black, you were required to sit in a segregated part of the courtroom in which you hoped some day to practice law. You could not attend a movie house reserved for whites, and you often had to leave the state to secure an advanced education worthy of your abilities, as you sensibly declined the inadequacies of segregated schooling (provided you could afford it). The accompanying pictures show us a Delaware past happily unrecognizable today – The Ku Klux Klan functioning overtly and within the memory of many living Delawareans; the angry crowds in Milford, resolved to disobey the law of the land so far as it concerned segregated schooling.

In such a climate the struggle to become a member of the bar, to secure the respect due professional competence, to wrest a livelihood from a law practice frequently conducted against a background of respectably veiled hostility were undertakings not for the faint-hearted.

The five pioneers prevailed. We owe them our thanks for their inestimable contribution to a society of emerging equality. This issue is intended to express our gratitude.

I wish to thank fellow editor Tom Ambro for his role in designing this issue and especially for his energetic leadership in making it happen.

W.E.W

Contributors



Joshua Martin, President of the Delaware State Bar Association 1997 – 1998, served eight years as a judge of the Superior Court of Delaware. He retired from the bench in 1992 to Bell Atlantic – Delaware, Inc., of which he is today President and Chief Executive Officer.



Beatrice Patton Carroll, who wrote the account of the career of Judge Leonard Williams, served for ten years as Vice President of the Coalition To Save Our Children. She is a three time candidate for the office of Mayor of Wilmington, Delaware. Today she operates her own consulting business.

THE HONORABLE JOSHUA W. MARTIN, III

Although I agreed many months before the time of publication of this issue to do the introduction, it was with fear and trepidation that I initially put pen to paper and started to write. Here I was being asked to introduce writings about five lawyers, all of whom I respect immensely, about their struggles as lawyers in the State of Delaware. My task, I thought, was to whet the appetite of the reader to relive the travails of five pioneers of our bar, men who had to fight for the right to represent those in need of representation, lawyers who faced the very discrimination they were destined to eliminate on behalf of their clients, men who simply sought the human dignity that should be the birthright of any free man.

These then would be stories not only of Delawareans, but of Americans, stories not only of pain, frustration and despair, but of perseverance, hope and commitment. These vignettes could cause us as lawyers to question how we could have so mistreated our fellow lawyers only a few decades ago, to question whether exclusivity or elitism had tainted our profession, to question the legitimacy of many of our past practices, however well-intentioned they might have been.

As we recall the riots in Wilmington 30 years ago, in response to the death of Dr. Martin Luther King, Jr., as we acknowledge the divisiveness in our communities then, highlighted by that era of civil unrest and the lessons learned and

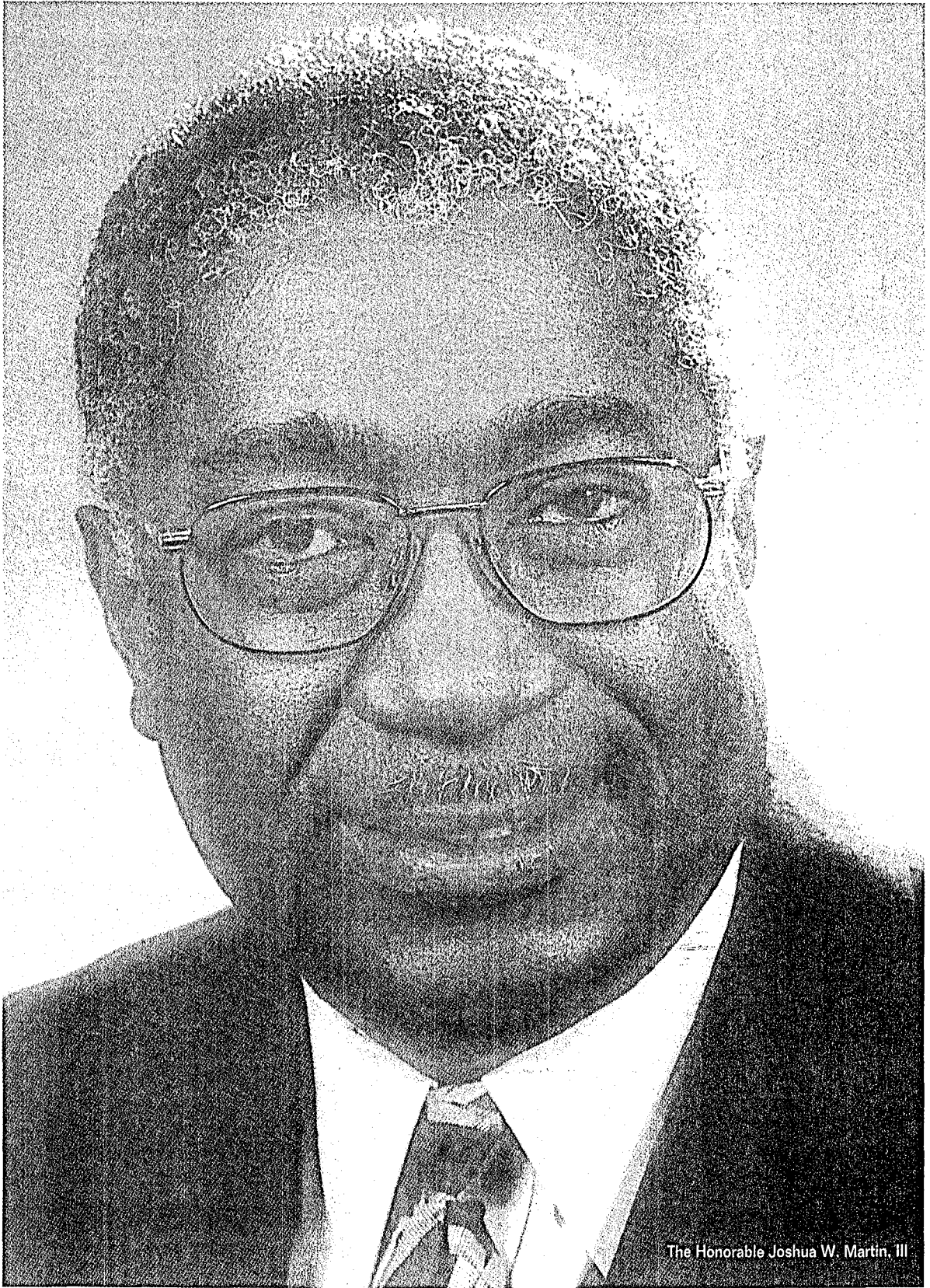
not learned from those dark days, is the recitation of the struggles of these pioneers simply a chapter in our history best forgotten?

As I abandoned pen and paper in favor of the computer keyboard to more rapidly capture fleeting thoughts, it occurred to me that in appreciating the present and preparing for the future, we have to understand the past. In but a generation we have come so far – but have we? Are there lessons to be learned from these poignant stories and if so, with whom should they be shared? Is the struggle against adversity as told by African Americans indicative of our ongoing battle with discrimination in any form or is it altogether different?

For those of us familiar with the awesome accomplishments of Louis L. Redding, who were his progeny and how did they fare? Did he work in isolation or were there other black lawyers in Delaware being mentored by his zeal, professionalism, intellect and oversight? Were these pioneers all involved in fighting discrimination or were they so bold as to pursue other areas of the law? So many questions!

At this point, I would like to introduce the five African American Delaware lawyers whose challenges and achievements will be chronicled in the pages of this magazine.

Louis L. Redding broke the color barrier for minority lawyers in the State of Delaware. Initially standing alone as Delaware's only black lawyer and having had a difficult time being accepted as a member of the Delaware Bar, his greatest contribution to abating segregation and discrimination was to open the door of educational opportunity to many



The Honorable Joshua W. Martin, III

citizens of this State to whom it had been denied for so long. Named the "super hero of civil rights in Delaware," he fought for equal justice and equal access for all people, whether it be education, voting rights, housing, employment, the use of facilities or public accommodations. The effect of his life's work is felt and heralded not only in Delaware but throughout this nation.

As the second African American lawyer to pass the bar in Delaware, Theophilus Nix was the first black criminal prosecutor for the Municipal Court of the City of Wilmington. Having vowed to fight injustice and take on cases that would improve the lives and conditions of minorities in Wilmington, he fought to pave the way for black police officers to have access to supervisory positions, helped introduce black studies into the Wilmington public schools and directed the UAME Church's efforts to obtain funding for construction of affordable housing for blacks.

As a young man and member of a coal mining family, Sidney J. Clark dreamed of getting an education and

becoming a lawyer. After a stint in the military, which interrupted his college career, he completed college and entered law school, receiving both degrees in the same year. The

**These
lawyers
faced the
discrimination
they were
to eliminate
on behalf
of their
clients.**

third black to be admitted to the state bar, Sid spent four years as an assistant city solicitor in Wilmington and was then appointed to the

Municipal Court, making him the first African American judge in Delaware. One of his most important contributions was his role in dismantling a black school district, allowing black teachers to earn the same pay as white teachers.

Frank Hollis was the fourth African American to be admitted to the bar. Remarkable for a black person at that time, Frank received the first law clerkship ever offered in Delaware's Court of Chancery. Although Frank had broken new ground for blacks in Delaware by representing corporate clients, he also made important contributions to the cause of civil rights. Frank participated in drafting the manpower legislative provisions of the Economic Opportunity Act of 1964, which gave rise to important national programs such as VISTA and Head Start. He also participated in the planning and coordination of the 1963 March on Washington.

As the fifth African American to pass the Delaware State Bar, Leonard L. Williams' community and civic involvement has always been aimed at improving the status of minorities and

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other disenfranchised people. It was important for him not to be perceived just as a "black" attorney specializing in criminal cases only, but rather as one who could handle many areas of the law, including personal injury litigation and other civil matters. As an Associate Judge of the Wilmington Municipal Court, Leonard has garnered respect as a fair and reasonable arbiter, providing a level playing field for litigants and defendants appearing before him. Having been mentored by and having shared a law practice with his hero, Louis L. Redding,

These are
stories
not
only of
Delawareans,
but of
Americans,
stories
not
only of
pain,
frustration,
and
despair,
but of
perseverance,
hope,
and
commitment.

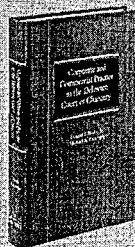
Judge Williams has been a role model, advisor and strong advocate for minority attorneys and young people in general.

To paraphrase Henry Herndon's introduction to the "Diversity in the Law" chapter of *The Delaware Bar in the Twentieth Century*, the "storied leadership and indomitable spirit" of minority lawyers in this State are the "stuff" of which legends are made. What follows are the individual stories of Delaware's black pioneering lawyers. ♦

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The Honorable Leonard L. Williams

LOUIS L. REDDING

Louis Lorenzo Redding was born October 25, 1901 in Alexandria, Virginia, although at that time his parents resided in Wilmington, Delaware at 203 E. 10th Street. In 1929, at age 28, Louis L. Redding became the State of Delaware's first Afro-American attorney. Although there had been other members of his race who had taken the Delaware Bar exam, none had succeeded before Mr. Redding in breaking the color barrier in the State of Delaware. It was some twenty-six years before another Afro-American would be admitted to the practice of law Delaware and during that period, Mr. Redding single handedly provided

his legal talents to all victims of segregation and racism including black and white Delawareans. He began his fight for equal justice for all citizens very early in his legal career by eliminating segregation in the Delaware courtrooms, beginning in the local Wilmington Municipal Court. When he was a young attorney, the courtroom had been segregated: blacks were not permitted to sit in the same area of the audience as white members of the public. Before ending his career Mr. Redding would win several landmark decisions in the civil rights movement; He participated in the historic 1954 U.S. Supreme Court decision of *Brown vs. The Board of Education*, which desegregated public schools throughout the entire United States.

Louis L. Redding became a lawyer in the State of Delaware at a time when equal justice for blacks meant gaining equal access to opportunities they had been denied (*Plessy v. Ferguson* - separate but equal doctrine). It was an era when a handful of black lawyers around the country, Redding among them, broke the barriers and opened the way for future gener-

ations. Redding's name and his work have taken their place in the history books.

Those other early heroes of the civil rights movement, include the late U.S. Supreme Court Justice Thurgood Marshall, Head of the Legal Defense Fund in those days; Jack Greenberg who succeeded Marshall; James Nabrit, Jr., who became President of Howard University; and Third Circuit Court of Appeals Judge Collins J. Seitz, the Delaware Chancellor who decided the cases that were Redding's early triumphs.

To truly appreciate Redding's accomplishments in the State of Delaware, and the impact of those accomplishments throughout the nation, one must remember that at that time the State of Delaware was completely segregated in every vestige of daily life: education, housing, employment, public accommodations, even water fountains in public places of accommodation, and as mentioned, seating in the courtrooms in the various courthouses. Redding, a product of the Delaware educational system, albeit segregated, attended Brown University in Providence, Rhode Island and Harvard Law School. After teaching for two years in the south in a small black college, he returned to Delaware as a practicing attorney. For the first twenty years, he was not even accepted as a member of the Delaware State Bar Association, practiced his trade to a large degree in isolation, and was considered a loner by his fellow professionals. This articulate man, small in physical stature, but large in legal skill and intelligence, and deeply committed, took on the task of eliminating the bonds of second class citizenship in Delaware.

Louis L. Redding is truly the hero of Delaware Education. Bear in mind that in 1951 the only public high school in New Castle County, Delaware that permitted Black students was Howard High and even the text books used by the students



were discards from the all-white Wilmington High School. It is in that context that Louis L. Redding began to tear down the barriers. In the early forties the Legal Defense Fund, Inc., an arm of the N.A.A.C.P., was organized and dedicated to deciding strategies and taking legal action to eradicate segregation by providing and insuring equal access for blacks in all aspects of American life. At that time the organiza-

tion was headed by Justice Thurgood Marshall (later on, Justice Marshall). His Chief Assistant was Jack Greenberg, a white attorney from Long Island, New York with whom Redding became quite friendly as they worked together thereafter to eliminate segregation in the State of Delaware. The first important case came to Redding's attention in 1949 when nine black students from Delaware State College in Dover, Delaware came

to see Mr. Redding. They were not satisfied with the facilities and the scope and depth of the courses at Delaware State College. The students had applied to the University of Delaware and had been denied admission because of their race. Redding agreed to represent those students and did so with enthusiasm. He consulted with Thurgood Marshall, who promptly dispatched Jack Greenberg to Delaware to assist Redding. Redding

and Greenberg worked tirelessly, and eventually the case came on before the other major hero in civil rights in Delaware, then Chancellor Collins J. Seitz, who had been appointed to the Bench in Delaware at age 31. Seitz found the vestiges of segregation that were practiced in Delaware abhorrent and ordered the admission of blacks to the University of Delaware. (*Parker v. University of Delaware*). Redding and Greenberg moved forward and the Delaware portion of *Brown vs. The Board of Education* came before Chancellor Seitz in 1952. Seitz ordered all schools in Delaware opened to blacks. Thurgood Marshall was quoted in the press at that time as calling that decision:

"the first real victory in our campaign to destroy segregation of school pupils in high schools in the United States."

The next case of significance for Redding was a case involving the right of a black citizen to utilize public property in the City of Wilmington. A restaurateur who had leased property in a public facility which was a building owned by a state agency had decided he did not have to serve Afro-Americans

members of the community. *Burton v. Wilmington Parking Authority* is a landmark case pursued by Redding to an affirmative decision by the Court of Chancery, decided by Vice-Chancellor William Marvel and later sustained by the U.S. Supreme Court, *Burton vs. The Wilmington Parking Authority* is required reading for all law students of constitutional law. Redding continued to pursue all areas in which there were barriers, including voting rights, housing, employment, use of facilities, public accommodations and education, all of which were impediments that Redding insisted had to be removed. Jack Greenberg, now a retired member of the faculty at Columbia University Law School, in his recent book has indicated in referring to Redding:

"that it wouldn't have happened without him. Another lawyer might have said Okay, I'll get you on the bus, but Louis L. Redding said, No, I'll get you in the school."

William T. Coleman, Jr., Past and Current Chairman of the Board of Directors of the Legal Defense Fund, Inc. and responsible for breaking color

barriers in Philadelphia, Pennsylvania, who also became secretary of the Department of Transportation has stated:

"The giants of the Civil Right's Movement were Houston Hastings, Redding and Thurgood Marshall."

Louis L. Redding, is truly the super hero of Civil Rights in the State of Delaware, and his contributions far extend beyond the boundaries of this state. His participation in *Brown vs. The Board of Education* will reflect that the actual language of Judge Collins Seitz opinion in the Delaware case is quoted in the Brown decision and shall remain a part of his achievement.

Now retired, and resident of a nursing home in Lima, Pennsylvania, Louis L. Redding's last venture in removing inequity was in the law suit involving de facto segregation in Public Schools in Northern New Castle County. The Wilmington School system was dismantled and a Metropolitan school system ordered and implemented through a decision by the U.S. District Court for Delaware.

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In analyzing the impact of Redding's efforts, one must recognize that during the peak period there was much hostility throughout the State of Delaware as he traveled from one end of the state to another, determined to pursue what was right for all citizens. He had to deal with hostility from the white community including near rioting.

Louis L. Redding who has taken his place as a true Civil Rights hero and the father of education and civil rights in the State of Delaware, has probably never been truly appreciated in the context of

**Small in
physical stature,
but large in
legal skill
and intelligence,
and deeply
committed,
he took
on the task
of eliminating
second class
citizenship in
Delaware.**

his achievements by Delawareans. In his own words:

"What we were doing was not addressed in changing our lives at all. What we were trying to do was change the status, the experience and the lives of the minorities of American citizens who happen to be black. We're not trying to change our lives. We're trying to change our opportunities as American citizens."

Although blind, partially deaf, and suffering with Alzheimer's disease, this great Delawarean recently celebrated his 96th Birthday with his wife Gwen, his three daughters, Anne, a Baptist Minister in Atlanta, Georgia, Rupa, a physician currently on a special assignment in Africa, and Judy, an attorney in Maryland, (all Brown University graduates) his four grandchildren, and with Littleton and Jane Mitchell, and with Leonard L. Williams, Esquire. ♦

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A LIFE IN THE LAW

Obstacles, Perseverance, Achievement

The following autobiographical sketch is taken from a speech given by Mr. Nix on February 19, 1995 at the Black History Month Dinner of the Delaware State Conference of the NAACP.

In 1954 I graduated from the Howard University Law School with what was then known as an L.L.B. degree. Today, the same degree has been elevated in distinction and, as you know, is now a Doctorate of Laws.

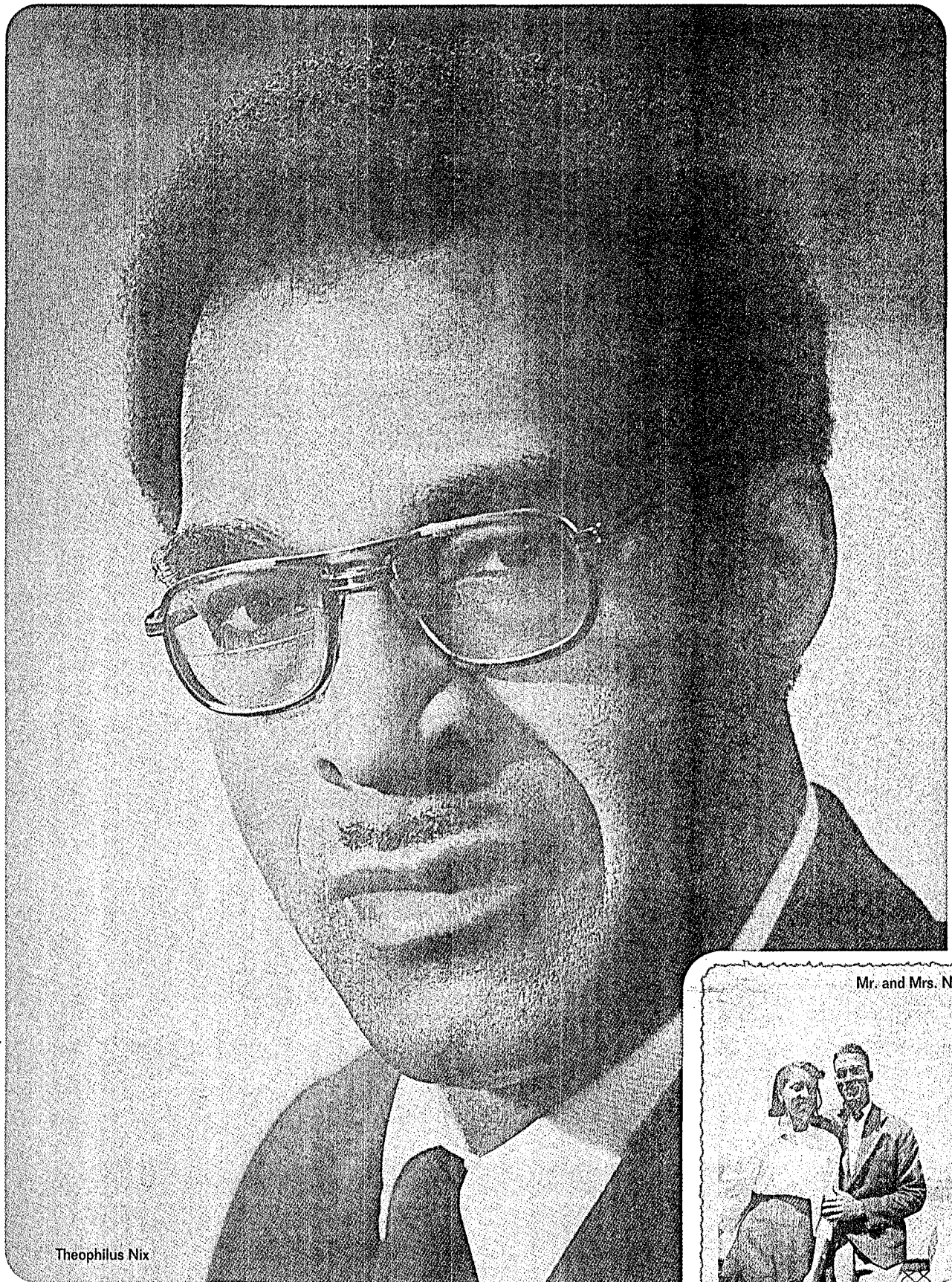
I was fortunate to have the opportunity, as a law school senior, to participate in *Brown v. Board of Education* when it was argued before the Supreme Court. It resulted in the Supreme Court's historic 1954 decision that banned segregation in the public schools. As one of the research scholars, I had the tremendous opportunity to work with Thurgood Marshall, Bob Carter, and others. That experience inspired me to concentrate on the civil rights aspects of the law.

I came to Delaware eager to take the bar examination and begin my legal career. Little did I know that Delaware was still a southern state with all the prejudices of the region. Getting through the bar was going to be a difficult journey. For example, I could not go to any NAACP functions. I could not do anything of a militant nature. I got used to being asked by my preceptor, in the presence of other attor-

neys, "Do you think Delaware can afford to have another black attorney?" Keep in mind that at that time Louis Redding had been the only black attorney for 29 years in the whole State of Delaware. I was looked upon as if I were some kind of freak. My black manhood wanted to cry out and scream, but I kept my composure because I had a clear purpose in mind: to take the Delaware Bar and pass it. There was still widespread reluctance in the Bar even to consider admitting a second black attorney. In spite of these obstacles, I decided to accept the challenge.

I faced a further obstacle. I was required to take Latin to demonstrate that I was proficient in it before I was allowed to take the bar examination, although I already spoke French and German fluently.

There was nothing in my background to disqualify me, since I had just left the CIA in Washington, D.C. with a top security clearance. I had been with the CIA for four years. My wife and I took a leave of absence after our son, Theo, Jr., was born and traveled across the country, stopping at Yellowstone National Park and other scenic places to decide where I was going to practice law. How ironic that I should come to Delaware, just 30 miles from Philadelphia, where I was born and where my father had been a Baptist minister before his untimely death. (Incidentally, my mother - now 95 - is still alive.) Of interest is how we came to reside in a state so close to home. When we came to Wilmington, someone mentioned to my wife - Lulu Mae - that we should look up Buster



Theophilus Nix



Mr. and Mrs. Nix

Hopkins, who owned a parking lot where an MBNA building now stands at 11th and French Streets. Mr. Hopkins was very kind. He recommended that we talk with William Duffy, then an attorney in private practice. When we failed to locate Mr. Duffy (later Justice), he nonetheless came to visit me in Washington and persuaded us to give Delaware a try. That act of kindness should never be forgotten. When we eventually came to Wilmington, it was Mr. Hopkins who provided us with a house rent free for a year.

Despite an impeccable background, the first time I took the bar they flunked me. They hoped that I would leave town.

While studying to take the bar a second time, I also worked as a research assistant to the then City Solicitor, Januar D. Bove. While in this position, the white power structure got to know me better, and became more comfortable when it became clear that I wasn't a militant and wouldn't trouble the Wilmington status quo.

I passed the bar the second time around and was admitted to practice on November 29, 1956. From that day on I began to fight injustice and took on cases that would improve the lives and conditions of minorities in Wilmington.

I began my legal work as the first black criminal prosecutor for the Municipal Court of the City of Wilmington. I handled approximately 12,000 to 15,000 cases over a three year period. It was in this Court where I first learned to think on my feet. For this experience I am eternally grateful. I then went into private practice, where I would have the freedom to do the work I wanted to do.

A few of the causes I championed and the cases I took on are as follows.

The Belvedere Fire Company

The fire company had been deprived of its equal share of State Fire Funds. I filed a suit against the New Castle County government and won.

City Police Discrimination

The police department's promotional examinations had been discriminatory. Only two blacks had ever been promoted in the entire history of the Bureau of Police. One individual,

Cavanaugh, was judge and jury, and decided who was going to be promoted. With the help of another lawyer, Frank Hollis, I fought hard and overturned the discriminatory policy so that the exams would henceforth be administered by a Board. Today, blacks hold many supervisory positions. The Chief of Police now is black.

Echols v. Superior Court

The court discriminated against a young black man by preventing him from becoming Chief Administrator in charge of the entire Probation Department. Instead, they appointed a white person who had less experience. I took the case to court and prevailed. I'm told by others that it probably cost me a judgeship.

Celebrities

In November 1958 the celebrated musician, Thelonious Monk, was driving through Delaware. He made the mistake of stopping to use a bathroom. The one he chose was marked "whites only." He was accompanied by a white woman, the Baroness DeKonigswater. The proprietor called the State Police. They came and arrested both of them and confiscated the Baroness' car after finding narcotics. I represented Monk and the Baroness in Magistrate Court along with a New York attorney. Attorney H. Albert Young took the case all the way to the Supreme Court of Delaware before the search was declared illegal and the car released.

My client, the late Sarah Vaughn, presented interesting and challenging cases. Beginning in November 1962 I handled Ms. Vaughn's legal matters for five years. The discrimination that she faced as a black entertainer was a revelation. For example, she often had to battle the white power structure to be paid the proper amount of money for her appearances. However, we won many cases, which helped to advance her career.

In addition to all the civil rights cases I handled through the years, I always found time to serve on boards that were helping disadvantaged people to improve their lives. In 1969 I helped introduce black studies into the Wilmington Public Schools for the first time. Through the Delaware Adolescent Program (DAPI) Inc., a special school for pregnant teenage girls, I provided

pro bono legal counsel to many fledgling grass roots organizations and churches because they were trying to do something to help our people.

As the general counsel for the UAME church consisting of more than 500,000 persons, I directed the church's effort to obtain funding for construction of moderate cost housing for blacks. I wrote the proposals for funding, negotiated the land purchases, and was gratified to see the federal government sponsor this project for \$812,000. The church built a 72 unit, three story apartment complex at Seventh and Lincoln Streets without any cost overruns. This represented the first housing by blacks in Wilmington.

On February 8, 1987 I had a stroke. When my wife came home she found me lying on the bathroom floor, unconscious. Two of my children, Sheldon and Crystal, watched over me all night. I had suffered a massive stroke and I had been given the last rites. I could not talk and my left side was completely paralyzed for six months. I could not utter a sound. My doctor came down from Philadelphia and I was immediately taken to Pennsylvania Hospital. I was unconscious for two weeks. Subsequently, I was taken to Magee Hospital at 11th and Arch Streets. My wife came to visit me every day and without her help and that of my children I could not have survived. At Magee Hospital I had to learn to talk all over again. Oftentimes, after my wife had left, I cried. Nothing is more frustrating to a lawyer than being unable to talk.

After my stroke my aggressive days of civil rights litigation ended. But I am delighted to see so many young lawyers at the bar carrying on this effort. Today there are black judges in every court, except the Chancery and Supreme Courts of Delaware.

The Next Generation

My oldest son, Theophilus, Jr., is the senior contract attorney for the Bechtel International Construction Corporation in Boston, Massachusetts. He works on the \$10.6 billion Central Artery/Third Harbor tunnel Project (the "Ted Williams Tunnel") which runs under the Boston Harbor. He is the first African-American to hold the position. He is also an Arbitrator with the American Arbitration Association. He graduated from the Howard University

School of Law, my distinguished alma mater. He is also an accomplished musician, having spent one year at the Westminster Choir College in Princeton, New Jersey, where he majored in classical music and minored in classical drama. He specialized in singing Italian arias, German Lieder, French Ballads and English songs. He graduated from the Cincinnati College of Mortuary Science and has a diploma in Funeral Directing and Embalming. He previously owned a funeral home in Philadelphia. He now resides on Martha's Vineyard Island with his wife and two children.

My younger son, Sheldon, has a Ph.D. in counseling psychology from Michigan State University. He earned his first degree from Princeton and received a M.S.W. degree from New York University. Sheldon is also an ordained minister. He is an assistant professor and chairman of the Graduate Counseling Department at Eastern College in St. David's, Pennsylvania, and has written several books, including "Preparing Boys for Manhood," "Training Boys to be Men of God," "Passing on Your Life," and

"Project Manhood." Dr. Nix says in his books: "It takes a comprehensive ministry to develop boys into men. We must teach them what a real man is, and then give them every opportunity to become the men we think they

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should become. We must also provide them with role models. Finally, we must give them rewards for achieving

manhood goals."

Dancing around the world three times with Arthur Mitchell's "Dance Theater of Harlem," my older daughter, Denise, nonetheless received two degrees from New York University along the way. To complete her education, Denise received an M.B.A. from Harvard. She is now a Vice President at Chemical Bank, which merged with Chase in New York. She was the founding Director of Chemical Bank's Minority and Women-Owned Business Development Program, which puts in approximately \$154 million annually into those programs.

Currently Denise is Officer on Loan to the Upper Manhattan Empowerment Zone Development Corporation, assisting in creating a Private Equity Initiative for small and medium-sized businesses, and strengthening arts and culture institutions in Harlem.

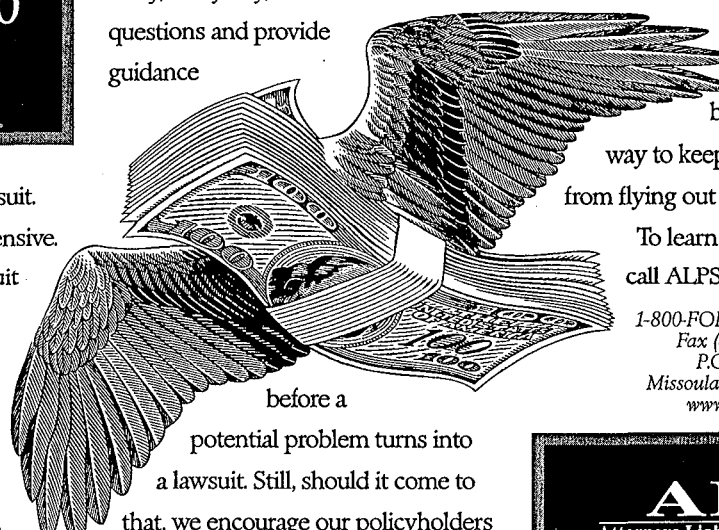
My younger daughter, Crystal, graduated from Princeton. During her junior year she was elected editor-in-chief of the Princeton newspaper. It was a first for an African American. Crystal spent the next two years writing for the New York Times. She won

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numerous awards for her articles. Crystal entered Harvard Law School and was on Law Review for two years. She was elected Supervising Editor of the Review. She was the first African American to be on the Managing Board. Crystal also had the tremendous opportunity to serve as the law clerk to Supreme Court Justices Thurgood Marshall and Sandra Day O'Connor. She is now a member of the New York Bar. Over the course of her 3 1/2 years at the State Department, she was Special Assistant to the Legal Adviser, Counselor to the Assistant Secretary for Democracy, Human Rights and Labor, and was also a member of the Secretary of State's Policy Planning Staff. She is currently in private practice at the law firm of O'Melveny and Myers in

**I was
admitted to
practice on
November 29, 1956.
From that
day on I
fought injustice
and took
on cases
to improve
the lives
of minorities.**

Washington, D.C. Our children have been inspired by their mother, Lulu Mae Nix, who holds three degrees from Temple, a B.S. in accounting, an M. Ed and Ed. D.

My Future

My career and family have given me great happiness and pride. Although I no longer practice, I remain intellectually active. I am now in the process of writing a book. I hope it will be on the best seller list in a few years.* ♦

**And so do we, as do Mr. Nix's many friends and admirers. He tells Delaware Lawyer that his book progresses.*

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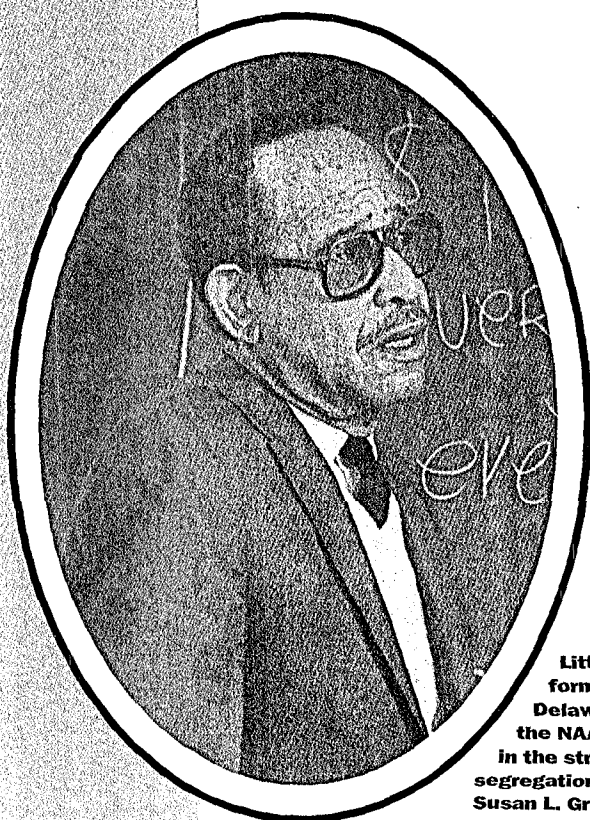
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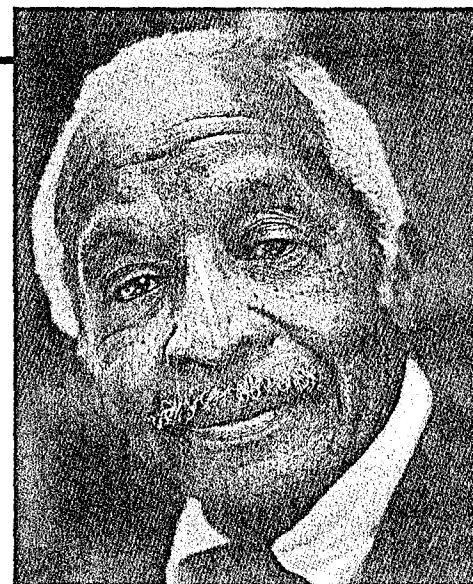


The legal team that challenged segregated schooling in Delaware: from left to right - Louis Redding, Irving Morris, and Jack Greenberg. (Photo by Fred Comegys)

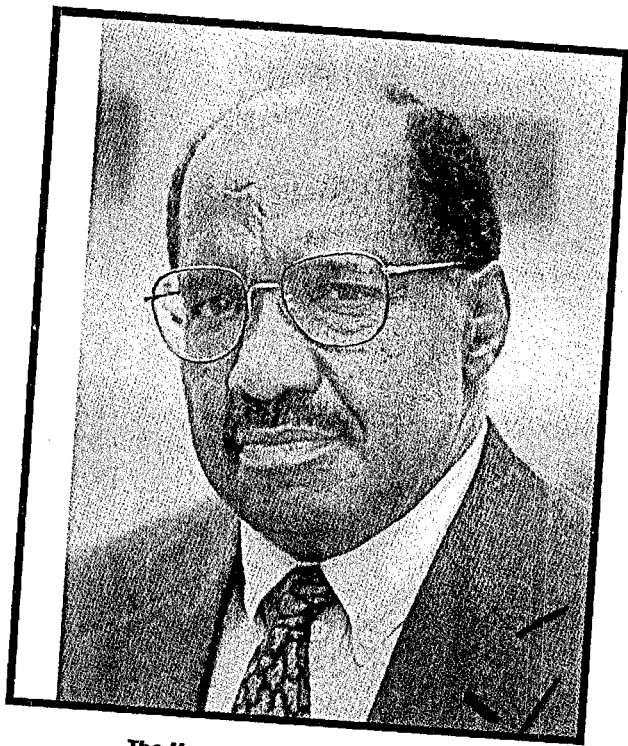
Pioneers



Littleton Mitchell, former head of the Delaware Chapter of the NAACP and a leader in the struggle against segregation. (Photo by Susan L. Gregg)



The original pioneer for equality: Louis Redding. (Photo by Ron Dubick)



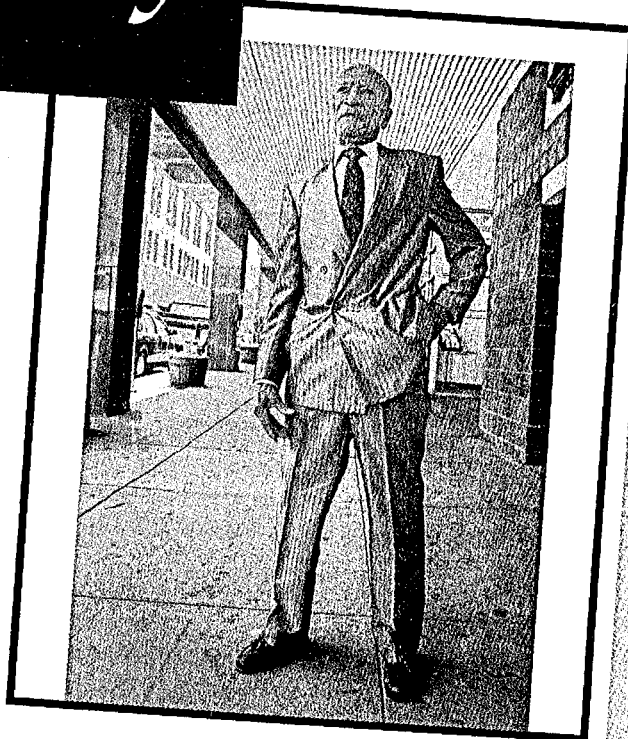
The Honorable Leonard L. Williams
(Photo by Bill Hughes)



Former Judge Sidney Clark

In Equality

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wish to thank
Mr. John H. Taylor, Jr.,
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**William "Dutch" Burton, civic leader and
successful challenger of the Eagle
Restaurant's segregationist policy. (Photo
by Fred Comegys)**

Frank H. Hollis, Esquire

MY MEMORIES OF LAW PRACTICE IN WILMINGTON, DELAWARE

Wilmington, Delaware of the early 1950s appeared to the uninitiated as an idyllic city with well-defined separation of lifestyles. The landed gentry was dominated by E.I. duPont de Nemours, Atlas Powder Co., Hercules Powder Co., et al., and those who served their industrial and management needs. A second tier was represented by the two or three leather tanneries and those in their employ, the longshoremen who worked the Wilmington port, the postal workers, and those domestic workers who were employed by the rich and famous in Greenville, Delaware and such kindred environs. The black professional class was extremely limited in number with one lawyer, Louis F. Redding, Jr., five doctors, two dentists, one drug store owner (Melbourne) as its core membership. The badge of honor for the black working class was to have then been employed as an elevator operator or maintenance/stock worker for duPont, Atlas Powder, Hercules Powder combine, or to work for the U.S. Post Office or City Hall. The courts of Delaware were essential bastions of "whiteness," with every position from bailiffs to prosecutors and judges occupied by white male images.

Wilmington City Council represented an urban area where, with few exceptions, blacks resided in the east and west quadrants, while the northern and extreme southern quadrants housed the residences of its whites. The lone black representative was from the east side of town and he was employed as the janitor at the Delaware State House in Dover, Delaware. Similarly, the City's police department was tokenly reflective of

Backdrop

its black population. Only one black detective and a handful of police officers were employed to patrol black residential neighborhoods and make arrests.

As stated above, the only black lawyer (Louis L. Redding, Jr.) had been admitted to the bar in the 1920s and he was destined to retain this dubious distinction until 1956.

On Coming to Delaware

My first encounter with Wilmington, Delaware was as a result of being stationed in the U.S. Army with "Mitch" Thomas, a graduate of the then Delaware State College, who had been a disc jockey while in school. Mitch and I formed a friendship which coalesced around our army experiences and our love for music (particularly jazz). Although born in Florida, his roots were now in Delaware where his intended bride, Odessa, lived. We would come up from the Tidewater, Virginia area, where we were stationed, whenever we could get a three-day pass. For me, as a Little Rock, Arkansas/Dallas, Texas native, these excursions were deeply anticipated and undertaken as a welcomed respite from army routine and fare.

My pre-army intentions had been to enroll at St. Louis University's Law School in St. Louis, Missouri. My desire for the practice of law has been whetted by my early experiences attending school in the southwest, — Dunbar High (Little Rock), Prairie View College (Texas) and Arkansas A.M.&N. College (Pine Bluff, Arkansas). I had observed the court proceedings as a student in junior high school involving Little Rock teachers, Sue Cowan Morris, et al., regarding the equalization of pay for black teachers with that of whites. My first encounter with Thurgood Marshall, then counsel for the National Association for the Advancement of Colored People (NAACP), was at this time. The pride I felt in watching him and a local attorney, J.R. Booker, during these proceedings remains a high point in my



Frank H. Hollis, Esquire

life. Other cases in Arkansas and Texas involved police brutality committed by white police against blacks and suits to compel the admission of blacks to the University of Arkansas and the University of Texas Law Schools.

A return to my pursuits at St. Louis University was not to be. Mitch and I were discharged from the army in late September 1952 (he a few days earlier than I). My final East Coast visit was

planned as a swing through Delaware to spend a few days and then on to Arkansas/Texas. On this trip to Delaware I met my first wife to be, Janis Anderson.

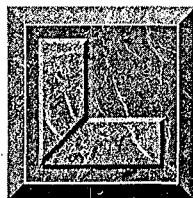
The Anderson/Hamilton residence was at 204 E. Tenth Street, directly across the street from the Redding family home. Gwendolyn Redding, a teacher at Howard High School, lived with her mother and father, Louis Redding, Sr., a retired worker. Louis Redding, Jr. practiced law and

lived away from the family home. J. Saunders Redding, Louis' brother, was a professor at Hampton University.

I returned to Arkansas and Texas and spent the next nine months preparing to enter Temple University Law School in September 1953. I returned to Wilmington, Delaware in June 1953 and took a job as a waiter at the Brandywine Country Club to earn money to tide me over and defray expenses until my G.I.

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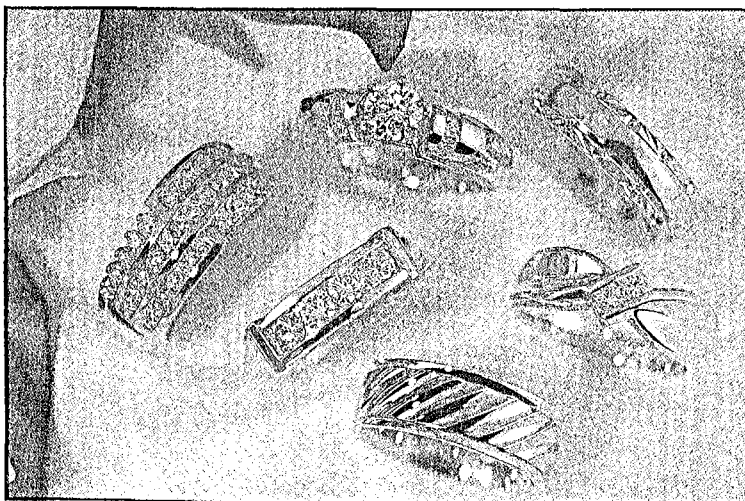
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Bill payments could be processed. I entered Temple Law School that fall.

I did well my first year at Temple and finished first in a class of 138. I was voted Vice President of my freshman class and worked in the Law Library and on the night shift at the U.S. Post Office to earn my keep. I ultimately graduated fourth in my class.

While I lived in Philadelphia, I would commute to Wilmington whenever I could to see my intended wife. My decision to attempt to establish practice in Delaware was made during my second year when I won the Corporation Law Award. My study group consisted of Joseph Kwiatkowski, Fred Knecht and Joseph Longobardi, among others. We would rotate the study locale between the several places we could centrally meet – most of the time at Joe's house. Thereafter, the study group stayed together to cram for the bar exam.

My eligibility to take the Delaware Bar was fraught with two obstacles – i.e., the need to identify a preceptorship with a Delaware attorney (a most difficult task since Louis Redding was the only attorney I knew and a preceptorship with him was not available), and the need to identify a means of having a second year of Latin proficiency certified to the Bar. I also learned that two other black candidates (Sidney Clark and Theophilus Nix) would be taking the Bar at the same time and that Leonard Williams would sit for the Bar the following year. It was a cause of some concern for me because since 1929 no blacks had been admitted to the Delaware Bar and now, within a span of two years, four black candidates would seek membership. In the late 1950's the question of black quotas for State Bars was a burning concern to black law graduates across the country – with several cases in the Southern States being brought to test so-called quota manipulation. It is to the credit of the Delaware Bar that all four black candidates passed.

The first of my problems (the preceptorship) was solved when then Chancellor Collins J. Seitz gave me a law clerkship with the Court of Chancery. As I was to appreciate later, this was the first law clerkship in that court and it was certainly the first one for a black in the court that heard causes affecting the 60% of the Nation's corporations that were headquartered (domiciled) in Delaware at that time. Such a law clerkship for a black is all the more remarkable since the Chancellor and Vice Chancellor were, in

addition to the Court's normal share of causes, busy wrapping up those matters pertaining to the divestiture of duPont's control of General Motors stock and embarking on the protracted arguments, motions and exhibits which attended the decision in *Bata v. Hill*, 139 A.2d 159. The second problem (Latin) was solved by translating Caesar under the tutorage of a Catholic priest.

As a law clerk I cut my teeth on European civil law, including the law of "sales legacy", which determined the case in *Bata*. Thanks to my law school course in international law, I was also familiar with the principles of comity that were very much involved in the outcome of this case. The Chancellor, as busy as he was, used every opportunity to instruct me in the nuances of the law and the weighing of evidence leading toward decisions. There were more than 100 argument days and nearly 4,000 exhibits admitted into evidence in *Bata*.

Suffice it to say that Chancellor Seitz was one of the most brilliant jurists I have ever encountered. He was a paragon of fairness and humility. It is little wonder that his decision in the Delaware case involved in the landmark *Brown v. Board of Education* decision of the U.S. Supreme Court was the first to call into serious question the constitutional doctrine of separate-but-equal as it applied to the education of black children. No amount of praise can add to or detract from this pioneering accomplishment. He was truly my mentor (preceptor) and I still thank him.

At the Delaware Bar

I was sworn in by Supreme Court Chief Justice Sutherland in his chambers, which was then across the hall from the Court of Chancery in the County/State side of the Public Building (City Hall - Second Floor), and I immediately made plans to commence the practice of law.

My office was located at 1014 Walnut Street (now a parking lot) and my initial days in practice were spent locating a secretary, securing a working law library and handling the few cases my first few clients brought me. As I recall, my very first case was one of aggravated assault involving a cutting, for which I put together a complete trial brief in the City's Municipal Court. In addition, my feeble start was assisted by Ned Carpenter, Rodney Layton, William Bennethum and other members of the Bar who spread the word in the corporate sphere that there was a

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new kid on the block. Gradually, some corporate clients came to me. These kept body and soul together for me and my family. (I had married Janis Anderson at the end of my first year in law school and by now we had two children.)

One of the more interesting cases of a corporate nature occurred when I undertook the representation of Messrs. Garfield, Pasternak and Roen in the Chemoil (Bon Ami) case. These gentlemen had been sued by the stockholders of Chemoil Corporation for the handling of its business affairs, including the breach of their fiduciary duty in self-dealing with the corporation. They, in turn, had countersued for money due and owing for services they had rendered Chemoil. Motions, counter motions and depositions were regularly filed from all quarters. This case was an interesting study in an

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attempt to control corporate assets.

It is ironic to note that while Delaware today is reputed to serve as the domicile for over half of the Nation's large corporations, not a single black Delaware lawyer has a regular corporate practice before the Court of Chancery. This, I submit, is a tragic commentary on the rich legacy of a Collins Seitz and Delaware's admission of four blacks to its Bar within two years in the late 1950s. If Delaware is to be true to this legacy, this sorry state of affairs must be corrected.


My life at the Bar in Delaware was involved in other legal pursuits. The beginnings of the landmark case *Burton v. The Wilmington Parking Authority* were lodged in the efforts of seven workers at the Chrysler Newark Plant who sought to be served in a restaurant housed under lease in this government facility. When they were denied service, they were arrested and charged in the

Wilmington Municipal Court with, inter alia, criminal trespass. As their legal representative, I conferred with Louis Redding, Jr., who was then counsel for the local branch of the NAACP. We decided to test the owner's no service to blacks policy by having City Councilman Burton seek service. He was arrested for trespassing and thanks to Louis Redding and Leonard Williams, the law is now established that a governmental entity cannot by inaction do what it could not do by action - enforce and countenance discrimination on the grounds of race in a publicly-owned facility.

The other notable Wilmington civil rights case involved the August Quarterly Celebration. Each year black participants from down-state Delaware

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and Wilmington would block off several blocks of French Street on either side of the Mother A.U.M.P. Church to celebrate the date the slaves of this state and its environs received word they had been freed. Because this was a bitter reminder to some citizens of an era best forgotten and/or because in many respects the celebration bore the earmarks of an evangelical revival, it was barely tolerated by the Wilmington Police Department. The epitome of effrontery came on that evening in the late 1950's when the police, mounted on motorcycles and equipped with bull horns, sought to clear French Street and end the celebration. Several participants were struck by motorcycles and others were arrested, along with Rev. Brown, Pastor of the Church, on a charge of maintaining a




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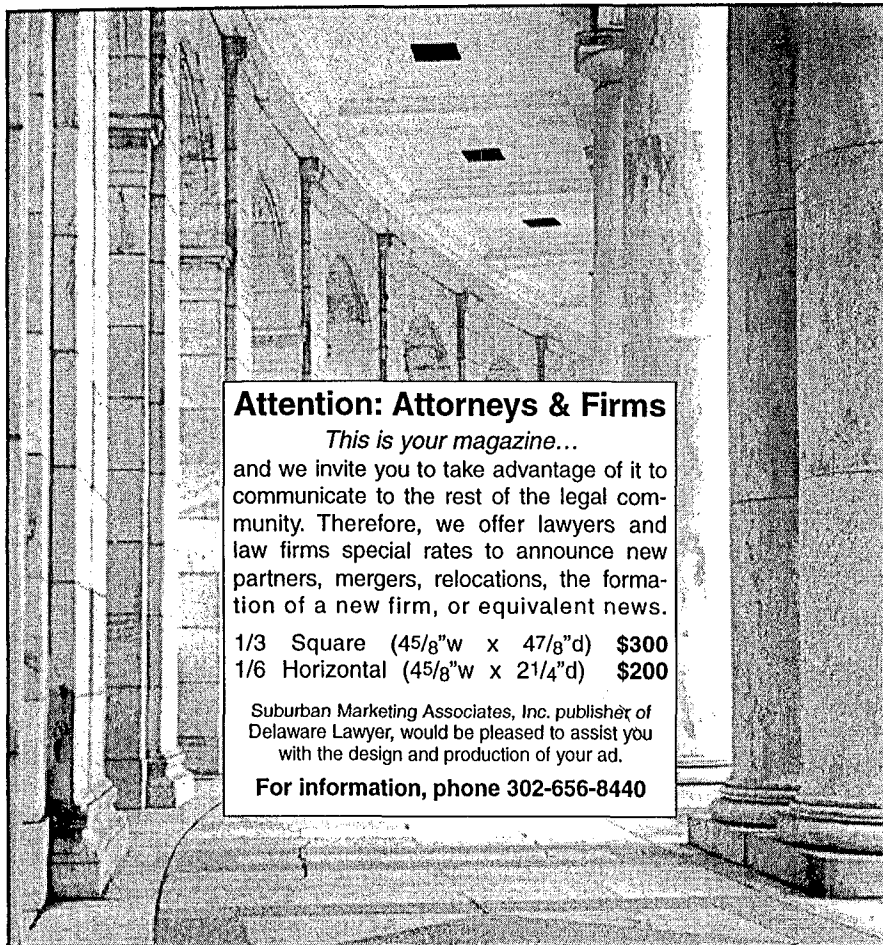




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nuisance. Clearly, this was a violation of the civil rights of those involved and ultimately the charges were dropped and the Chief of Police apologized.

My national contribution to the cause of civil rights occurred with the legal assistance I provided to the late Wiley A. Branton, Sr., Esquire, who was the lead counsel in the case of the "Little Rock Nine." Wiley and I had attended Arkansas A.M.&N. College together as classmates. He had matriculated as the second black graduate of the University of Arkansas Law School and his practice was established in Little Rock/Pine Bluff, Arkansas. We are all familiar with the attempts to integrate Little Rock High School in 1957, the recalcitrant resistance of then Governor Orval Faubus, and the attendant riots and use of U.S. troops to enforce the Federal Court's order. I am proud that in some small way I was able to assist my late friend and colleague during this ordeal.

Since Leaving Delaware

I left Delaware in 1961 to come to Washington, D.C. I accepted the position of Attorney-Advisor to the Solicitor, U.S. Department of Labor, Division of Opinions and Interpretations.

My job entailed: (1) legal oversight of the establishment of the President's Committee on Equal Employment Opportunity (the forerunner of the Commission); (2) the rendering of decisions on wage and hour determinations with respect to federal contracts; (3) the participation in drafting legal documents regarding litigation to outlaw discrimination in government contracting – culminating in the Norfolk Shipbuilding case; (4) decisions on the Federal Unemployment Trust Act and the Fair Labor Standards Act; and (5) the preparation of draft legislation and testimony on sundry matters under the jurisdiction of the U.S. Department of Labor.

One of my proudest achievements was participation in drafting the manpower legislative provisions of the Economic Opportunity Act of 1964. These provisions gave rise to such programs as the Neighborhood Youth Corp. (NYC) and Volunteers in Service to America (VISTA). These programs with their ancillary supports – e.g., Head Start (which grew out of the Act's day care provisions) – yet serve as models for people helping people.

I participated in the planning and coordination of the 1963 March on

Washington where Dr. Martin Luther King delivered his "I Have a Dream" speech. In these years at the Labor Department I also aided, through NAACP affiliation, in arranging bail bonds and hearings for freedom fighters in Selma, Alabama, Sunflower County, Mississippi, and on the Eastern Shore of Maryland. I also participated in arranging bail bonds and the defense of the Lumbee Indians in Lumberton, North Carolina in their struggles with the Ku Klux Klan.

As a result of my legal experience with the Economic Opportunity Act, I was invited to become a part of the United Planning Organization (the Community Action Agency for Washington, D.C. and Fairfax County, Northern Virginia). I first headed its Manpower Division and thereafter became its Deputy Director when my late friend, Wiley A. Branton, Sr., assumed its directorship. From 1965 until 1982 (when I left UPO as its Acting Director) this Agency grew from an annual budget of \$6 million to a budget in excess of \$36 million and some 8,000 direct and delegate agency employees.

I was divorced from my first wife in 1972 and I have the love and companionship of three beautiful daughters (all married and one a lawyer) and one son. I have five grandchildren and one great grandchild. One of my daughters and her family reside in Newark, Delaware. I am remarried, since 1984, to Joyce W. Hollis.

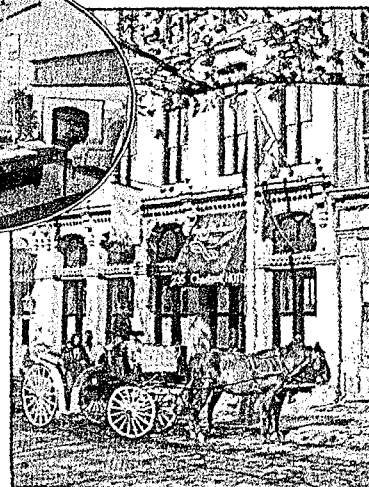
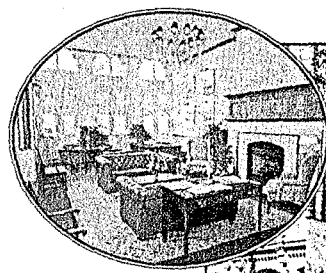
I am currently serving as the Executive Assistant to the Deputy Director, Office of Labor Standards, D.C. Department of Employment Services. This Office has oversight responsibility for the Office of Safety and Health, the Disability (Public Sector) and Workers' (Private Sector) Compensation Programs and the Office of Wage and Hour for the District of Columbia Government.

Conclusion

My Delaware legal experiences have been a constant resource to draw upon in all my endeavors. I frequently visit Delaware to see my daughter and her family, my aunt, Lorraine Hamilton (now 94 years old), my friends - Dr. Hammond Knox and family, Jerry Berkowitz, Esquire, and the other black lawyers who pioneered with me. These days and the years since will long live in my memories. It remains my fervent hope that Delaware will resolve to carry on its rich legal legacy for all. Only then can it truly be called America's Diamond State - its First State. ♦



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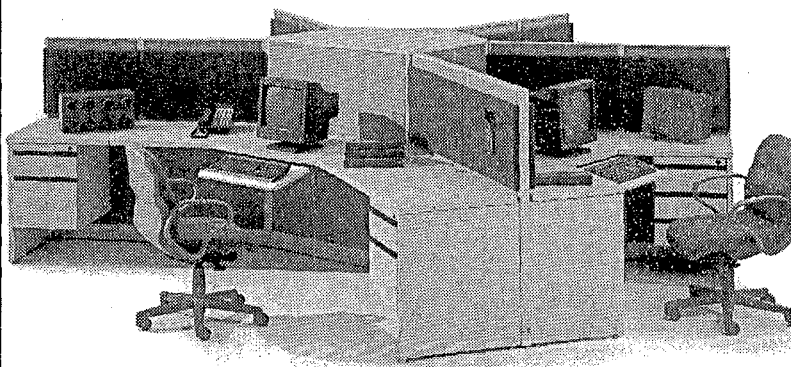
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Sidney J. Clark

THE ROAD TO DELAWARE

I was born on August 1, 1928 in a small town called Wolfe in the southern part of West Virginia. Wolfe is a town of less than 200 people on the West Virginia side of the Virginia border. The town was unusual in many ways. Most of the inhabitants earned their living working for a coal mining company in Pocahontas, Virginia. Unlike the people of Pocahontas, who lived in company-owned houses, the citizens of Wolfe were homeowners. The majority of the citizens of Wolfe were black. There was one church (Baptist), a one room school, and a general store and post office.

I was one of five boys born to Sherman and Elizabeth Clark (the third son). My father was employed outside of the coal mine in Pocahontas. At one time he was the check weighman elected by the local union and responsible for recording the amount of coal each miner loaded.

My first day of school started when I was just five. My grandmother lived in front of the school. One day my mother took me to my grandmother, who only lived a couple of hundred yards from us. I took it upon myself to go into the schoolhouse and asked the teacher why I couldn't go to school. He replied, "Why not?" That was the beginning of my education at the age of five in a one room schoolhouse that went from grades 1 through 5. I skipped grades 1 through 3 and would have skipped grades 3 to 5 but I couldn't spell "tomorrow."

My next experience with school was in a town called Bramwell, which was about four miles from Wolfe. It was a consolidated school covering grades 1 to 12. I stayed there until I completed the 11th grade and then moved to Delaware.

I have pleasant memories of Wolfe. When I was 12 years old I walked several miles to work on a farm for 10 cents an

hour. To earn a dollar I had to work 10 hours. My mother told me if I could get a raise to 12 cents I would only have to work 8 hours. In my negotiation with my employer for a raise I expounded on the hardship my family was experiencing because of an injury my father had suffered. After I finished my speech my employer shifted his snuff stick, spat in a can 15 feet away, and said he didn't have a damn thing to do with my father's getting hurt. If I didn't want the 10 cents I could get off his farm. I went home and protested to my paternal grandmother who expressed little sympathy for me. I complained to my grandmother that the man didn't care about Daddy. She expressed that my family problems were not my boss' concern. From that day I learned that you cannot expect others to solve your problems.

My grandmother was a very remarkable person. She had only one child, my father, but she raised many more children. With only an elementary education she managed to send my father to college. She spent many hours telling us of her family and childhood. One of her favorite stories was about her father. He was a slave. His owner caught him reading, which was impermissible for a slave. He promptly ran away and his owner sent dogs after him. They found the dogs - dead, but never caught my great grandfather.

My grandmother never allowed us to give in to limitations. She taught us that obstacles, whether racial, economic or physical, were just barriers to overcome and, with an application of brains and effort, this was usually possible.

I had my first real job at the age of 14 when I worked at a restaurant in Pocahontas, cleaning up and keeping the beer and soda coolers filled on the weekend. Either child labor laws were not heard of or they were conveniently ignored. The following summer when I turned 15 and was walking along the railroad tracks and saw a group of men working, I asked the



Sidney J. Clark

foreman for a job. I was told to get a social security card – which I did – and a few days later I was a member of a railroad gang making a dollar an hour.

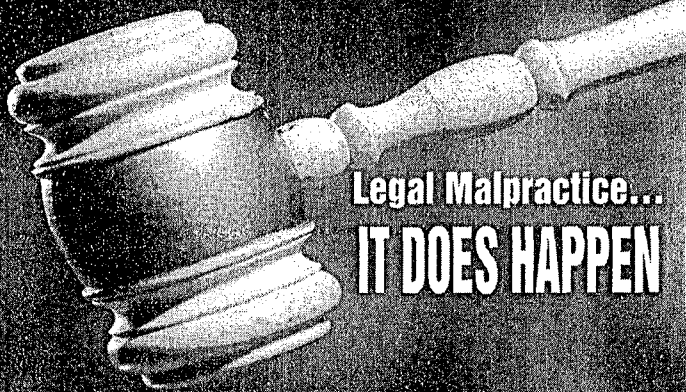
In the summer of 1943 my father moved to Delaware because of his injury. There was no work available for him in the coal region. However, the demands of World War II made work available in defense plants in the North. The following year my mother joined my father. I did not want to move and I asked the superintendent of the mines to hire me. He refused because he wanted me to go to college and he felt that once I started

making good money, I would not follow through on my education.

As a youngster I always dreamed of becoming a lawyer and living a good life like the company officials who lived in Pocahontas. Even though we lived in the South we were not short of ambition. In fact, the town of Wolfe was dominated by blacks. We had the only church, the only school, and the postmaster and owner of the general store were black. The irony of it all was that my best friend was white. We never really discussed our differences until we started talking about college. He was determined to go to a

college in Virginia, which was not accepting blacks at that time.

In June of 1944 my mother, my younger brother and I arrived in Delaware to join my father. The second day I was in Delaware I got a job as a dishwasher. I found the boss a little more oppressive than I had been used to and the following week I answered an ad for a porter at a Market Street drugstore in Wilmington. The manager said I was too small; however, I prevailed upon him to give me a chance, which he did. I worked there until I left for college in September of 1945.



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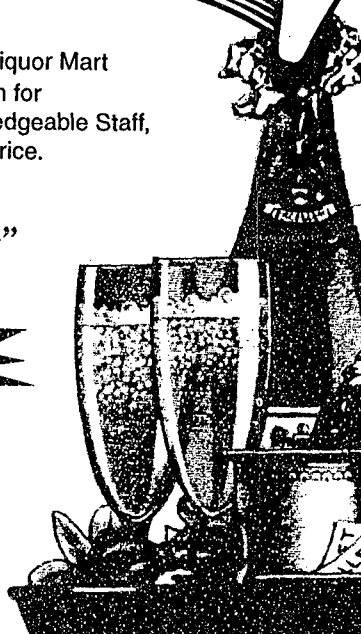
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I started Howard High in September of 1944 and had a very successful school year. It was my introduction to the art of politicking. Even though I was new to the school, I managed to get elected President of the Student Council. My year at Howard finished in style due to a disappointment. My date for the senior prom failed to show. One of my neighbors' daughters was finishing college. Her mother asked her to go to the prom with me, which she did. Having a college graduate as my date enhanced my popularity.

I decided to go to Howard University in Washington. I had been in Washington only once, to change trains when I came to Delaware. I journeyed to Washington with a total of \$100 and an overwhelming desire to get an education. My first year was a moderate success. I worked at several jobs and my

**My most
satisfying task
was to
dismantle a
school district
to equalize
pay for
black and
white teachers.**

political career continued. I was elected to the dormitory council, but I took a severe beating in my effort to become class president.

There were two significant events that took place during that freshman year – waiting tables at an affair President Truman was attending and a long one-on-one conversation with Eleanor Roosevelt when she came to Howard University to attend a meeting of its Trustees.

During the summer of 1945 a group of us from Howard went to Connecticut to work on a tobacco farm. One day in July when a friend of mine was working on the opposite side of my row, we were discussing how to get through school without having to work so hard. In a few minutes we concluded that the GI Bill of Rights was a way out. When we came to the

end of the row we left the fields and went into Hartford to join the military service. (Of course we had to overstate our age.) We were sent to Fort Knox for basic training where we had to make another decision – how to avoid being shipped to the Pacific. The training group was asked for volunteers to be paratroopers. We decided that jumping out of planes was more fun than serving in the heat of the Pacific.

After serving 18 months in the service I came out, worked for a few months and then returned to college. After two quarters, during which I did not get adjusted to college, I decided to go back into the military with the intention of making a career of the service. I was immediately shipped to Germany and after a few months was transferred to Colorado where I attended Air Controllor School. Upon completion I was transferred to Washington, D.C.

Coming back to Washington revived my interest in an education. When I was in Germany I made an attempt to go to West Point, but I did not score high enough on the math section. I started taking evening classes at Howard and one year (1953) after I got out of the service I entered law

school. While in law school I continued my undergraduate studies in the evening and in 1956 I received both my LLB and AB degrees. While I was in law school there was not much encouragement to come back to

**You cannot
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solve
your problems.**

Delaware. Members of the faculty believed that Delaware would not be receptive to a black law graduate. Relying on my grandmother's advice, I came home, took the bar and passed.

The practice of law was good to me. I was well accepted by other members of the bar. The only problem arose when we wanted to eat together. We ran into difficulty in the then segregated restaurants of Wilmington. My first job

was as Assistant City Solicitor, where I worked for four years until I was appointed to the Municipal Court bench. I served as judge for five years and practiced law until my legal demise.*

In looking back on my legal career, if I had to choose my most satisfying task, it would be the dismantling of a school district to allow black teachers to earn the same as white teachers. At that time teacher salaries in black districts and white districts were different. Once a black district was eliminated, all teachers were in the same district and consequently received the same pay. The beauty of the accomplishment was that after a suit was filed, the whole matter was resolved by sincere negotiation on both sides.

This change gave me great satisfaction. It was one of many struggles leading to the goal of equality, which we must continue to pursue. ♦

**Professional misfortune for which Mr. Clark assumes full responsibility ended his career as lawyer and jurist. He hopes that he may eventually be readmitted to practice.*

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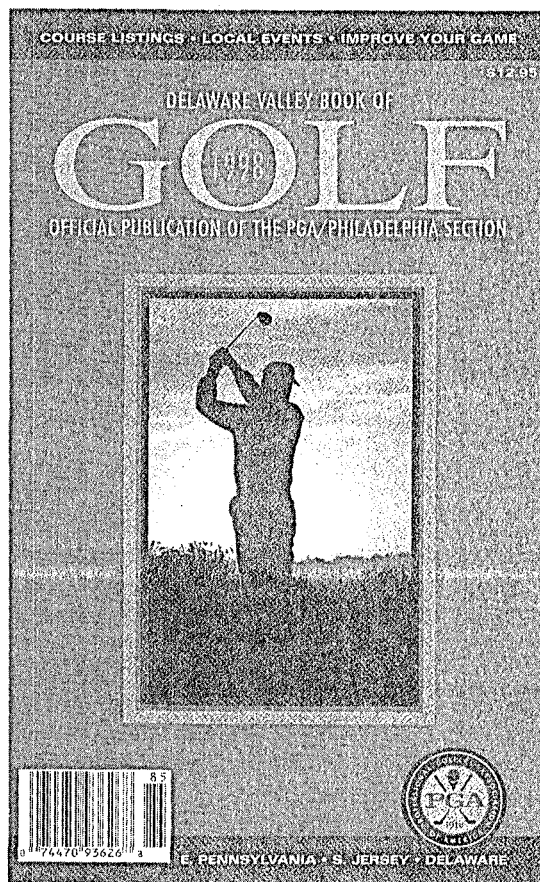
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LEONARD L. WILLIAMS

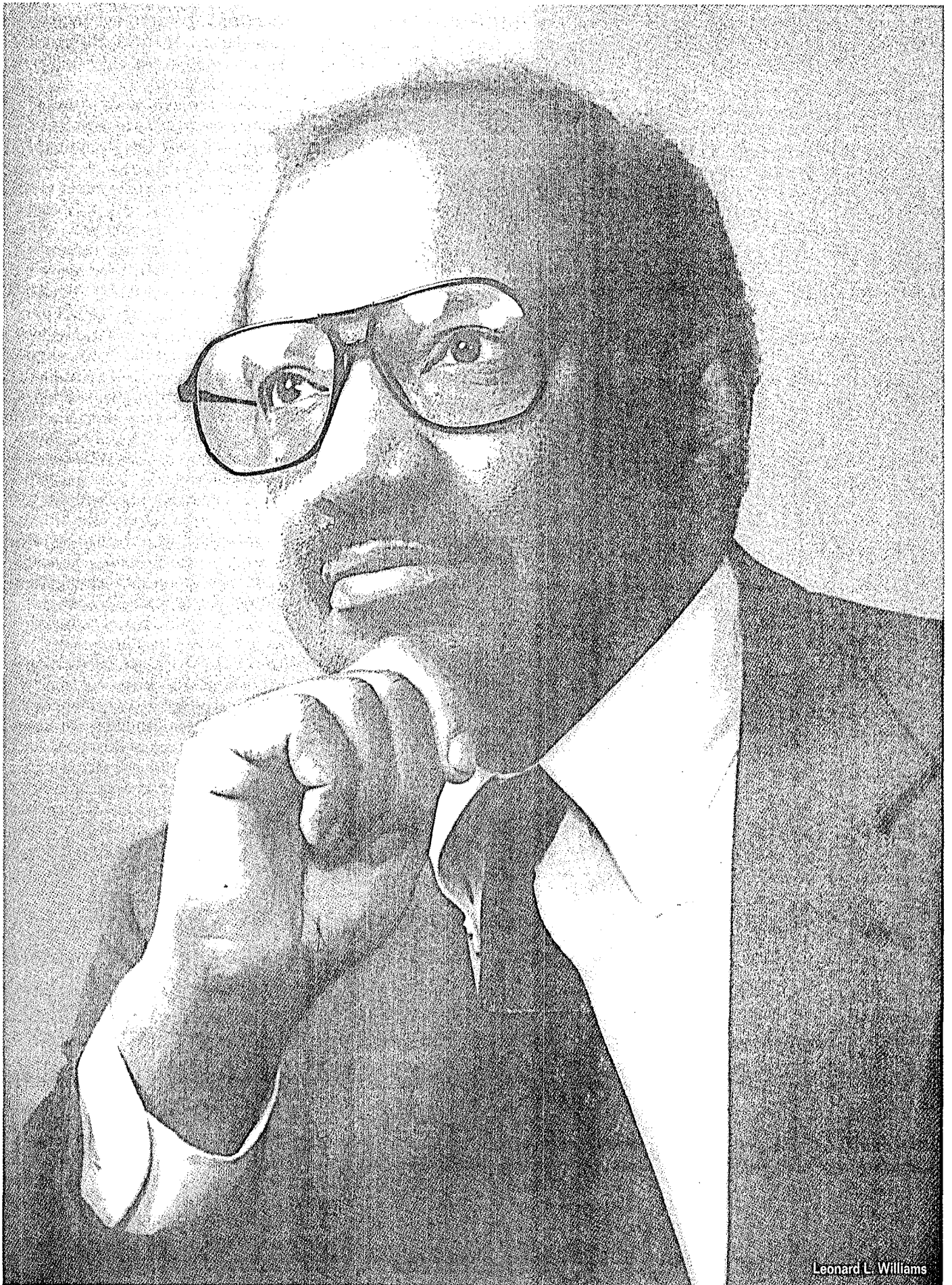
When Louis L. Redding became the first African American to be admitted to practice in the Delaware Bar in 1929, Leonard L. Williams was only four years of age. It would be another 20 years before he would become the fifth member of the African American race to be admitted to the Delaware Bar, and join with Louis L. Redding in the practice of Law. He was born and reared in Wilmington, Delaware. His father owned his own trucking business, and his mother was a homemaker. He was born the third of fifteen children. His parents were staunch and avid church goers, and the family spent many long hours in church every Sunday.

His parents constantly stressed the need for responsibility and achievement. The family ethics of working hard, staying out of trouble and giving back were consistently stressed to all of the Williams children at a very early age. Leonard's work ethic was forged and evident at a very early age. As a youngster, the very first job he held was shining shoes with his own shoe shine box. His father later taught him to hone his entrepreneurial skills, when he worked in his father's business moving and hauling, and selling wood, coal, ice and Christmas trees. He also worked at Rocco's at Fourth and Market Streets.

The Rocco's store work experience gave him his first insight into racism in the criminal justice system. While working as a clerk at the store he witnessed a robbery and was required to appear in Municipal Court. Upon entering the courtroom he was informed that "Coloreds" could not sit on the left side. It was reserved for whites. Many years later, his mentor, Louis L. Redding would fight to eradicate discrimination in public accommodations and courtrooms throughout the state. He would later become a judge, and serve for thirty-two years on the bench, in this very courtroom. His childhood experiences with discrimination were often repeated when he visited many public buildings in the State of Delaware that contained segregated water fountains and bathrooms. The only movie theater in Wilmington which he could attend as a child was the Hopkins. It was African American owned and operated. The Grand, Warner and other downtown theaters were off limits to African Americans.

Leonard's parents strongly believed that education was the key to the family's upward mobility. They realized very early that he was a very gifted scholar, and they insisted that he vigorously pursue his educational studies, and set a positive example for his younger siblings. Seven of his younger brothers and a younger sister earned their Bachelors Degrees. Many of them also went on to secure advanced degrees. In keeping with the family's predisposition for giving back and rendering public service, four of his siblings are currently educators.

Ironically, his early education was obtained in the pre-



Leonard L. Williams

Brown v. Board of Education segregated Wilmington Public School System. He is very proud of the fact that he graduated from Howard High School with honors, and was a member of the Class of 1952. The class was full of bright, competitive, highly motivated and involved individuals. It was a class that also produced some of the state and the nation's most accomplished African American citizens. His teachers at Howard were among the "cream of the crop," many had several advanced degrees, and his science teacher had a PHD. His formative years were spent being active and involved in church activities, sports, the Boy Scouts and various activities at the Walnut Street YMCA. While at Howard High School, he auditioned for and was awarded the part of a lawyer in the class play.

Upon graduating from Howard High School, he applied and was accepted at the University of Delaware. His choice of college was motivated by the fact that he had been offered a football scholarship, the college was close to home, it was small, and because it had few African American students. Mr. Redding had just succeeded in opening the doors of opportunity for African American students at the University.

He originally intended to pursue a career as a civil engineer, but during his Sophomore year he decided to switch his major to pre-law. He lived on campus during his four years at the University, and was usually the only African American male in his dormitory. He worked hard at his studies and made the Dean's List. Leonard found life on campus broadening, and never felt isolated. He was fully integrated in the social life of the University, and the lives of his fellow college students. He still maintains close relationships with his former college roommate and many of his college peers.

The City of Newark was highly segregated in all areas of public accommodation during Leonard's college years. Frequently being offered "special" access to areas of public accommodation which were denied others of his race, and feeling that the acceptance of such "special" privileges and status would be a betrayal of his principles, he would politely refuse.

Considering Georgetown one of the better law schools in the nation, he applied there and was immediately accepted. He loved the competition in the law school. While at Georgetown

he did well in Moot Court. Constitutional Law and Torts were his favorite subject matter. He worked at Legal Aid in Washington, and was privileged to be hired, along with Victor Battaglia, Esquire, to do legal research for Dr. Yaeger, when he revised Williston on Contracts. During law school he worked preparing taxes in the winter months and during the summer months and vacation periods he worked in construction.

He graduated from Georgetown Law School in June of 1959, and took the District of Columbia Bar Examination the following Monday. He was informed that he had passed the Bar Examination in September. After taking the Bar Examination, Leonard returned home to Delaware and began working with his hero, Louis L Redding. Leonard fondly remembers that during his initial meeting with the

**He has
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before him.**

very proper Mr. Redding, he was informed that Mr. Redding preferred to have him called by his proper name of "Leonard", instead of the informal "Lennie" which was widely used by family members and friends.

He was tremendously impressed with Mr. Redding's efforts which had eliminated segregation in education in Delaware, his constant and relentless efforts to address civil rights issues, and his persistence in handling discrimination cases. He speaks with great admiration and pride when he states that, other than his parents, Mr. Redding has had more influence on his life and career than any other individual. Mr. Redding is his hero, mentor, advisor and the person after whom he has patterned his professional life. Mr. Redding's standards were very high and

his motto was "Be prepared, dress appropriately, be respectful and compete at the highest level." His tremendous influence on Leonard is still evident in his practice today.

Leonard was immediately thrust into the complex arena of the legal profession.

In July he took the Delaware bar examination. On December 14, 1959 he became the fifth African American to be admitted to the Delaware Bar. It would be another thirteen years before the Delaware Bar would admit another member of African American descent. Leonard dug in immediately with Mr. Redding, spending many long hours working diligently by his side. He does not particularly remember his first legal case. His initiation into Mr. Redding's practice was immediate, and within a very short time they were in the Supreme Court of the United States arguing *Burton v. The Wilmington Parking Authority*.

It was important to Leonard that he not be perceived merely as a "Black attorney" who would only handle criminal cases. Mr. Redding reluctantly held the perception that white juries would not give fair and adequate monetary awards to African American plaintiffs and attorneys, and he preferred to handle other civil matters, constitutional and civil rights litigation and criminal cases. He had great confidence in Leonard's skills in handling civil matters and personal injury litigation, and was impressed with his ability to continually secure ever increasing monetary awards for their clients. He permitted him to specialize in handling most of the personal injury cases for the firm, and that practice continued until Mr. Redding's retirement.

The socioeconomic status of many of their clients frequently required them to render client service above and beyond what was traditionally expected of their white counterparts. Confronted with numerous criminal and civil cases that cried out for justice they often performed their legal services free of charge. It was not unusual for them to lend their clients, many of whom came from all parts of the state, money to pay for food, clothing and lodging.

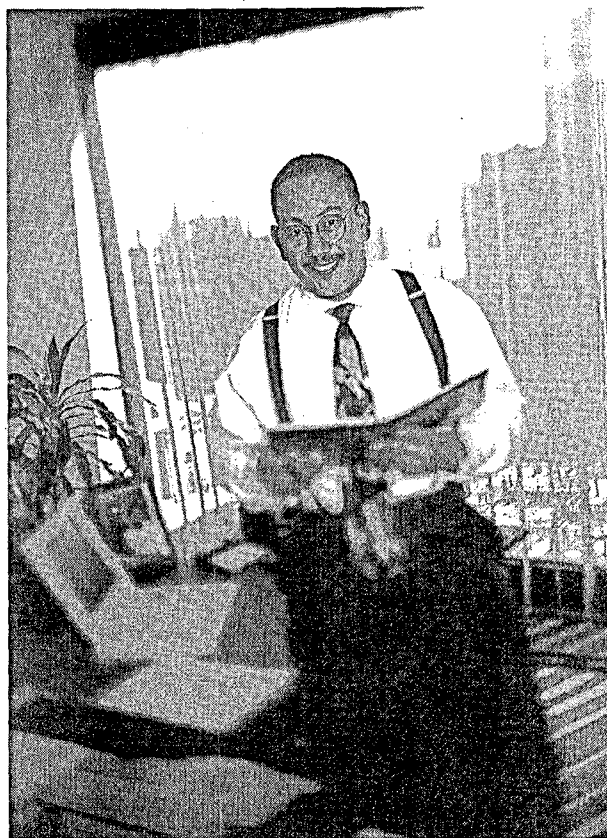
Early in his legal career, Leonard was a part-time Assistant City Solicitor for the Municipal Court in Wilmington. He later served as the Chief Prosecuting Attorney for that Court. In May of 1966 he was appointed as an Associate

Judge of the Municipal Court. The appointment was made at a time when all of the Municipal Court and Court of Common Pleas Judges held part-time positions.

Though he had earned and commanded the respect of white attorneys as a civil litigator and as a jurist in Municipal Court, there were occasions, during his early years on the bench, when that respect had to be demanded. During those years on the bench he frequently found it necessary to admonish prosecutors and policemen alike who would address African American females by their first names. The custom with white females was to address them by Miss or Mrs. Judge Williams also worked during those years to eliminate police brutality, which was frequently encountered by African American defendants. On numerous occasions it was necessary to adjudicate cases in which defendants had been victimized by the very police officers who had charged them with criminal offenses. He attributes those incidents to the prevalent social climate, and the lack of adequate training for the young white police officers who appeared before him during those days. He sees very few of those cases appearing before him today.

He takes his responsibility as a jurist very seriously. He perceives his role as a judge to be that of a fair and reasonable arbiter, and role model to youth and other African Americans. He frequently utilizes his judicial time to relate to and lecture individuals, whom he feels he can impact from the bench, about the need for change. He has used his judicial position to provide a fair and level playing field for all litigants and defendants appearing before him.

One of the most challenging periods of Judge Williams' judicial and legal career came in the periods during and immediately following the civil disturbances of the 1960's. He was a judge in the Municipal Court, and it became readily apparent that none of the black defendants who were being charged with criminal violations, which had resulted from the civil disturbances, were appearing in his courtroom for adjudication. An investigation revealed that the Police Department and prosecutors, who were upset by his attempts to keep the system impartial, equitable and honest, were deliberately attempting to route



Luigi Ciuffetelli

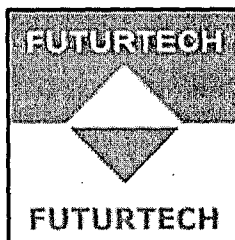
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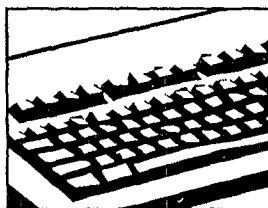
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those cases to the white judges on the bench. This practice was eliminated immediately.

During that period, he was also serving as one of the prominent African American spokesmen for the many issues that arose within the community. Despite the fact that his personal relationship with Governor Terry was amiable, he found it necessary to publicly criticize Governor Terry for the extended period of time during which he maintained National Guard Troops in Wilmington. That criticism was thought to have cost him a nomination to the Superior Court bench. Mr. Redding continually expressed his support and admiration for Leonard's courage and the manner in which he publicly addressed the issues impacting the African American community.

Judge Williams feels that his most difficult case in private practice was the Toppin Case. He had to try the case three times, and the case was appealed to the Delaware Supreme Court. The case involved an African American female who was hit by a speeding automobile driven by a Dover policeman. One of the retrials of the case was necessitated by white jury prejudice. It had been rumored and it mistakenly appeared to the white jurors in the case that Judge Williams' wife was a white woman. That rumor and mistaken belief had influenced and led the jurors to discriminate and vote against Ms. Toppin, who was his client. The verdict was originally overturned because of the jury's discrimination. When the case was finally decided, Ms. Toppin received a half million-dollars including interest.

Another memorable and precedent setting case in which he was involved was *Harmon v. Eudaily*. The case involved a traumatic birth delivery injury. The defendant had left the state of Delaware. Judge Robert O'Hara ruled that the recently enacted Delaware Long Arm Statute applied in the case, and further that the Statute could be applied retroactively. The case resulted in the plaintiff being awarded a multi-million dollar settlement.

Judge Williams' dedication and commitment to giving back to the community is legendary. He was passed the torch by Mr. Redding and has never failed to meet the persistent challenges confronting him and the African American community in the State of

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Delaware. He has had extensive experience working with Civil Rights litigation, and has served as counsel for individuals and Civil Rights organizations in the areas of housing, employment, public accommodations and education. He has also been very active in handling real estate and business matters for many churches, developers, realtors and other non-profit groups. He is also a founder of Community Housing, Inc., formerly Greater Wilmington Housing, Inc., a non-profit developer that has developed more than 2,000 units of low and moderate income rental and sales properties in the greater Wilmington area.

Judge Williams' community and civic involvements have always been aimed at improving the status of African Americans and other disenfranchised individuals. He is a local cooperating attorney for the Legal Defense Fund, Inc. He also serves as a member on or provides counsel to several local and national community organizations. A few of the community organizations which he has and continues to serve include Peoples Settlement Association, the Walnut Street Branch of the YWCA, the Wilmington Branch of the NAACP, the Delaware State Conference of Branches of the NAACP, Community Housing, Inc., the National Welfare Rights Council, the Layton Home, the Coalition to Save Our Children, and the Howard P.S. Athletic Association which he helped found. He has received numerous honors, citations, awards and accolades for his efforts on behalf of fellow citizens. Professionally, Judge Williams currently holds membership in the Delaware, District of Columbia, American and National Bar Associations, and the American and Delaware Trial Lawyers Associations.

Judge Williams has also instilled a strong sense of family and work ethics within his children. He is the proud father of three children. Leonard L., Jr., his oldest child, is a painting contractor who holds a Real Estate License. Dena, his second child, recently resigned her position as a Senior Executive Vice-President of MBNA Bank to take a position as a Vice-President of the largest bank in South Africa. She will be moving to Johannesburg, South Africa soon. Her father views her career mobility with mixed emotions, while he is excited about her career progress and departure, he also tends to be apprehensive



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about the distance her move will place between them. His youngest child, Garrett is an attorney who practices with a law firm in Baltimore, Maryland.

Judge Williams feels that the real work in the legal profession is in the trenches, assisting minorities and the less fortunate. He would like to see more African Americans engaged in the practice of law at the grass roots level. It is his fervent wish that the newer and younger African American members of the profession will become more involved and act with commitment and vigor resolving those issues, which are negatively affecting the community. He feels that Mr. Redding has trod the path and passed that torch on to all who followed. He further feels that the legacy demands no less responsibility from all who enter the profession. He has been a role model and instrumental in the legal careers of many of the younger African American members of the Bar, and he hopes that he has imbued the others with an understanding of the need to be committed to applying their talents and skills to enhance the quality of life for others.

Judge Williams continues to maintain his relationship with Louis L. Redding and his family. He visits Mr. Redding at the Nursing Home in Lima, Pennsylvania three or four times a year. He uses three words to indicate his intense feelings for Mr. Redding: "I love him."

As he began his career working for Mr. Redding, he will end his career in an endeavor to make the Redding family home a Museum, and to award scholarships in the name of the Redding family. He is the Chairman and a member of the Board of Directors of two non-profit corporations, the Redding House Foundation, Inc. and the Redding Family Scholarship Fund, Inc. Working with the other Board members, who include members of the Redding family, and many other individuals and community resources, the Foundation intends to restore and maintain the Redding Family Home as a memorial, and in commemoration of the entire Redding Family. The Scholarship Fund has been endowed with fifty thousand dollars, and it will be used to provide educational financial assistance for minorities and low income individuals. He plans to continue working on both Projects well into retirement ♦

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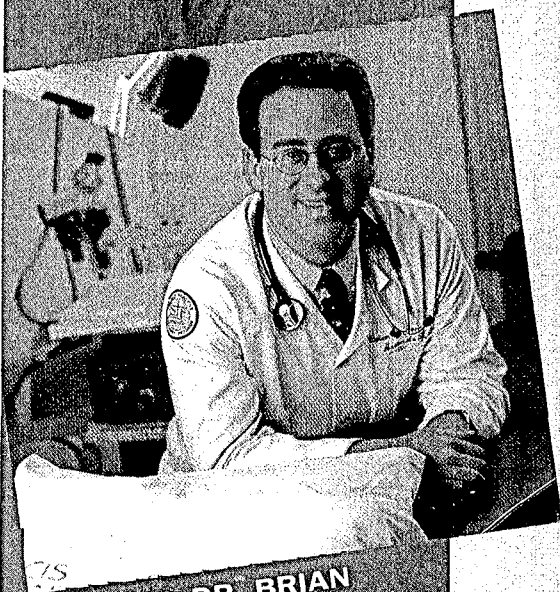
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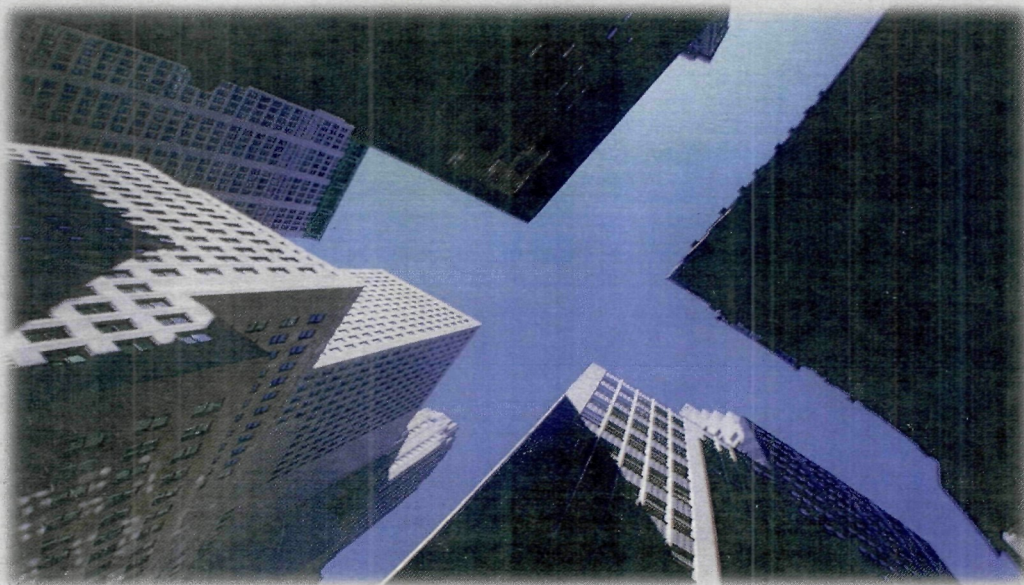
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