

Michigan Lawyers in History

Henry H. Tarrant

By Carrie Sharlow



The state of Michigan was built by the lumber and auto industries, agriculture, and the lawyers who lived, studied, and practiced here. The articles in this occasional series highlight some of those lawyers and judges and their continuing influence on this great state.

Over the course of 20 days in June 1900, Thomas F. Kendrick, an enumerator for the federal census, recorded the residents of the Vernon Precinct of Dallas County, Alabama. The 30-page section covered 307 families; logged on Line 83 of Sheet Number B-9 was a member of Family 201, Henry Tarrant.¹

In many ways, this census offers a brief glimpse into the Jim Crow Deep South. More than 300 families were logged, and 97 percent of those were African American. Of those families, only 2 percent owned their homes; the rest were renting. In comparison, five of the nine white families counted in that census owned homes. The African Americans were servants, farm laborers, and cooks. The vast majority are recorded as illiterate. In fact, the only children recorded as being “at school” six months out of the year were white.² Some African-American children were in school for three months, but they were few and far between.³

This was the world Henry Hood Tarrant was born into on April 10, 1892.⁴ He was the second of Mack and Charlotte Tarrant’s children, bookended by William and Montgomery O’Neal.⁵ The Tarrants valued edu-

cation, and a lack of educational opportunities may have inspired their eventual decision to move north.⁶ Or their decision may have been precipitated by something more threatening: Dallas County ranked second among Alabama counties for lynchings between 1877 and 1950.⁷

By 1919, after Henry was released from his military service in World War I, the Tarrants were in Detroit.⁸ It was definitely a step up from Alabama. Within a year, the family owned their home on 28th Street, Mack was working as a janitor, and Henry was working as a post office clerk while attending law school.⁹

Henry’s decision to pursue a legal career wasn’t exactly commonplace. When the *Michigan Manual of Freedmen’s Progress* took stock of the state’s African-American professionals in 1915, there were only 98 professionals, and fewer than 20 were attorneys.¹⁰ And even as the number of African-American attorneys increased, the respect they were afforded did not.¹¹ Henry would have heard of attorneys unable to rent offices “in the business district of Detroit” because of racial discrimination¹² and others flatly disrespected in court.¹³ Undeterred, Henry went into the law, choosing a university that had never

graduated an African-American student. In 1922, he graduated from the Jesuit University of Detroit Law School¹⁴ and passed the bar exam the following year.¹⁵

As Henry settled into the legal world, he joined several associations specifically geared toward the increasing population of African-American attorneys. These organizations provided him and others with an invaluable community of individuals facing the same trials and breaking the same barriers. When Black Detroit-area attorneys were denied membership in the local bar association, they formed their own: the Harlan Law Club.¹⁶ And when Black attorneys across the country were denied membership in national legal organizations, they founded the National Bar Association (NBA).¹⁷ Henry became involved in both. In fact, when the NBA held its meeting in Detroit and was hosted by the Harlan Law Club, attorneys coming into town were directed to contact Henry about housing accommodations.¹⁸

During the ’20s and ’30s, Henry kept busy. While in law school, he married Ernestine Fountain; the couple had six children between 1920 and 1930. He ran for public office—both at the state and national levels—and wrote local officials in support

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of legislation.¹⁹ Professionally, he handled all sorts of cases, including divorces,²⁰ with frequent postings in the “Legal Notices” section of the *Detroit Tribune*.²¹

Henry appeared to be on a path to success when life-changing events intervened. In 1928, his five-month-old son died.²² By 1935, he and his wife were separated; Henry lived at a boarding house by himself²³ and his wife lived with their children.²⁴ Their divorce would be final after World War II.²⁵ By then, Henry had been disbarred from the practice of law for reasons unknown to the author.²⁶

Henry’s story might have ended there, except that nearly 100 years after he first entered law school, he was honored at a remarkable portrait dedication ceremony acknowledging his status as the “first African-American graduate of the University of Detroit Mercy School of Law.” And now Henry—that 10-year-old Black male recorded on Line 83 of Sheet Number B-9 of the census record for Vernon Precinct of Dallas County, Alabama, who no one would have guessed would finish school, let alone graduate from college and become an attorney, or be a point of contact for a national legal association dedicated to African-American attorneys, or become the law partner of an internationally famous attorney²⁷—forever adorns the halls of his alma mater. ■

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Special thanks to Professor Patrick Meyer for assistance with review.

ENDNOTES

1. 1900 US Census, Vernon Precinct, Dallas County, Alabama, Enumeration District 0032, p 9, FHL Microfilm 1240013 (accessed August 14, 2020).
2. *Id.* at 6.
3. *Id.* at 1. There were half a dozen African-American children in school three months.
4. 1917–1918 US World War I Draft Registration Cards, Jefferson County, Alabama, Draft Board 5, Roll 1509358 (accessed August 14, 2020).
5. 1900 US Census at 9.
6. Henry and his younger brother, Montgomery O’Neal, are recorded as attending higher education institutions. Montgomery attended both Selma University and Florida Memorial College.
7. *Lynching in America: Confronting the Legacy of Racial Terror* (3rd Ed), Equal Justice Initiative, p 1, available at <<https://lynchinginamerica.eji.org/report/>> [<https://perma.cc/69UD-G2TJ>]. All websites cited in this article were accessed August 14, 2020.
8. Michigan, Marriage Records, 1867–1952, Mich Dep’t of Community Health, Div of Vital Records and Health Statistics, Film 148 (1919 Wayne–1920 Benzie); 1920 US Census, Detroit Ward 14, Wayne, Michigan, Enumeration District 432, Michigan Roll T625_813, p 7A; and 1850–2010 BIRLS Death File, US Dep’t of Veterans Affairs, Provo, Utah (accessed August 14, 2020).
9. 1920 US Census.
10. Littlejohn & Hobson, *Black Lawyers, Law Practice, and Bar Associations—1844 to 1970: A Michigan History* (Detroit: Wolverine Bar Ass’n), p 15.
11. *Id.* at 17.
12. *Id.* at 15.
13. *Id.* at 18.
14. Now known as the University of Detroit Mercy School of Law.
15. *119 Pass Tests For State Bar: More Than Half of Large Law Class Among Successful Candidates*, Detroit Free Press (September 25, 1923), p 1.
16. *Wolverine Bar History*, Wolverine Bar Ass’n <<https://wolverinebar.org/about-the-wba/about-us/>> [<https://perma.cc/D8RG-VL34>].
17. History of the NBA, National Bar Ass’n <<https://www.nationalbar.org/NBAR/about/history/NBAR/content/history.aspx?hkey=dc876c1f-5004-418b-a8c9-25cee1c69668>> [<https://perma.cc/DZM3-HM2B>].
18. *Bar Association Plans Completed*, The Pittsburgh Courier (July 20, 1929), p 3.
19. *Condemnation Bill Favored*, Detroit Times (September 8, 1926), p 14.
20. *Legal Notices*, Detroit Tribune (July 29, 1933), p 3 and *Legal Notices*, The Tribune Independent (May 5, 1934), p 7.
21. *Legal Notices*, Detroit Tribune (July 29, 1933), p 3; *Legal Notices*, Detroit Tribune (August 5, 1933), p 3; *Legal Notices*, Detroit Tribune (August 12, 1933), p 3; *Legal Notices*, Detroit Tribune (August 19, 1933), p 3; *Legal Notices*, Detroit Tribune (September 2, 1933), p 3; *Legal Notices*, Detroit Tribune (September 9, 1933), p 3; and *Legal Notices*, The Tribune Independent (May 5, 1934), p 7.
22. Certificate of Death, Erwin Tarrant, Register No. 14787, Div of Vital Statistics, Mich Dep’t of Health (Wayne County, November 15, 1928).
23. 1940 US Census, Detroit Ward 5, Wayne, Michigan, Enumeration District 84-188, Page 81A, Roll m+0627-01846 (accessed August 14, 2020).
24. 1940 US Census, Detroit Ward 14, Wayne, Michigan, Enumeration District 542, Page 8B, Roll m+0627-01863 (accessed August 14, 2020).
25. Michigan, Divorce Records, 1897–1952, Div for Vital Records and Health Statistics, Mich Dep’t of Community Health (accessed August 14, 2020).
26. *Disbarments, Suspensions and Resignations from the State Bar of Michigan from January 1, 1936 to June 15, 1942*, 21 Mich St B J (May 1942), p 179.
27. This was Charles H. Mahoney, who eventually became the first African-American delegate to the United Nations. *Obituaries: C.H. Mahoney, Ex-Aide at UN*, Detroit Free Press (January 31, 1966), p 8-B.



Portrait painted by Richard Lewis

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