

# “The Shot That Was Heard in Nearly Two Million Negro Homes”: The 1934 Murder of William Alexander Scott

BY THOMAS AIELLO

According to veteran journalists, W.A. Scott was a simpleton. He had been a hosiery salesman, a brush salesman, and an umbrella salesman. After a stint as a railroad mail clerk, he had tried his hand at publishing city directories in Jacksonville. He had come to Atlanta in 1928 to try it again. Over the next six years, he would become the South's most influential black newspaper publisher. His success would earn him many enemies, but he considered them a necessary byproduct of ambition. On January 30, 1934, however, one of those enemies murdered him. A writer in his newspaper syndicate, I.P. Reynolds, would later call it “the shot that was heard in nearly two million Negro homes.”<sup>1</sup>

Scott's murder was never solved. There were, however, suspects and a series of potential motivations that may have driven someone to kill the newspaperman. The murder, those motivations, and the far-reaching aftermath of both demonstrate the complex web of relationships and interests in Atlanta's black upper class, and the volatility of those connections—particularly demonstrable in the competition between successful black businesspeople. In the Scott case that competition could have been deadly, abetted by a criminal justice system that only concerned itself with black crime when it interfered with, or posed threats to, white interests. Such a system left black victims without justice, devalued black lives, and frequently ensured that perpetrators

---

Left: William Alexander Scott, founder of the *Atlanta Daily World*, was one of the city's most prominent businessmen and one of the South's most prominent journalists. *Courtesy of the Atlanta Daily World.*

of violent crimes would escape criminal prosecution, even in cases of murder. This lack of official concern could have made business competition among black Atlantans far more vicious than it might have otherwise been. While we may never definitely know who killed Scott or why, the circumstances surrounding his assassination and how the criminal justice system handled his murder provide lenses through which we can observe the limits white supremacy placed on the aspirations of black business people, and the ways in which Georgia's legal system was complicit in the the subordination of African Americans.

William Alexander Scott Jr., was born on September 1, 1902 in Edwards, Mississippi. He first arrived in Atlanta in 1925 to attend Morehouse College, where he was quarterback of the football team and a star on the debate team. After graduation, Scott moved to Birmingham, then to Jacksonville, where he noticed a lack of cohesion among the black entrepreneurs of the city. So he published the *City Business Directory of Negro Enterprises*. His success with the project led him to return to Atlanta to try the same thing.<sup>2</sup> In the summer of 1928, Scott approached editor Ric Roberts at the Yates and Milton Drug Store in the Odd Fellows building on Auburn Avenue. The normally brooding Scott seemed happy. "Say, Ric," he said, "I'm going to print a newspaper. Ben Davis' *Independent* seems on the downgrade. The time is ripe for a paper in this town." Benjamin Davis was a powerful figure in black Atlanta, the publisher of the community's largest newspaper, the *Atlanta Independent*. Davis also had a reputation as someone not to be crossed. Roberts was concerned about Davis, but he was also concerned about the cost of the venture; Scott, however, seemed unfazed. "I don't need a lot of money," he said. "Now you make me up some headings and things and I'll pay you just as soon as possible." That night, Roberts set the masthead for the *Atlanta World*. Within two weeks, the first edition appeared.<sup>3</sup>

"In this field his alchemy has confused and irritated many of those who considered him an upstart," explained Roberts. With the help of his brother Cornelius (known as C.A.), W.A. began his small four-page weekly in August 1928. In 1931, he founded the Southern Newspaper Syndicate, which included papers like the *Chattanooga Tribune*, *Birmingham World*, and *Memphis World*. In March 1932, the *Atlanta World* became a daily. When the Syndicate's reach began to expand beyond the bounds of the South in 1933, Scott changed its name to the Scott Newspaper Syndicate. "Five years ago he was an obscure hosiery salesman in Atlanta with no experience in or training for the publishing game," wrote—with a fitting sense of wonder—the *New York Amsterdam News's* J.C. Chunn. "At the time of his death he was the publisher of the only Negro daily in

the country and the head of a syndicate." That syndicate owned one daily, two semi-weeklies, and printed more than fifty other weekly papers that blanketed the South and parts of the Midwest.<sup>4</sup>

Scott's rapid rise and his stunning business success would play a significant role in his murder and how the criminal justice system handled it. The roots of that system lay in slavery. Slaves' status as valuable property led masters to protect them from random acts of white violence and to provide legal protections for them in court; the execution of a slave represented the loss of thousands of dollars (tens of thousands in today's currency). Furthermore, slaves were not imprisoned because confinement would deprive owners of their labor. From the start then, the criminal justice system served the interests of slavery and white supremacy. The system would continue to do so after the Civil War. Individual blacks were no longer of value to individual whites, but black labor was essential to the prosperity of the South, as it had always been.

This changed dynamic in the southern political economy meant that violence could be visited upon blacks with little interference from the criminal justice system, leading to a period of lynching and mob violence that was—and remains—unrivaled in American history. As W. Fitzhugh Brundage has determined, Georgia witnessed 458 lynchings between 1880 and 1930, with mob killings happening in 119 of 159 Georgia counties. The broader South witnessed almost four thousand more. Black economic success was a reason for murder, as was conviction for crimes, but by far the most common reason was the supposed threat black men posed to the virtue of white women through rape and sexual assault.<sup>5</sup> Rarely were whites charged or convicted for these crimes, even when the identities of the perpetrators were known to law enforcement authorities—indeed, sheriffs and police officers were often members of the mobs. This indifference to black lives would persist in the South for most of the twentieth century.

In addition to not protecting black lives and property, the criminal justice system also sought to reestablish labor control lost with the end of slavery. Legislators instituted the convict lease system to meet this goal.<sup>6</sup> It was a system started just after the Civil War. The state signed lease contracts with up to seven different major corporations in the state, each taking a share of leased convicts—the vast majority of them black. Coming as it did on the heels of emancipation, there was no doubt that the objective in Georgia, as it was in each of the former Confederate states, was to re-impose a version of slavery on the black population, one in which blacks constituted a class of

dependent and subordinate labor without civil or political rights. To facilitate arrests, local governments passed laws against public drunkenness, gambling, vagrancy, and “improper conduct.”

Without the motive of generational investment that came with slave ownership, the new “masters” could be as brutal as they wanted to be—without consequence. According to the historian Matthew Mancini, “Georgia is where it [the convict lease system] achieved the status of a Weberian ‘ideal type,’” exemplary of the extraordinary violence and dehumanization of the system. “The lease system of convict labor,” wrote E. C. Wines in 1880, “seems to be carried to its last limit—its *ultima thule*—in Georgia.” Denied adequate food and medical care, and worked for incredibly long hours, prisoners faced a brutal existence. Sixteen prisoners died in the system’s first year in 1868, and the number only continued to rise as time went on. According to official reports, more than sixteen hundred leased convicts died in custody, a number surely underreported. (Almost twelve hundred more “escaped.”) This new version of slavery lasted until reform measures in 1908 moved Governor Hoke Smith to end the practice. Convict labor’s change to the state-sponsored chain gang was small consolation, generating sensational exposés of virulent brutality in works like Robert Burns’s *I Am a Fugitive from a Georgia Chain Gang!* in 1932, two years prior to Scott’s murder.<sup>7</sup>

For whites, criminality was in the nature of African peoples. Sociologists like Herbert Spencer and William Graham Sumner drew on a misinterpretation of Darwinian evolutionary theory to argue that modern industrial societies mirrored life in the animal kingdom. The principle of “survival of the fittest,” they wrongly argued, meant that because Europeans were the most prosperous and the most spread out of the earth’s human population, they were the “fittest” for life in civilized society. It was a narrative, notes the historian Talitha LeFlouria, that “refused socioeconomic or even psychological duress as a credible factor in eliciting violent and nonviolent criminal behaviors.” Instead, black crime “was cast as an irredeemable race trait.” White thinkers from the Italian criminologist Cesare Lombroso to the Alabama physician Josiah Nott championed the kind of pseudoscience that propped up such theories and led to “the belief that blacks were an infantilized and separate species.”<sup>8</sup>

Atlanta, of course, was home in much of the early century to W.E.B. Du Bois, one of the founders of a more scientific sociology. Du Bois could see such problems playing out in front of him. “If my own city of Atlanta had offered it to-day the choice between 500 Negro college graduates—forceful, busy, ambitious men of property and

self-respect," he argued, "and 500 black cringing vagrants and criminals, the popular vote in favor of the criminals would be simply overwhelming. Why? Because they want Negro crime? No, not that they fear Negro crime less, but that they fear Negro ambition and success more. They can deal with crime by chain gang and lynch law, or at least they think they can, but the South can conceive neither machinery nor place for the educated, self-reliant, self-assertive black man."<sup>9</sup>

In contrast to the racial uplift ideology and the politics of respectability embraced by the black upper class, Scott's *World* covered black crime extensively (as would so many of its member papers), using lurid stories to draw in readers. It justified the practice by arguing that the *World* would not play simply to the elite, but would report on matters affecting all black citizens. White papers never reported black-on-black crime, and the *World* understood that its readers wanted to know about it.<sup>10</sup> The *World*, however, was also inherently concerned about the causes and consequences of such crimes. In January 1932, the paper argued that without equal justice before the law, "a new respect for the rights of others," and blacks learning through education to keep their heads "where a murder might result, Dixie will continue to lead the nation in homicides and the intra-race murder rate of Negroes will far out-strip the annual lynching toll." It tempered such broader esoteric critiques with entreaties for better police treatment and more moral actions by the black community. The paper called for better jail facilities, for legalizing the "numbers," and for black policemen to patrol black areas of the city.<sup>11</sup>

In nearby North Carolina, two rape self-defense cases in the first half of 1934 demonstrated the differing ways that southern criminal justice systems valued black and white lives. In February, Viola Samuels killed Henry Johnson and wounded his partner when she shot Johnson as he attempted to drag her from her house. All three participants in the incident were black, and Samuels was never charged with a crime, as police determined that her action was clearly in self-defense. Beatrice Glover, however, also shot her attempted rapist. She did not kill him, but because he was white, Glover was sentenced to the state penitentiary in Raleigh. The North Carolina NAACP and a variety of citizens groups had to mobilize to petition the governor and the commissioner of pardons for her release.<sup>12</sup> This verdict was a reminder of the vulnerability of black women to sexual violence, and the ways in which southern criminal justice systems devalued black lives and interests.

“There are more wholesale murders going on in the South than in any other part of the country,” explained a *Ft. Worth Mind* editorial syndicated in the *Atlanta Daily World*. “The entire fault lies in the COURTS of the land. Any Negro can kill another Negro and, with the sum of fifty or one hundred dollars and the swearing to an audacious lie which will never be legally proven or disproven, be freed in the next two or three hours; yet, when he is caught practicing the art of stealing from some white person, which was taught and instilled into him by the whites, he is sentenced to twenty years in the penitentiary.”<sup>13</sup> Black-on-black murders were not given proper attention by local law enforcement, the paper argued, allowing the flimsiest lie to free a killer. But even minor crimes against white people were over-aggressively prosecuted, destroying the life of the would-be assailant. The *World* reprinted the story because the same was true in Atlanta. The same was also true across the South. Crime against black victims was often treated as insignificant by white southern law enforcement, which lessened the stakes for would-be criminals and made violence a more likely result of disagreements. All black citizens in Atlanta (even those with money and respectability) were marginalized by race and the segregated society that attended white southern bigotry, and that bigotry produced an indifferent and lenient criminal justice system when it came to black-on-black homicide.

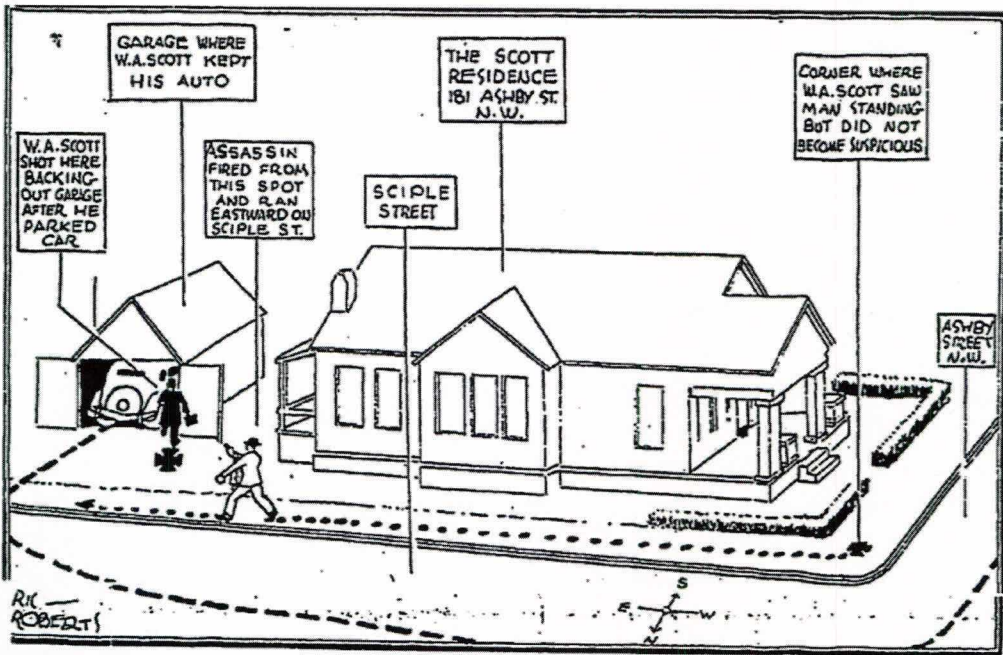
W.A. Scott’s ability to maneuver through the labyrinthine system of deference and restriction that constituted Jim Crow Atlanta—particularly as a new money upstart in an old money town—created conflict and rivalry. So did his personal life. He married his first wife, Lucile McAlister, in 1922, and had two children with her. In 1929, he married his second wife. In 1931, he married his third, who lived with him for roughly eighteen months before he suggested she go to Reno for a divorce—because he was planning to marry his secretary, Agnes Maddox. The couple married in October 1933.<sup>14</sup>

Scott’s string of marriages and divorces was scandalous. He had received several threatening letters from the family of his fourth wife in the weeks before his shooting. The Maddox family was understandably shocked and upset by the marriage, their new relative’s fourth in eleven years.<sup>15</sup> The couple, however, stayed several days at the Maddox home after their honeymoon. There Scott apparently reconciled with his wife’s family and seemed to have successfully smoothed things over with almost all of the Maddoxes. The one member of the family not present for the dinner, however, was Agnes’s brother George, who had lived in Chicago for the previous two years.

He arrived back in Atlanta on the morning of January 30, 1934, the day Scott was attacked.<sup>16</sup>

That night, W.A. Scott was coming home late again. It was just after 10:15 p.m. when he turned into the garage at his house at 181 Ashby St. He parked the car and left the garage, planning to enter his house and rest after another in a long line of long days. But he never made it. A gunman wearing a dark overcoat was lying in wait, hiding behind the back porch of Scott's house. He shot his victim three or four times, hitting him in the hip and back, before fleeing through the garden. The attack on that cold January night was brief, and left Scott fearing a second assault as the ambulance came to take him to Harris Memorial Hospital, the first private hospital in Atlanta that served African Americans.<sup>17</sup>

**ARTIST'S DRAWING OF THE FATAL SHOOTING OF W. A. SCOTT**



The *Atlanta Daily World's* Ric Roberts published a diagram of the murder to help readers visualize the act and its location. *Atlanta Daily World*, February 11, 1934.



While attending Scott early in his convalescence, Charles Powell, the hospital's founder, received a mysterious letter with a crudely drawn picture of a pistol in one corner. Powell described the letter as saying, in part, "This forty-five will get you. We notified Scott a month ago and he was hard-headed. Hard-headedness is dangerous for you, also. Don't get yourself in trouble for nothing or it will be dangerous for you, also. You took Scott in the hospital too soon."<sup>18</sup> That kind of intimidation affected Scott as well. Through the last week of his life, he demonstrated a near constant paranoia about the possibility that someone would arrive to finish him off. That being the case, he requested a move to MacVicar Hospital at Spelman College. It was there, under the watchful eye of the Spelman nurses, that Scott died, leaving a will, a mystery, and a confused and hurting family.<sup>19</sup>

Scott's will was a strange document. Created and signed the day prior to his death, it began by disposing of "the Atlanta World and all of its subsidiaries and assets." Twenty percent went to his brother C.A. Scott, who was also named in the will as "the General Manager for all my newspaper businesses."<sup>20</sup> Twenty percent went to Scott's mother. He then listed his other brothers and sisters without providing a specific percentage, and then his two sons, also without providing a typed percentage; instead, "51%" was suspiciously written in ink where the typed percentage should have been. His children also received "the proceeds of all my insurance policies" and "all vacant lots purchased by me from National Benefit Life Insurance Company, Receivers." Scott named Austin T. Walden and his first wife, Lucile, as "guardians" of the children's new estate, trustees "authorized and directed to dispose of the real estate devised hereunder from time to time as may be found necessary."<sup>21</sup> The provisions of the will would become a source of public controversy.

The will was a civil matter, but Scott's killing was a crime. On February 10, detectives arrested George Maddox, Agnes's brother, for the murder.<sup>22</sup> At the inquest that followed, Dr. Harry Rogers, the surgeon who had operated on Scott, testified that when the patient first arrived at Harris Memorial, he claimed that the shooting was the result of a deal he had just closed for the purchase of the Odd Fellows building on Auburn Avenue. When his brother C.A. arrived, however, and asked, "W.A., who shot you?" Rogers testified that Scott replied, "I believe George Maddox shot me." Rogers went on to describe Scott's request to be moved to Spelman's hospital, arguing that the patient seemed to be in constant fear. It was a fear only exacerbated by threats like the one sent to Dr. Powell, seeming to indicate something larger than a brother's anger at work, perhaps even the specter of organized crime. Scott kept two policemen

outside of his room as guards until the day of his transfer. This action was significant. Though Harris was a private black hospital, white doctors did frequent it, and a white face in the building would not have been strange. Spelman's MacVicar had an all-black staff, ensuring that any potential white assassin would not go unnoticed. Dr. Powell testified that Scott discussed the identity of his assailant with him three times. The first two times he described his killer as white. The third time he described his killer as either white or a Negro of light complexion. Confusing matters further still, Scott's mother claimed to have been in the room when he called for Agnes, kissed her, and said, "Sweetheart, George shot me. You know your daddy and your brother said they were going to get me."<sup>23</sup>

If Scott had run afoul of white moneyed interests—and thus put himself in the sights of a white gunman—he had done so in his attempt to acquire the Odd Fellows building on Auburn Avenue. The Odd Fellows officially opened in 1913, and it quickly became the center of black Atlanta. At the building's dedication, the *Atlanta Independent's* Benjamin Davis, a leader of the Odd Fellows, stood arm-in-arm with Booker T. Washington (America's most powerful black leader) to celebrate its completion. "In every way," Washington reflected, "I found that this building represented the rapid upward march of the colored people of Atlanta and of Georgia at large."

As of the early 1930s, that upward march included the purchase of the building itself. Real estate—particularly high-profile real estate like the Odd Fellows building in a city that limited black access to highly-valued property—provided social legitimacy, which was a commodity in itself. Attorney Walter Dillon testified about the potential connection between Scott's murder and the sale of the Odd Fellows building, explaining that there were three different bidders for the prize. On the Tuesday night that he was shot, Scott insisted on completing the deal for the building, fearing that one of his competitors was trying to eliminate him from contention. Dillon arrived the hospital the morning following the shooting, and Scott told him to "go right ahead with the deal."<sup>24</sup> Scott was willing to risk death for the economic and social clout that owning the Odd Fellows building would confer.

Meanwhile, the Maddoxes were concerned with demonstrating their own form of legitimacy, arguing that there was no family animosity about the marriage of Agnes and W.A. that would cause her brother to kill the publisher. George Maddox Sr. took the witness stand to claim that after finding out to his satisfaction that Scott had been properly and completely divorced from his previous three wives, he had no problem



The Maddox family was thrust into the spotlight after W.A. Scott's murder. George Maddox Jr. was accused of the crime. *Baltimore Afro-American*, February 9, 1935.

with his new son-in-law. He even claimed to have called a Dr. Sessions in Washington, Georgia, about making a trip with Scott to negotiate a loan for the Odd Fellows building.<sup>25</sup>

When Agnes entered the funeral home for the inquest (accompanied by her mother), she immediately walked to her brother and embraced him while cameras snapped photos. She corroborated her father's story. She denied any objection by her family to the marriage. She acknowledged that Scott told her from his hospital bed that George had shot him, but claimed that he seemed delirious when he said it.<sup>26</sup> Agnes's testimony was the bombshell moment of the inquest, the former socialite-secretary-turned-fourth-wife attempting to exonerate her brother for the murder of her husband.<sup>27</sup> When Scott's older brother Aurelius was called, he testified that in a conversation with Agnes, she told him to "keep his nose out of this or he'll get bumped off." Still, all the conflicts created by the confusing testimony won the day. The inquest exonerated George Maddox Jr., returning a verdict of "death at the hands of parties unknown."<sup>28</sup> Atlanta's white criminal justice system was little interested in doing much to get to the bottom of the murder of one of black Atlanta's most prominent citizens.

The day after the coroner's inquest, the Scott family made its first public announcement that it would pay a \$200 reward for information leading to the arrest of the guilty party. "The Scott family is asking the aid of all Atlanta in an effort to apprehend the murderer." They asked the help of all religious and social organizations in the city. Scott, after all, was one of Atlanta's foremost citizens: "If a man of his accomplishments and national renown can be slain and the murderer allowed to go his way and mingle with decent men, what can one expect following the killing of the average citizen?" The paper also asked its readers to send donations to add to the pool of money being offered for information leading to the capture of the criminal.<sup>29</sup> In response, the Atlanta Baptist Ministers' Union met at Wheat Street Baptist Church. There, the pastor of Ebenezer Baptist Church, Martin Luther King Sr., made a motion to donate money to the Scott family's reward fund. "We should not be silent on a matter of this sort," said King. "As ministers we should speak out. If a prominent citizen like Mr. Scott can be ruthlessly slain and the murderer remain free, the same fate can befall others." The other ministers agreed, and the organization donated \$50 to the reward fund.<sup>30</sup>

Atlanta Negro Chamber of Commerce officials also pledged to the fund, arguing that the murder was just another example of the city's need for black officers to police black neighborhoods. Scott was killed in the First Ward, an area that was 95 percent black. The Negro Chamber of Commerce had several times petitioned the city for black policemen for such neighborhoods. It was an interesting demand, considering that no one was making a case that the murder represented broader criminality among the city's black population; the homicide seemed motivated by conflict within the insular world of upper-class black Atlanta, something black policemen would have been helpless to prevent. Still, the request demonstrated the understanding among African-American citizens that such fundraising efforts would not have been necessary had the prominent victim been white, that there was a fundamental lack of consequence for violent crime in the black community that could have been mitigated by black law enforcement officers who saw solving such crimes as paramount.<sup>31</sup>

Meanwhile, the *World* complained that Atlanta's white daily press was trumpeting *World* and Syndicate editorial policy as motivation for the killing, a claim that would remove suspicion from the white business community. The white dailies pointed the finger of blame at white supremacists instead. But the *World*, for example, denied that Scott had any role in a November 1933 meeting at Holsey Temple church. The meeting was

a fundraiser for the defense of the Scottsboro Boys, nine black Alabama teens convicted by a white jury of raping two white women, and whose unfair trials and false convictions dominated the headlines of black and white newspapers throughout the early 1930s. The meeting was organized by the International Labor Defense (ILD), the legal arm of the American Communist Party, and led by Reverend J. Raymond Henderson of Atlanta's Wheat Street Baptist Church. Twenty-two members of the Ku Klux Klan surrounded the church, passed out leaflets opposing communism and black rights, and stopped ILD leaders from entering the building. The tension ultimately boiled over after a photographer for the *World* tried to take pictures of the Klansmen. Police arrived soon after, and it was most likely the presence of the *World* photographer that led to suspicion of Scott's involvement. The previous year, the *World* had published an editorial by Henderson in which he criticized capitalism and supported the communist cause, but that was certainly not the paper's editorial position. In fact, the *Atlanta Independent*, the precursor to the *World*, had a far more radical reputation than did Scott's paper. The son of Benjamin Davis, the founder and publisher of the *Independent*, was a Harvard-educated lawyer and communist who served as defense counsel for the black labor activist Angelo Herndon.<sup>32</sup>

At the time of the Holsey Temple meeting and in the months leading up to Scott's murder, the president of the Atlanta chapter of the NAACP was Austin T. Walden. The ILD criticized him (and the NAACP) for playing into the hands of white Atlanta interests and for not publicly supporting African Americans suspected of being communists. The animus between the radical left and those black leaders seeking to expunge the taint of communism from black advocacy was palpable. At the same time, however, when Angelo Herndon's attorney organized a committee to support the legal defense of the communist labor leader, it received support from ostensibly non-communist black leaders like Jesse Blayton, who led the Atlanta Negro Chamber of Commerce and worked with Walden and Lorimer D. Milton (who would also play a significant role in the Scott murder case) at the city's Citizens Trust Bank. It was, to be sure, a situation rife with internecine disputes about the best strategy for achieving equality, and any newspaper that attempted to report on both sides of those disputes was bound to receive a healthy amount of resentment from each.<sup>33</sup>

The *World* denied that Scott had been involved in the meeting and further said that he was not responsible for editorial policy. "Blaming 'what he said in his editorials' for his death is a tale outdoing the fabrications of Ananias and Baron Munchausen." The paper did its best to situate itself in relative proximity to its white counterparts, arguing

that it "constantly fought communism as a menace to the Negro in Dixie. The World has battled lynching, unjust distribution of public funds, disfranchisement, legal murder, unjust court decisions and murder of both an interracial and an intraracial nature in the belief that it is the sworn duty of every newspaper to fight for the rights of its readers." Still, the *World* never received "any threats from even the most rabid Negro-phobists for its editorial stand." The frustrated editorialist closed his screed with a final plea: "Let those who seek a motive for the untimely passing of our beloved founder and owner, seek a better reason for his fatal shooting and penetrate through the smoke-screen of a radical editorial policy. Blaming the contents of the World for the tragedy is in the same class with trekking to the North Pole to shoot African elephants."<sup>34</sup>

In response to the controversy, C.A. Scott sent an open letter to Atlanta's three white daily newspapers "asking you and all the law-abiding white and colored citizens of Atlanta" to help catch the killer. "We feel that every honest citizen of Atlanta, whether white or black, will desire the apprehension of the murderer for the preservation of law and order on which our social system depends. No slayer should go unpunished—and when an upstanding citizen is shot in the back without giving him an even chance for his life, the time is ripe for public sentiment to crystallize into definite form and ferret out the gunman."<sup>35</sup> It was an obvious attempt to speak to white Atlanta in its own language: Scott talked about "law and order," for example. It was almost lynching talk, with its emphasis on the "social system" ensuring that criminals not "go unpunished." Scott understood his audience and actively sought whatever help he could find for his brother, even if that help came from the relatively antagonistic white population. It was the necessary rhetoric of a black southern elite negotiating a criminal justice system where race provided the ceiling and class provided the floor.

In early March, Scott traveled to Durham, North Carolina, for a conference with officials of the North Carolina Mutual Life Insurance Company.<sup>36</sup> On his return, he stopped in Johnson City, Tennessee, where he spoke at West Main Street Christian Church. "There have been rumors," said Scott—in what was clearly a speech intended for a broader audience than just the small congregation—"that the editorial policies of W.A.'s papers had something to do with the murder and that northern white capital was being used to spread propaganda throughout the south contrary to southern ideals. The Scotts are southerners and know southern ideals. We were born in the south. We live in the south, do business in the south and intend to stay in the south." He explained that he and his brother never actually wrote editorials for the paper. He then revisited the family's denials about the Holsey Temple meeting and explained

that his brother was not an agitator. "In fact, he only spoke in public upon one or two occasions since he started the *Atlanta World*." C.A. Scott, however, was not the only sibling traveling to North Carolina Mutual. In mid-March, Aurelius, who had already intimated his dissatisfaction with the status of his brother's murder investigation, wired a statement to the Associated Negro Press (ANP) claiming that after several trips to both Atlanta and Durham, he concluded that "my brother's death was due to a well-laid plot for control of his newspaper."<sup>38</sup>

Well-laid plots by black and white businessmen were dominant features of the hard-nosed and ruthless business practices of the Auburn Avenue business district. For example, Heman Perry (whose company owned the printing equipment that Scott used to publish his paper's earliest editions) arrived in Atlanta in 1908. In 1909, he began implementing a vision of black business independence heralded by leaders like Booker T. Washington. He started—unsurprisingly—with insurance, which, according to the historian Alexa Benson Henderson, "blacks had long perceived as holding great possibilities for economic security and advancement." White prejudice limited the scope of his operations, which caused financial problems that ultimately led to Perry's downfall. His ruin served as a cautionary tale for other African-American entrepreneurs. "Among black businessmen," Henderson explains, "Perry's situation served to heighten the belief that, as blacks grew in the economic sphere, they tended to arouse the suspicions and hostility of white groups."<sup>39</sup> Suspicions and hostility, of course, were also commonplace among business rivals.

One of those rivals in insurance was Alonzo Herndon, who arrived in Atlanta in 1883 and by the early twentieth century owned a chain of barber shops that catered to a white clientele. In 1905, he created the Atlanta Mutual Insurance Association (which would later become the Atlanta Life Insurance Company), one of the most prominent black businesses in the nation. His growing wealth and the business rivalries that it engendered led Herndon to invest heavily in domestic and commercial real estate in an effort to control as much territory in the city as possible. He was as acquisitive with his business enterprises as was Scott with southern newspapers.<sup>40</sup> The potential for violence in such empire-building was obvious, made even more so when the black business class was able to operate largely without the fetters of a white criminal justice system that did not concern itself with black victims of crime. There was nothing about businessmen that was inherently violent, of course, but the combination of acquisitive greed and police unconcern created the possibility.

Herndon assembled Atlanta Mutual from a group of faltering benevolent associations that were unable to meet state deposit requirements created by new Georgia regulations. Herndon took over the business after his bid was chosen over several others, some made by white institutions. One of the administrators later admitted that the group "decided to let this institution remain as it began, a race institution." Such was the business climate in Atlanta, as white and black entrepreneurs could be competitors for corporate bids but would never serve on integrated boards of directors. White participation in black business enterprises could come either as customers in service industries, such as the clientele for Herndon's barber shops, or as business owners trying to make profits from black consumers, such as the bidders for Herndon's original benevolent associations. If white and black businesspeople were meeting at the corporate level they were always doing so as competitors, and despite successes like Herndon's, commitment to white supremacy guaranteed that such competitions were never waged on equal grounds. White business leaders would do whatever was necessary to make sure that theirs were the dominate enterprises.<sup>41</sup>

A group of those white business leaders had been responsible for the explosion of Atlanta's business sector in the 1920s, growing predominantly white concerns and connecting them and the city to the nation's business infrastructure. A sustained growth campaign by the white Atlanta Chamber of Commerce and a movement known as "Forward Atlanta" led companies like Chevrolet, Nabisco, and Lay's to locate in Atlanta. Mayor William Hartsfield worked to grow aviation in the city. "Atlanta, the whole South, even in the twenties and thirties was sort of suffering from an inferiority complex," explained the attorney Harold Sheats. "And the Forward Atlanta campaign pretty much broke the ice." It only broke it, however, for white business leaders. As the historian Clifford Kuhn notes, the Forward Atlanta campaign "did not include any black citizens in the effort, did not solicit a single black company, and made no effort to gain jobs for black residents," even though there were more than one hundred black businesses on Auburn Avenue in the early 1930s. Many of these enterprises spread their influence beyond the bounds of Auburn, serving black customers across the South. At the same time, however, the street served as a dividing line between blacks and commercial equality with white businessmen in the city.<sup>42</sup>

Perry and Herndon led two such operations, but they were not the only empire-builders on Auburn Avenue; so was Austin T. Walden, one of the biggest beneficiaries from Scott's death. The money and property he would receive from acting as guardian of a portion of the Scott estate would enable him to improve his own business



fortunes. "I spent one week with W.A. before his death. I know the hospital matter first hand," wrote Scott's brother Aurelius. "Mr. Walden, attorney, inserted his name as guardian in W.A.'s will unknown to W.A. and my mother and C.A. and all of us. That is the crux of the matter. Mr. Walden gets \$25,000 in cash, 600 lots and 51 per cent of the business as it now stands."<sup>43</sup> In the 1920s, the Citizens Trust Company (the city's most influential black bank) retained Austin Thomas Walden as counsel, a position that soon expanded to include a role as vice president. It was there that he worked with Lorimer D. Milton and Clayton Yates, bank employees who had left to start a successful pharmacy in the Odd Fellows building before returning to the bank in 1924.<sup>44</sup> Walden was, for a period in the late 1920s, the only black lawyer in Atlanta. The virtually monopoly that he held in the black legal profession gave him *carte blanche* to manipulate as he saw fit, and he did act as sole guardian for the children's estate through the first months after Scott's death.<sup>45</sup>

The principal element of that estate was the newspaper business, which had been a thorny issue considering the problematic description of its division in Scott's will (51% written next to the names of the Scott children, and therefore to be administered by Walden himself). A battle ensued between the Scott siblings, who argued that the 51 percent was meant for them, and Walden, who asserted that it was for his charges. Of course, Walden claimed that his surety came from the fact that he was at Scott's deathbed and drafted the dying man's will there. The Scott siblings claimed that fact did not breed surety; it bred the legitimate suspicion of corruption. The court, however, agreed with Walden. The children, under Walden's regency, took majority control of the Syndicate.<sup>46</sup> Aurelius Scott was outraged. W.A., he argued, was forced to dictate his will on his deathbed when he was not in his right mind, thus creating the 51% controversy.

In addition to believing that Walden was trying to steal much of his brother's business empire through duplicitous legal means, Aurelius Scott also thought that unnamed business entities might have been involved in W.A.'s death. He recalled a meeting of the Cooperative Publishers in New York two years earlier when members told his brother that "no big business managed by colored people could ever be safe in a southern town like Atlanta." W.A. resented that kind of talk, and responded by praising the South and its people. But current conditions, Aurelius concluded, had proved him wrong. On top of everything else, he claimed that the "action of several persons in connection with the all-day hearing of the coroner's jury was so suspicious that it was evident that they were not only shielding the killer but were spending money to do so."<sup>47</sup>

ITEM 2 I hereby make the following disposition of my newspaper business including the Atlanta World and all of its subsidiaries and assets: To my brother, C. A. Scott, twenty per cent (20%); to my mother, Mrs. W. A. Scott, Sr., twenty per cent (20%); to each of my following brothers and sisters  
A. S. Scott, L. A. Scott, D. M. Scott, E. J. Scott, Vashti Scott, Esther Scott, Ruth Scott; and to my sons, W. A. Scott, II, and Robert Scott 51%.

I desire that my brother C. A. Scott shall be the General Manager for all my newspaper businesses.

W.A. Scott's controversial will had "51%" written into it by hand, a point of contention for some of the publisher's siblings that went on for years after his murder. "*Last Will and Testament of W.A. Scott, Untitled*," Estate 25021, Probate Court of Fulton County, Atlanta Georgia.

Aurelius believed that his brother's death was the product of three interconnected factors: his editorial policy, the Odd Fellows real estate deal, and a hostile move to gain control of the Syndicate. "The killing is the result of a master-mind plot, involving some of Atlanta's best people," he argued. "The plan has worked so successfully that W.A. Scott's own money is being used to cover up the murder and to release the killer." (It is worth noting that Walden, as guardian of the Scott children's fortune, was the only person not a Scott using "Scott's own money.") On the night of his death, claimed Aurelius, W.A. asked to have his "white doctor" call his lawyer and family, but fearing that the "white lawyer" would not arrive in time, he sent for Walden.<sup>48</sup> "Unknowingly, my family is on good terms with business men whom W.A. often said meant him no good whatever. They did not buy his paper and were jealous of his success. Atlanta business men had made several attempts to operate a newspaper and had failed," he argued. "As soon as W.A. died, leading business men, for the first time, got their pictures in W.A.'s paper."<sup>49</sup>

The *World* denied Aurelius's conspiracy theories, but nevertheless shared his view that all was not as it appeared in Scott's slaying. "I hasten to say that the better element of Atlanta society demands that the murderer of W.A. Scott be brought to justice,"

argued the new publisher. “Four months have elapsed and seemingly nothing has been done.” He was “most astounded by the lack of enthusiasm and interest on the part of the guardians of W.A.’s two minor boys [Austin Walden and the boys’ mother] who now control thousands of cold cash dollars which came direct to them from insurance policies,” he explained. “Others have also received insurance claims on the deceased life. They must contribute cash to bring the slayer to the bar of justice.”<sup>50</sup> It was, essentially, a more subtle way of doing what Aurelius was trying to do. C.A. was calling out those who had gained financially from the death, and implicating them with their lack of interest in finding the killer. The complex web of relationships and rivalries in Atlanta’s black upper class and their volatility led to the publisher’s murder, he argued. Having a white police force that did not care about black-on-black crime ultimately poisoned lower class black neighborhoods, but it had the potential to make high-level black capitalism even more cutthroat—maybe even murderous—than it would normally be.

The two people who gained most from Scott’s death were Austin Walden and Lorimer Milton, who, as president of Citizens Trust Bank, carried the debt on the Scott estate. But in Aurelius Scott’s mind, there were others whose business fortunes would improve if W.A. Scott were no longer around. In early June, he returned to Atlanta and spoke with Georgia’s solicitor general. He argued that his brother had been a threat to the businessmen of Atlanta, who feared that Scott’s empire was growing too large too quickly and would become a threat to everyone. In one letter to a Memphis correspondent, W.A. wrote: “When you have been in the business as long as I have, you will know that playing up to the big dogs makes them play away from you, and my manner of progress for this type of man from now on is—to hell with them. If they want to blow their horns through my papers, pay off first.” Aurelius portrayed his brother as a man who refused to play the establishment’s game: “He didn’t drink, smoke, and couldn’t dance, and above all, he didn’t hobnob with Atlanta businessmen. He was too much of a hardheaded, fearless business man.” And that businessman, Aurelius explained, was negotiating the purchase of the Odd Fellows business block, where he planned to open several businesses—including a new drug store that would directly challenge an existing store owned by Clayton Yates and Lorimer Milton.<sup>51</sup>

That potential business conflict would be significant. In July, the *Atlanta Daily World* first reported that a syndicate of Milton, Yates, J.B. Blayton, and Austin Walden had purchased the Odd Fellows Building (even though Walden was still managing the estate

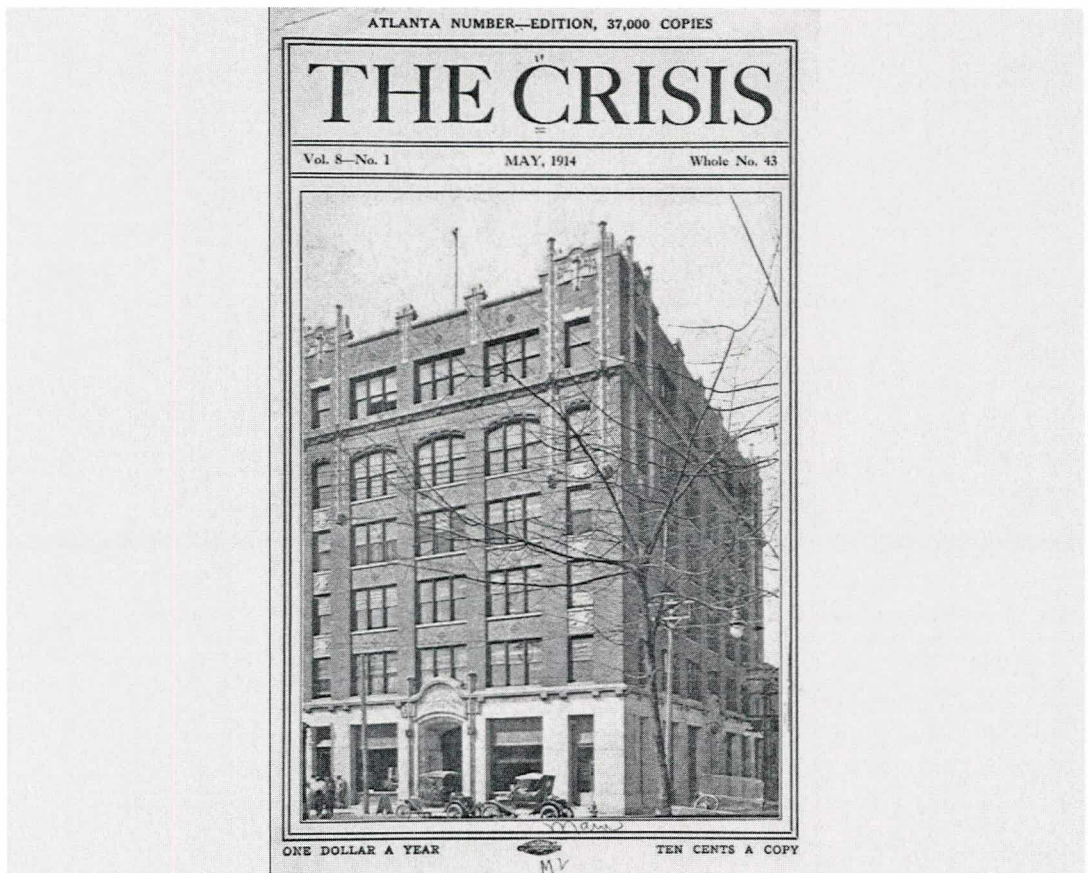
of Scott's children), reporting that the group paid roughly \$54,000 to local receivers for the National Benefit Life Insurance Company.<sup>52</sup> National Benefit owned the building, but the long-successful insurance company had gone bankrupt in the hard days of the Depression, and Milton ("well known Atlanta businessman and cashier of the Citizens Trust company") went to Washington to negotiate with the receivers. Along with the five-story Odd Fellows building, the group was also said to have purchased the building's two-story annex, which housed the Bailey's Royal Theatre and other businesses, extending the building complex down to the Butler Street corner of Auburn Avenue. The deal "has been termed the largest on property in a Negro section of Atlanta in years."<sup>53</sup>

With this new—and suspicious—information, Aurelius accused Walden and Milton, along with "a local woman and a Chicago gangster" of being the murderers of his brother. The attack, he argued, was because of the Odd Fellows Building deal. W.A. Scott had made a deal to buy the building for \$45,000, with \$2,000 down, aided by "a leading North Carolina insurance man." Gilbert V. Bryan, receiver for National Benefit Life Insurance, refunded the \$2,000 in July and resold the property for \$54,000 to Milton, Yates, Blayton, and Walden, "all members of the board of directors of the Citizens' Trust Company."<sup>54</sup>

Lorimer D. Milton grew up in Washington, DC, before attending Brown University for both his bachelor's and master's degrees. John Hope, Brown's first black graduate and the president of Morehouse, chose Milton (Brown's second black graduate) to teach at the Atlanta institution. Milton also began working at Citizens Trust Bank and started moving his way up the corporate ladder, all while also maneuvering for control of a local drug store housed in the Odd Fellows building.<sup>55</sup> His role with the bank also gave him an interest in the *Atlanta World*. "I started that paper," he later boasted. "W.A. went to Morehouse College while I was teaching at Morehouse, and that's how he got to know me. I had a printing company," he explained, "and when Scott knew that I owned that printing shop, that is, my bank owned that printing shop, then he came to me to let him use it. And so I let him use the damn equipment. I didn't charge him a damn thing for it."<sup>56</sup> As of 1934, however, his relationship with the Scotts had obviously soured.

Whether the deal fell through or the pressure applied by Aurelius Scott became too great, Milton and Walden's investment group did not buy the building. In August, a white real estate agent named Henry M. Pitts (whose identity went undisclosed

at the time) purchased the Odd Fellows building for the relatively small amount of \$47,000.<sup>57</sup> So Walden and Milton divested themselves of any financial interest in the Odd Fellows building, allowing others to purchase it and supposedly disproving Aurelius's murder-conspiracy theory because of the divestment. Next, the duo sought to build on that momentum by announcing that in September they would initiate a defamation suit against the *Baltimore Afro-American* for publishing Aurelius's charges in a "false and malicious article without so much as making any investigation of its truth or falsity."<sup>58</sup> The case, however, never materialized. Such a suit would have required testifying under oath and a demonstration of the falsity and maliciousness of Aurelius's claims. Whether Walden and Milton chose not to pursue the case because of



The Odd Fellows Building, which was at the center of the controversy surrounding W.A. Scott's death, was a significant edifice on Auburn Avenue. It also received national recognition, featured here on the cover of the *Crisis*, the magazine of the National Association for the Advancement of Colored People (NAACP). *Crisis*, May 1914.

a fear they might incriminate themselves, or because public announcement of the potential suit served the same purpose as a trial, the pair never actually filed.<sup>59</sup>

Milton and Walden had done so much for black Atlanta, and they would go on to do much more.<sup>60</sup> But their behavior in the wake of W.A. Scott's death remained suspicious, though Aurelius never alleged that either man had pulled the trigger. George Maddox always seemed like the most obvious culprit for the murder itself. His motives, however, and the role that Walden or Milton may have played in them, remained in question.<sup>61</sup> But these men were not the only ones with reasons for wanting W.A. Scott dead. Ben Davis, yet another scion of black Atlanta, also had interests situated at the intersection of business, journalism, and the Odd Fellows. The founder of the *Atlanta Independent* was incredibly wealthy, owning, according to NAACP executive secretary Walter White, "one of the first automobiles for either whites or Negroes in Atlanta." White characterized Davis as having a "kind of ruthlessness," and he used his wealth in many calculating ways. The historian Clarence A. Bacote described him as "lacking in character...treacherous, selfish." In his study of turn-of-the-century black politics in Georgia, Bacote argued that Davis "did not have a single prominent friend who at one time or another did not feel the stinging blows from his pen." John Dittmer called him a "champion mulatto baiter," who "railed against what he perceived as a light-skinned aristocracy."<sup>62</sup>

Davis was, however, successful. The *Independent* reported a probably inflated circulation of twenty-seven thousand in 1932. As early as 1904, it claimed a certainly inflated circulation of one hundred thousand. The paper collapsed in 1933 after the Republican defeat in the 1932 elections. The paper was, before its demise, recalled Davis's son, "the most influential Negro weekly in the South." The historians Rayford Logan and Michael Winston called the newspaper "the most militant Negro newspaper in the Deep South"; nevertheless, every major financial institution in Atlanta advertised in the *Independent*. Its success was based on its editorial page, and the two things Davis pushed more than anything else were the Grand United Order of Odd Fellows and Republican Party politics.<sup>63</sup> Though he also advocated for black rights and denounced the white terrorism of groups like the Ku Klux Klan, Davis was not afraid to use his paper to attack his own race.<sup>64</sup> "The Negro is a child race," he once wrote, "the average Negro leader is as ignorant as a bat." As John Dittmer points out, "leading Atlanta blacks despised Davis's opportunism and flamboyant lifestyle (the editor had a taste for flashy cars and fast women) and would not permit the *Atlanta Independent* to be read in their homes."<sup>65</sup> Many readers in the late 1920s and early 1930s chose

instead the *Atlanta Daily World*; by 1931, the *Atlanta Independent* was running at an economic loss, and Davis's influence had diminished precipitously.<sup>66</sup>

It was during Davis's leadership of the Grand Order of Odd Fellows that the group contracted for the new Auburn Avenue building that would become so central to black Atlanta and the Scott murder investigation.<sup>67</sup> When Davis's fortunes fell the building went into receivership, at which point Scott attempted to buy it. His newspaper had already taken over Atlanta using tactics that some had called predatory. Davis's paper had fallen in the *World's* wake. Scott then moved to use his profits to buy the building that had been a symbol of Davis's early success. Nothing in the Davis and Scott timelines, of course, provides any hard evidence that Davis wanted his rival publisher dead, but there does seem to be a circumstantial case that the "treacherous, selfish" Davis could have demonstrated a characteristic "kind of ruthlessness" as he saw his fortune slip away.

These wealthy black men lived lives and moved in circles far removed from those of most in black Atlanta during the Great Depression, yet they maneuvered to control properties and businesses catering to the majority of that population. The black upper class was, in that sense, a benevolent oligarchy. Meanwhile, leaders like the Scotts were edging as close to the racial line as possible in order to secure the pride of place that came with inclusion in the business class. Maintaining that place could be a cold-blooded affair. And it could get you killed.

But it did not necessarily mean that you would be punished for the crime, given the general indifference of the criminal justice system to black-on-black homicide. The official inquiry was languishing (if it had not completely stalled), so the Scotts decided that they had no choice but to build momentum for further investigation and prosecution on their own. Among the attorneys used by the Scotts during the original coroner's inquest was Reuben A. Garland, a white Atlanta lawyer who stayed on the case through the remainder of 1934, collecting his own evidence to secure Maddox's indictment.<sup>68</sup> C.A. Scott funded Garland's private investigation into George Maddox's story, doing the job of white authorities to develop a narrative for the crime that would be accepted by those same white authorities, even if the evidence seemed to point to a "scion of a well known Georgia family."<sup>69</sup>

Though the new evidence came largely from a private investigation, it certainly seemed to be a kind of progress that white investigators were unable to make, either

through their lack of interest in a black crime or in the unwillingness of black witnesses to be forthcoming with white police officers. "It is stated by some," reported the *Afro-American*, "that much more interest was shown by the solicitor's office in pressing the trial of Angelo Herndon on 'fluke' charges than has ever been shown in any efforts so far to bring Maddox to trial." And so prosecutors agreed to take Garland's findings to the grand jury, even though the coroner's inquest had been inconclusive. Six different witnesses to Scott's deathbed proclamations of Maddox's guilt appeared before the grand jury, along with "several others to whom Maddox had made incriminating statements shortly after the shooting." The state also claimed that it would, at the time of trial, prove that the Maddox family was hoping to acquire the *World* and the Syndicate—that the murder was, in effect, a family conspiracy. A Fulton County grand jury returned a true bill and formally charged George Maddox with murder.<sup>70</sup>

William Schley Howard, the Maddox family attorney, expressed surprise at the grand jury's decision.<sup>71</sup> Most of the evidence presented, he argued, was rehashed from the previous year. It was a conspiracy theory more than actual evidence, and it left even the pro-indictment *World* in a pleasant state of shock. "The indictment came as a distinct surprise to Atlantans, many of whom had just about come to the conclusion that the case was closed." The *World*, however, declared that the "insistence on the part of both white and colored business friends" of Scott, combined with the work of Reuben Garland, had secured the indictment. It was a refrain that the paper would repeat at every available instance. Garland had "been retained by both white and colored business friends of the late publisher."<sup>72</sup>

The message was clear: white people were working to get the indictment. White people were the lawyers prosecuting the case. White people were the detectives. The *Atlanta Daily World*, and by extension the Scott family, used whiteness to validate both the importance and the justness of its cause, even as the family itself was doing the work in lieu of an apathetic justice system. It seemed a quixotic enterprise, at best, considering the broader disingenuousness of the southern white population. After all, "Many persons believed," reported the *Chicago Defender*, "that his mysterious slaying was due to the dislike in which he was held by the white business men of the city, who derided his editorial policy and envied his success."<sup>73</sup> The problems inherent in such appeals by the *World* would become even more apparent as events unfolded.

In the days preceding the trial, there was discussion about a potential record number of witnesses and extended days of testimony, but the prosecution only called eight



witnesses and closed its initial case on the afternoon following jury selection.<sup>74</sup> The defense was more thorough, calling a litany of alibi witnesses. George Maddox Sr., for example, repeated his story about calling Dr. Sessions in Washington, Georgia, to help finance the Odd Fellows building purchase. Maddox Sr. had visited the hospital several times to see his new son-in-law, and he testified that Scott had told him that the shooting was a result of the Odd Fellows deal. Defense lawyers were far more systematic than the prosecutors, spending days establishing Maddox's alibi and forcing their counterparts to act more diligently when producing rebuttal witnesses.<sup>75</sup>

One of those witnesses was Austin Walden, who testified to Scott's deathbed proclamation of Maddox's guilt, and described being called to Spelman to draft the dying man's will. The defense pressed him on the existence of hostility between Scott and Milton, and between Scott and himself. He denied that there was any animosity. He also disclaimed, as reported by the *World*, "that he had heard of any plot or scheme to kill Scott to keep him from buying the Odd Fellows building."<sup>76</sup> It was a case that never really delivered on the new information promised by the prosecution, but instead emphasized the poor character of Maddox's alibi witnesses. Still, the *World* was confident. "Driving straight for the death penalty in the case," it reported, Garland and the prosecution "continued an onslaught on the defendant's badly crippled 'alibi'." Surely there would be a conviction.<sup>77</sup>

There would not be a conviction. It had been the longest trial involving a black defendant and victim in the history of Georgia, but the jury deliberated for a relatively short three hours and returned a verdict of "not guilty." An incredulous *World* called the verdict "a surprise," and reminded its readers of the jurors who let Maddox go. "These are the twelve men who voted 'acquittal' for George Maddox, Jr., after a week length trial in the slaying of W.A. Scott," the paper announced on its front page, before listing the names of each juror.<sup>78</sup> It was, however, misplaced surprise. The lackluster prosecution was symptomatic of a society relatively unconcerned with black victims of crime. The reality of a three-hour deliberation in the longest trial involving a black defendant and victim in Georgia's history spoke to nothing else if not white apathy.

Ralph Matthews, the *Afro-American's* correspondent in Atlanta for the trial, played the role of de Tocqueville, looking at both the trial and the race relations it represented as an outsider from Baltimore. And he was shocked by what he experienced. Matthews walked down Auburn Avenue in an early version of man-on-the-street reporting. He asked passers-by whether or not they thought Maddox would be convicted.

No one thought he would be. "He has William Schley Howard for his attorney." Matthews thought that the lawyer mattered less than the facts of the case. "Most people," he reported, "seemed to pity me."

While he admitted that the case's outcome had proved observers correct (the outcome was, he argued, "no surprise, not even, perhaps to the kinsmen of the dead publisher, who sought a conviction on the old Mosaic law, 'an eye for an eye and a tooth for a tooth'"), he was baffled by the respect shown to Howard, who used "epithets which sent my blood curdling under his violent onslaughts." Howard's frustrated harangues at "nigger women" had only been one example of a trial filled with such terms. His closing argument to the jury "was punctuated with some of the vilest epithets for the race it has been my ill-fortune to hear in any courtroom," Matthews reported, but among the black population listening, it "was hailed in the corridors as a masterpiece of eloquence. I could not quite understand the workings of the Georgia mind that could swallow such insults without resentment."<sup>79</sup>

Matthews's man on the street tried to explain: "This is the kind of speech it takes to win in a Southern court." It was this kind of attitude that Matthews could not understand.<sup>80</sup> After Maddox was originally freed by the coroner's jury the previous year, he argued, "the state did absolutely nothing to solve the murder." It was the Scotts themselves who paid investigators, found witnesses and evidence, and hired Garland (who would act as one of the lead prosecutors in the case). "The mere fact that these steps had to be taken is a reflection on the diligence (?) of the commonwealth where our citizens are concerned," he stated. "Had Scott been white the same prejudiced language which saved Maddox would have sent him to the chair, because evidence in cases involving the latter circumstance does not have to be so conclusive in Georgia."<sup>81</sup>

Matthews had driven, in a few short paragraphs, to the core reality of the situation of black, upper-class, urban Atlanta. The murder was problematic, and the possibility that it was actually a white man who had killed Scott was a plausible one. But white men had played a role in the death whether or not one had pulled the trigger. The world of relative privilege that existed for the Scotts, Maddoxes, Waldens, Miltons, and Davises was always going to be curtailed by the white ceiling limiting its growth. Even more important, and certainly most frustrating to Matthews, black urban southerners seemed to accept such ceilings as a matter of course. Everyone Matthews interviewed assumed that Maddox would walk. No one was surprised at the language used by the white lawyers. No one even seemed to notice that all of the white

men were addressed with prefix honorifics like “Mr.,” “Miss,” or “Mrs.,” while black witnesses were called simply by their first names. William Schley Howard called the prosecution witnesses “gutter snipes” and “a band of infamous perjurers.” One witness was “an old, greasy, dirty black buzzard.” One was “a dirty, contemptible nigger, and I don’t mean Negro. N-I-G-G-E-R.” At one point, Howard told the jury that “if a colored man can get a fair trial anywhere in the world, it is among the God-fearing, law-abiding white people of the South among whom he has been raised.” Of course, his opponent Garland was not appreciably better, calling the Maddox family “the smartest bunch of assassins who ever wore black skins.”<sup>82</sup>

The *New York Amsterdam News* agreed with the *Afro-American’s* criticism. It was “a murder trial reeking with disgrace and embarrassment for scores of Atlanta’s best families, with defenseless women subjected to insults, scornful and opprobrious epithets at the hands of defense and prosecution.” It was “a seven-day exhibition of the indignities which colored women must suffer in the courts of the South. There were thinly-veiled assertions that the morals of colored women were not all to be desired, regardless of social strata, while preeminent male witnesses were attacked as perverts.”<sup>83</sup>

If Atlanta’s upper-class black population served as a benevolent oligarchy in the African-American community, they remained constantly aware that the bounds of their success were always limited by a far less benevolent apartheid state that surrounded them. It was, to be sure, better than abject poverty, better than Klan victimization, better than the chain gang, but it was a uniquely liminal space in the southern social hierarchy that obviously had its own set of rules and assumptions. The lack of effective policing in the black community gave business rivals latitude to commit crimes against each other with impunity if they were so inclined, and the victims of such crime would remain unavenged.

The *Afro-American* interpreted the Scott murder as a battle between old and new money black southern families. “The Maddox family represents the old type of Southern aristocracy,” the paper reported. “George Maddox, Sr., has been a resident of Atlanta for thirty-odd years. He has been an employee of the Southern Railroad for twenty of these years, during which he has rubbed elbows with the finest and most influential people of the South as a dining car waiter.” That kind of “association with the Dixie noblesse gave him a certain prestige in sepia society. He is Mr. Maddox among his own and George to the whites which is a term of endearment.”<sup>84</sup>

Meanwhile, the Scotts were "of the new commercial type who have lifted themselves by their own bootstraps from obscurity to a place of financial independence and prominence." For that effort "they have incurred the hatred of the whites and the envy of their own race." Additionally, the pitfalls of the publishing business "created for them many enemies in both races. Editorial policy, diametrically opposed to the ideology of the Southland, has alienated the whites and the scandals divulged in the news stories have embittered many of their readers." Their readers, of course, were working-class blacks. "These are the primary factors, the underlying currents beneath the fight that is being waged, with the crowded spectators about evenly divided for conviction and acquittal."<sup>85</sup> This division, the paper argued, is what drove the marriage between Scott and Agnes Maddox. W.A. was hoping to solidify his reputation, and thus his company's reputation, by marrying into an established family. It was, the *Afro-American* claimed, a marriage to bolster Scott's power, and the Maddox family was enraged by it.<sup>86</sup>

George Maddox's anger at that hasty and scandalous marriage, Milton's early association with the Scott estate, Walden's guardianship of the victim's children, Davis's financial collapse in the wake of Scott's success, and the mysterious possibility of white interests competing for the Odd Fellows building or angry about Scott's journalistic politics combined to create one of the most compelling unsolved murder mysteries in Atlanta's history. Milton, Walden, and Davis all had connections to National Benefit Life Insurance, all had connections to the Odd Fellows building, all had financial interests in the Scott estate, and two of the three—Milton and Walden—stayed involved in that estate after Scott's murder. They were also three of the most important luminaries in black Atlanta and, along with Scott, they all seemed to rotate around an Odd Fellows axis on Auburn Avenue, around which the entire solar system of black Atlanta revolved as well.

Along with its intrigue, however, the murder and its aftermath demonstrated the constraints of the system in which Scott, Milton, Walden, and Davis existed. The drive for status and power that defined black empire-building in Atlanta led to competitive rivalries that could drift into violent reprisal because of a criminal justice system not interested in crimes in which black citizens were victims. Scott's newspaper and syndicate did thrive after his death in 1934, but so, too, did the constraints of Jim Crow Atlanta. The white business and civic leadership that placed a ceiling on black ability to rise reacted angrily and decisively when it seemed to them that upper-class African Americans were using their money or status for racial activism. These racial dynamics

created conditions that abetted the rivalries of black business magnates and, at times, could allow them to get away with murder.

MR. AIELLO is an associate professor of history at Valdosta State University. He resides in Hahira, GA.



## NOTES

1. *Atlanta Daily World*, February 1, 4, 8, 10, 11, 1934; and *Atlanta Constitution*, January 31, 1934. In the process of revising this article, the author corresponded with Clifford Kuhn, seminal figure in the oral history of Atlanta, who provided invaluable aid to the finished product. He never got to see that finished product, however, as Kuhn died in November 2015. This article is dedicated to his memory.
2. He caught a fortunate break in Atlanta, finding for sale the printing equipment of the Standard Life Insurance Company. *Atlanta Daily World*, February 8, 11, 12 1934.
3. "I quite often say of W.A.," said his wife Lucile, "he could sell an Eskimo some ice." Clifford M. Kuhn, Harlon E. Joye, and E. Bernard West, *Living Atlanta: An Oral History of the City, 1914-1948* (Athens, GA, 1990), 107. Yates, Milton, Davis, the Independent, and the Odd Fellows building complex all had roles to play in the publisher's Atlanta beginning, but also in his ultimate end. *Atlanta Daily World*, February 11, 1934.
4. The *World* published six editions per week for six weeks, then began publishing a Saturday issue as well. "Whey you build something," Scott said, "always build it in such a way that it will not crash if something underneath it should crack." *Atlanta Daily World*, February 8, 11, 12, March 13, 1934; *New York Amsterdam News*, February 14, 1934; Alton Hornsby Jr., "Georgia," in *The Black Press in the South: 1865-1979*, ed. Henry Lewis Suggs (Westport, CT, 1983), 127-30; Allen Woodrow Jones, "Alabama," in *The Black Press in the South, 1865-1979*, ed. Henry Lewis Suggs (Westport, CT, 1983), 43; and Roland E. Wolseley, *The Black Press, USA* (Ames, IA, 1971), 73-74.
5. W. Fitzhugh Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930* (Urbana, IL, 1993), 105-8. See also Philip Dray, *At the Hands of Persons Unknown: The Lynching of Black America* (New York, 2002), 245-47, 262, 304-5, 440-42; and Amy Kate Bailey and Stewart E. Tolnay, *Lynched: The Victims of Southern Mob Violence* (Chapel Hill, NC, 2015), 14, 185-88, 230.
6. The three most comprehensive works on this transition in the role of the criminal justice system are Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York, 2010); Khalil Gibran Muhammad, *The Condemnation of Blackness: Race, Crime, and the Making of Modern Urban America* (Cambridge, MA, 2011); and Douglas Blackmon, *Slavery By Another Name: The Re-Enslavement of Black Americans*

from the Civil War to World War II (New York, 2008). See also Glenn McNair, *Criminal Injustice: Slaves and Free Blacks in Georgia's Criminal Justice System* (Charlottesville, VA, 2009); Didier Fassin and Richard Rechtman, *The Empire of Trauma: An Inquiry into the Condition of Victimhood* (Princeton, NJ, 2009); David M. Oshinsky, *Worse than Slavery: Parchman Farm and the Ordeal of Jim Crow Justice* (New York, 1997); and Didier Fassin, *Enforcing Order: An Ethnography of Urban Policing* (Cambridge, MA, 2013).

7. Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866–1928* (Columbia, SC, 1996), 82–98. Quote from 82. See also Robert Elliott Burns, *I Am a Fugitive from a Georgia Chain Gang!* (1932; rpt., Athens, GA, 1997).

8. Talitha L. LeFlouria, *Chained in Silence: Black Women and Convict Labor in the New South* (Chapel Hill, NC, 2015), 45–47.

9. Booker T. Washington and W.E.B. Du Bois, *The Negro In the South: His Economic Progress in Relation to His Moral and Religious Development* (Philadelphia, 1907), 180.

10. Hornsby Jr., "Georgia," 134–35, 136–37; *Atlanta Daily World*, December 2, 1931; and John N. Ingham and Lynne B. Feldman, *African American Business Leaders: A Biographical Dictionary* (Westport, CT, 1994), 586–87.

11. In 1948, that final goal finally came to fruition when Atlanta hired its first black officers. Hornsby Jr., "Georgia," 137; and *Atlanta Daily World*, January 15, 1932. The "numbers" was a local lottery wherein players paid to choose a series of numbers that would be matched the following day with drawn numbers. It was a cheap way for poor communities to gamble, providing fun and hope to many but also creating gambling cartels in many metropolitan markets. See Shane White, Stephen Garton, Stephen Robertson, and Graham White, *Playing the Numbers: Gambling in Harlem Between the Wars* (Cambridge, MA, 2010).

12. *Atlanta Daily World*, February 9, June 26, 1934.

13. *Atlanta Daily World*, June 1, 1934.

14. *Atlanta Daily World*, February 11, 12, 1934; *Baltimore Afro-American*, February 17, 1934; *Chicago Defender*, February 17, 1934; and *New York Amsterdam News*, February 14, 1934.

15. Agnes Maddox, along with being Scott's secretary, had also been a school teacher. The *Pittsburgh Courier* called her a "local society celebrity" and noted that she "was mentioned in connection with Scott's third divorce last summer." Maddox originally worked in the Atlanta office of the *Courier* before moving to the *World*. She worked from 4 o'clock in the afternoon until midnight, "as Scott's business expansion had made it necessary for him to run his plant in three shifts." The *Amsterdam News* was more discreet in its description, calling her a former teacher who was prominent in Atlanta society. *Pittsburgh Courier*, February 10, 1934; and *New York Amsterdam News*, February 14, 1934.

16. *Baltimore Afro-American*, February 3, 1934; and *Atlanta Daily World*, February 10, 11, 1934.

17. The creation of Harris Memorial was part of a larger trend in the late nineteenth and early twentieth centuries to create black hospitals in urban areas throughout the country. Mitchell F. Rice and Woodrow Jones Jr., have argued that the reason for this profusion was threefold. First, black physicians needed places to practice. Second, there was a broader national belief—among whites and blacks—that a lack of adequate black medical facilities contributed to disproportionately poor health among the black population. Finally, black doctors saw the creation of hospitals as part of a larger effort to lift the social

standing of the black community. Mitchell F. Rice and Woodrow Jones Jr., *Public Policy and the Black Hospital: From Slavery to Segregation to Integration* (Westport, CT, 1994), 15–18; “Articles of Incorporation, William A. Harris Memorial Hospital,” box 1, manuscript collection no. 1041, Sadye Harris Powell family papers, Manuscript, Archives and Rare Book Library, Emory University, Atlanta; *Atlanta Daily World*, February 3, 6, 7, 8, 11, 1934; *New York Amsterdam News*, February 7, 1934; and *Atlanta Constitution*, February 2, 8, 1934.

18. At the coroner’s inquest, Powell told the jury that he destroyed the letter after three days because it frightened his wife. He received the letter around 6:30 p.m. on February 4 by special delivery. He was not at home, so the messenger slid it underneath his door. *Atlanta Daily World*, February 10, 11, 1934.

19. MacVicar Hospital at Spelman was a thirty-bed facility that usually served Atlanta University Center students. Originally a training hospital for the school’s nursing program, emphasizing care for any in the black community who needed it, MacVicar had since limited its role to caring for students (Scott excepted) after Spelman discontinued its nursing program in 1928 in an effort to become a liberal arts college. MacVicar was named for Malcolm MacVicar, theologian, educator, and one-time superintendent of the American Baptist Home Mission Society, the organization responsible for Spelman’s founding. The building still stands on Spelman’s campus as MacVicar Hall. Audrey Arthur, “MacVicar Serves as Atlanta’s Hospital for Blacks in the late 1920s,” *Inside Spelman*, <http://www.insidespelman.com/?p=2299>, accessed October 14, 2013; and Derek Chang, *Citizens of a Christian Nation: Evangelical Missions and the Problem of Race in the Nineteenth Century* (Philadelphia, 2010), 6.

20. The younger Scott had been the Syndicate’s assistant general manager, and had been working for the paper since its inception. “In him,” reported the *World*, “W.A. Scott placed sincere trust and confidence.” The will stated, “I desire that my brother C.A. Scott shall be the General Manager for all my newspaper business.” Though it is not included in Fulton County’s will records, a copy of the document exists in its collection of records related to the Scott estate. “Last Will and Testament of W.A. Scott, Untitled,” Estate 25021, Probate Court of Fulton County, Atlanta [hereinafter cited as “Last Will and Testament of W.A. Scott”]. Quote from *Atlanta Daily World*, February 8, 1934.

21. “Last Will and Testament of W.A. Scott.”

22. There were several reasons for this: first, there was an apparent deathbed confession by Scott that specifically implicated Maddox. Second, there were witnesses who placed someone matching Maddox’s description at the scene. *Atlanta Daily World*, February 10, 11, 1934; *Baltimore Afro-American*, February 17, 1934; *Atlanta Constitution*, December 1, 1927, September 22, 1929, February 10, April 10, 1934, and March 22, 1937.

23. *Atlanta Daily World*, February 11, 1934; *Baltimore Afro-American*, February 17, 1934; and *Chicago Defender*, February 17, 1934.

24. Scott had paid \$2,000 to complete the transaction just a few hours before the shooting. One of his competitors for the Odd Fellows building purchased \$30,000 in bonds held by Emory University as a mortgage on the building. *Atlanta Daily World*, February 11, 1934; *New York Amsterdam News*, February 14, 1934; and *New York Times*, January 17, 1911.

25. *Atlanta Daily World*, February 11, 1934.

26. She told the inquest that she was not allowed in the room while her husband was making his will, and that when she tried to read the completed document over the shoulder of one of the Scott broth-

ers, they put it away so she could not see it. Scott's will bequeathed Agnes \$2000—the \$2000 that he had put up as earnest money for his purchase of the Odd Fellows Building—and one of two houses that he had purchased from receivers of the National Benefit Life Insurance Company. And that relatively small segment of his fortune would "be taken by my said wife in lieu of dower and year support." It was certainly not a document favorable to Agnes. "Last Will and Testament of W.A. Scott"; *Atlanta Daily World*, February 11, 1934; *New York Amsterdam News*, February 14, 1934; and *Baltimore Afro-American*, February 17, 1934.

27. *Baltimore Afro-American*, February 17, 1934; *Chicago Defender*, February 17, 1934; *Atlanta Daily World*, February 11, 1934; and *Atlanta City Directory* (Atlanta, 1934), 670.

28. *Atlanta Daily World*, February 11, 1934.

29. *Ibid.*, February 11, 12, 13, 14, 17, 18, 19, 20, 21, 24, 26, 1934; and *Atlanta Constitution*, February 15, 1934, 7.

30. *Atlanta Daily World*, February 15, 27, 28, March 1, 2, 3, 5 1934.

31. *Atlanta Daily World*, February 15, 16, 1934. Citizens Trust and Lorimer D. Milton (See note 55.) were instrumental in forming the Atlanta Negro Chamber of Commerce in August 1932. The bank's J.B. Blayton suggested the need for such a group, then called together a group of black businessmen that included Milton, but not any of the Scotts or representatives from the *World*. The local segregated chamber aided the organization's development. It had a vested interest in ensuring the success of a black version of the chamber of commerce so as not to risk the attempted integration of its own. "History of the Negro Chamber of Commerce," in *Atlanta—You Ought to Know Your Own! 1937 Directory and Souvenir Program of the National Negro Business League Convention* (Atlanta, 1937), 13, 44, Atlanta History Center, Atlanta; Franklin M. Garrett, *Atlanta and Environs: A Chronicle of Its People and Events* (Athens, GA, 1954), 2:900–1; and Elizabeth Sandidge Evans, "Atlanta Negro Chamber of Commerce," in *Encyclopedia of African American Business*, ed. Jessie Carney Smith (Westport, CT, 2006), 1:152–53.

32. Holsey's Temple was an AME church on the corner of Boulevard and Chamberlain streets in Atlanta. The only arrest that resulted from the event was of a white Emory student, Nathan Yagol, who was attending the rally. Originally charged with "inciting to riot" for sitting on the back pew of the church, the case against Yagol was dismissed the following day. *Atlanta Constitution*, December 12, 1933; *Atlanta Daily World*, November 7, 1932; and Karen Ferguson, *Black Politics in New Deal Atlanta* (Chapel Hill, NC, 2002), 61–64. (The *World's* coverage of the meeting is not included because the 1933 coverage year for the *Atlanta Daily World* has not survived.)

33. Herndon's case was the perfect example of the diaspora in reverse. He had come south from Ohio for work and discovered communism in Alabama in 1930, soon becoming an organizer for the party. After moving to Atlanta, he was arrested and charged with "inciting insurrection" under an obscure antebellum slave statute, simply for attempting to organize black workers in the city. The International Labor Defense came to his aid, but though he would avoid the death penalty, he received a twenty-year sentence from an all-white jury in January 1933. After a series of appeals and re-appeals, Herndon finally secured his freedom in 1937 as the result of a Supreme Court ruling, but his case became a signpost representing the standards of "southern justice" and the ties white southerners sought to make between civil rights activism and the specter of communism (it was also a symbol of the dangers of the migration of people and ideas north and south). Ferguson, *Black Politics in New Deal Atlanta*, 62, 64–65; and Tomiko Brown-Nagin, *Courage to Dissent: Atlanta and the Long History of the Civil Rights Movement* (New York,



2011), 32. As another example of the fracturing of black Atlanta, in an editorial on February 15, G.R. Higginbotham paid an interesting sort of tribute, demanding that Scott's killer be captured because of the danger posed to the black community. "There are twelve million Negroes in America," he wrote, "and we have about come to the fork in the road of our civilization where we must take a stand, and not proceed further until we get our bearings." He worried that "human life has become so cheap," and encouraged his readers to vigilance. "We must demand that the assassin of W.A. Scott be brought to justice for our own safety. It is not a question of whether he was, in our opinion, a just or an unjust man. Those are relative terms and if we as judges and gunmen were permitted to bump off everybody who failed to come up to our requirements, there wouldn't perhaps be enough of us left to tell the tale. No man deserves to be bumped off." This kind of language seems to argue that many in black Atlanta were little sorry to see Scott go, and were perhaps even unconcerned about catching the killer. *Atlanta Daily World*, February 15, 1934. For more on the Herndon case and its role in shaping black ideas in the 1930s, see John Hammond Moore, "The Angelo Herndon Case, 1932-1937," *Phylon* 32 (Spring 1971): 60-71; Angelo Herndon, *Let Me Live* (1937; rpt., Ann Arbor, MI, 2007); Charles H. Martin, *The Angelo Herndon Case and Southern Justice* (Baton Rouge, LA, 1976); and *Herndon v. Lowry*, 301 US 242 (1937).

34. In a similar kind of critique, the February 10 *Pittsburgh Courier* argued that Scott's methods were predatory, that his creation of the *Birmingham World* put the existing *Birmingham Reporter* out of business. Oscar W. Adams, publisher of the *Reporter*, however, flatly denied that claim, arguing that his paper had "not lost a single line of advertising because of the appearance of Editor Scott's paper shipped here from Atlanta, and if we have lost a single subscriber or sale because of any of Mr. Scott's operations, we have not learned of it." *Birmingham Reporter*, February 14, 1934; and *Pittsburgh Courier*, March 3, 1934.

35. *Atlanta Daily World*, February 9, 1934.

36. *Ibid.*, March 13, 1934.

37. "Dark Market," *Time*, December 5, 1932, 26; "Appoint W.B. Ziff Company, Representative," *Printer's Ink*, March 9, 1922; "Ziff's List of Negro Papers," *Nelson Chesman & Co.'s Newspaper Rate Book* (New York, 1921), 392-93; and W.B. Ziff, *The Negro Market: Published in the Interest of the Negro Press* (Atlanta, 1932), 3.

38. *New York Amsterdam News*, March 17, 1934; and *Pittsburgh Courier*, March 17, 1934. Aurelius had master's degrees from Ohio State and Kansas. He had taught at Bethune-Cookman and West Virginia State. His reliability seemed legitimate, though as an untenured instructor in West Virginia State's education department, Scott's services were terminated in 1935. Information comes from Scott's personnel file, housed in the archives of what is now West Virginia State University. Any more detailed information from the file is restricted. Information from that file provided by email correspondence with Ellen Hassig Ressmeyer, archivist, West Virginia State University. Correspondence in possession of the author.

39. Alexa Benson Henderson, "Heman E. Perry and Black Enterprise in Atlanta, 1908-1925," *Business History Review* 61 (Summer 1987): 220, 231-34, 237.

40. See Carole Merritt, *The Herndons: An Atlanta Family* (Athens, GA, 2002); and Alexa Benson Henderson, *Atlanta Life Insurance Company: Guardian of Black Economic Dignity* (Tuscaloosa, AL, 1990).

41. Allison Dorsey, *To Build Our Lives Together: Community Formation in Black Atlanta, 1875-1906* (Athens, GA, 2004), 112, 115-17.

42. Kuhn, Joye, and West, *Living Atlanta*, 89-95. Quotes from 93-95. See also Franklin M. Garrett,

*Atlanta and Environs: A Chronicle of Its People and Events* (Athens, GA, 1954), 2:777-997.

43. *Baltimore Afro-American*, March 24, 1934.

44. Milton and Yates would both be honorary pallbearers at Walden's funeral in July 1965. "Funeral Services for Judge Austin Thomas Walden," Walden, Austin T. Papers, 1915-1965, MSS 614, series II, box 2, folder 1, Atlanta History Center, Atlanta; "Letter from A.T. Walden to Citizens Trust Company," Walden, Austin T. Papers, 1915-1965, MSS 614, series III, box 2, folder 9, Atlanta History Center, Atlanta; Brown-Nagin, *Courage to Dissent*, 17-18; and Willard "Chuck" Lewis, *Citizens Trust Bank History* (Atlanta, 2001), 4, 11-15, available online at [http://ctbnt.com/pdf/CTB\\_History\\_Book.pdf](http://ctbnt.com/pdf/CTB_History_Book.pdf), accessed October 14, 2013.

45. "Petition of A.T. Walden to Honorable Thomas H. Jeffries, Ordinary," February 17, 1934, Estate 25024, Probate Court of Fulton County, Atlanta; "Petition of Lucile Scott and A.T. Walden to Honorable Thomas H. Jeffries, Ordinary," June 25, 1934, Estate 25024, Probate Court of Fulton County, Atlanta; "Special Return of A.T. Walden as Guardian of W.A. Scott II & Robert Scott, Minors," June 22, 1934, Estate 25024, Probate Court of Fulton County, Atlanta; "Annual Return of A.T. Walden & Lucile Scott as Guardians for Robert & W.A. Scott, Jr., Minors," November 22, 1934, Estate 25024, Probate Court of Fulton County, Atlanta; and "Petition of A.T. Walden and Lucile Scott to the Honorable Thomas H. Jeffries, Ordinary," June 24, 1935, Estate 25024, Probate Court of Fulton County, Atlanta.

46. "Petition of A.T. Walden and Lucile Scott." "Surety," in this context, means both Walden's role as sponsor of the Scott children and the certainty of his position.

47. *Baltimore Afro-American*, May 5, 1934.

48. *Ibid.*, March 24, 1934.

49. The *Afro-American* printed his article after sending a telegram to C.A. Scott for comment. His reply was brief but decisive and unambiguous. "Understand you wired Spelman relative to my brother's death. I know the facts. It is unfair to involve Spelman in this matter." The entirety of the above charge was published in one far-flung screed in the *Baltimore Afro-American*, March 24, 1934.

50. *Atlanta Daily World*, May 27, June 3, 1934.

51. *Baltimore Afro-American*, June 16, 1934.

52. Bond Almand of the law firm Branch and Howard announced the deal. Because of the receivership, the Odd Fellows was also known as the National Benefit building. *Atlanta Daily World*, July 12, 1934.

53. *Best's Life Insurance Reports*, 17th Annual Edition, 1922-1923 (New York, 1922), 471-72; Steven Teske, *Unvarnished Arkansas: The Naked Truth About Nine Famous Arkansans* (Little Rock, AR, 2012), 137; Charles M. Christian, *Black Saga: The African American Experience, A Chronology* (New York, 1999), 284; and *Atlanta Daily World*, July 12, 1934.

54. Aurelius told the *Afro-American* that from his deathbed W.A. told him to remove the building contracts from his coat pocket, blaming the documents for the attack. "W.A. backed out of his garage for ten straight nights with a cocked gun in his hand, and had relatives not packed the gun away that night he would have gotten the gunman who killed him," Aurelius claimed. "That same night, keys to his safe deposit box mysteriously disappeared. Just a short time before his death, his operating cash was tied up." *Baltimore Afro-American*, July 21, 1934.

55. He began in the bank's accounting department, and worked at both Morehouse and the bank from 1921 to 1923. In 1923, he left the bank to purchase an interest in the Gate City Drug Store, which was owned by Heman Perry, the founder of Citizens Trust. The new Yates and Milton Drug Store did very well, even as the Perry empire crumbled in the years to come. That being the case, Milton returned to the struggling Citizens Trust in 1927, leaving the day-to-day operations of the drug store to his partner Clayton Yates. Milton and Yates were also high-ranking functionaries in Atlanta's First Congregational Church. John N. Ingham and Lynne B. Feldman, "Blayton, Jesse B. (December 6, 1897-), Lorimer D. Milton (September 8, 1898-February 8, 1986), and Clayton R. Yates (?)," *African-American Business Leaders: A Biographical Dictionary* (Westport, CT, 1994), 81-82, 86; Lewis, *Citizens Trust Bank History*, 11; Kuhn, Joye, and West, *Living Atlanta*, 105-6; and Gary M. Pomerantz, *Where Peachtree Meets Sweet Auburn: The Saga of Two Families and the Making of Atlanta* (New York, 1996), 176.

56. Ingham and Feldman, "Blayton, et al.," 86; and Bernard West, "Lattimore D. Milton: Commerce," [An interview of Milton conducted by West] *Living Atlanta Tapes & Papers, 1914-1985*, MSS 637, box 38, folder 15, p. 15, Kenan Research Center, Atlanta History Center, Atlanta.

57. "#730746," *Deeds 1508, Pgs. 351-End, Fulton Co.*, 410-11. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#731565," *Deeds 1528, Pgs. 1-350, Fulton Co.*, 232-34. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#765233," *Deeds 1604, Pgs. 1-350, Fulton Co.*, 89. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "742086," *Deeds 1297, Pgs. 1-350, Fulton Co.*, 183-84. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#610690," *Deeds 1693, Pgs. 351-End, Fulton Co.*, 355-59. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#745975," *Deeds 1554, Pgs. 181-End, Fulton Co.*, 186-87. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#747852," *Deeds 1389, Pgs. 351-End, Fulton Co.*, 575-76. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#777493," *Deeds 1637, Pgs. 181-End, Fulton Co.*, 251-52. Clerk of Superior Court, Fulton County Courthouse, Atlanta; "#811946," *Deeds 1691, Pgs. 351-End, Fulton Co.*, 567-68. Clerk of Superior Court, Fulton County Courthouse, Atlanta; Sixteenth Census of the United States, 1940 (National Archives and Records Administration [NARA] microfilm publication T627), roll 732, 61A (Washington, DC, 1940); Fourteenth Census of the United States, 1920 (NARA microfilm publication T625), roll 253, 27A (Washington, DC, 1920); Fifteenth Census of the United States, 1930 (NARA microfilm publication T626), roll 363, 2B (Washington, DC, 1930); and Fifteenth Census of the United States, 1930 (NARA microfilm publication T626), roll 365, 44A (Washington, DC, 1930).

58. Walden cited himself as one of the lawyers (as well as being a plaintiff), along with Baltimore attorney W. Ashbie Hawkins. Hawkins was a crusader against segregation and one of Baltimore's first black attorneys. He actually attended University of Maryland Law before the university expelled him after re-segregating in 1891. After finishing his degree at Howard in 1892, Hawkins went on to a long career of legal activism in the cause of black civil rights. He was one of the founders of Baltimore's NAACP chapter and served as its legal counsel for years. But Hawkins, despite the defamation suit, had a long association with the *Afro-American*. He was even, in a surprising potential conflict of interest, an *Afro-American* stockholder. *Chicago Defender*, September 15, 1934; "W. Ashbie Hawkins (1861-1941), MSA SC 3520-12415," Archives of Maryland (Biographical Series), <http://msa.maryland.gov/megafile/msa/speccol/sc3500/sc3520/012400/012415/html/12415bio.html>, accessed October 15, 2013; Frederick N. Rasmussen, "1908 Illinois Race Riot was Impetus Behind Founding of the NAACP," *Baltimore Sun*, February 11, 2012; and Hayward Farrar, *The Baltimore Afro-American, 1892-1950* (Westport, CT, 1998), 1, 5, 33, 41, 62, 103.

59. They never filed in Baltimore City Court of Common Pleas, the Baltimore City Court, or the Baltimore City Superior Court. Baltimore City Equity Indexes, Maryland State Archives, Annapolis, MD, cited in correspondence with the author, December 12, 2013.
60. In September, for example, Walden and Milton were both on the dais at Spelman College for a visit by Secretary of the Interior Harold L. Ickes for the demolition of a house on the site of what was to become a massive housing project for Atlanta University. Walden opened the program with a welcome on behalf of the people of Atlanta. Milton was on the Advisory Committee on University Housing that was appointed by Ickes. *Atlanta Daily World*, September 27, 1934.
61. *Charleston News and Courier*, October 20, 1946; *Kentucky New Era*, October 21, 1946; and *Tuscaloosa News*, October 20, 1946. Forrester B. Washington (Walden's replacement as head of the Atlanta NAACP) believed that Scott and J. Wesley Dobbs formed the Atlanta Civic and Political League "with the deliberate purpose of killing the NAACP because Walden was the head of it," largely because of disputes over Walden's administration of W.A.'s will. Pomerantz, *Where Peachtree Meets Sweet Auburn*, 125-27.
62. Davis did his railing in his newspaper. B.F. Cofer, the paper's editor, described his boss as "dominating and very aggressive. He gained control of the Odd Fellows in Georgia through greed, shrewdness and intelligence, and because of his ability to articulate." Walter White, "Portrait of a Communist," *Negro Digest* 9 (February 1951): 84-85; Horne, *Black Liberation/Red Scare: Ben Davis and the Communist Party* (Newark, DE, 1994), 18, 20; and John Dittmer, *Black Georgia in the Progressive Era, 1900-1920* (Urbana, IL, 1977), 61.
63. Davis's son quoted in Horne, *Black Liberation/Red Scare*, 19; Anderson Osborne Phillips, "A Sociological Study of Editorials of the *Atlanta Independent*" (masters thesis, Atlanta University, 1948), 12-14, 16-17; Rollin Chambliss, "What Negro Newspapers of Georgia Say About Some Social Problems" (masters thesis, University of Georgia, 1933), 12; John Wiley Rozier, "A History of the Negro Press in Atlanta" (masters thesis, Emory University, 1947), 39; Frederick Detweiler, *The Negro Press in the United States* (1922; rpt., College Park, MD, 1968), 57-58; and Dittmer, *Black Georgia in the Progressive Era*, 57-58, 164. In a later interview, Scott called the *Independent* a "personal organ" that "showed favoritism in who they'd write up." "C.A. Scott: Media," interviewed by Bernard West, *Living Atlanta Tapes & Papers, 1914-1985*, MSS 637, box 39, folder II, 3-4, Kenan Research Center, Atlanta History Center, Atlanta.
64. Davis was a devoted and powerful Republican, president of the Atlanta Board of Trade, and a friend and ally of Booker T. Washington. He was the leader of the Republican Party in Georgia, responsible for handing out the patronage in the state during Republican administrations, which put him in a position to serve as gatekeeper for white political hopefuls. That influence, however, would not last. As white Republicans sought to whiten the party's image, Herbert Hoover and Georgia senator Walter George investigated Davis's patronage program, publicly interrogating him and leading the press to report stories of "a Negro 'humiliating' white men and women who had to come to him for jobs." Donald Lisio, *Hoover, Blacks, and Lily-Whites: A Study of Southern Strategies* (Chapel Hill, NC, 1985), 42, 53, 67; and Horne, *Black Liberation/Red Scare*, 19-20, 21-25, 27. The quote is from an unpublished memoir by Davis's son (quote on 22). The Adamson quote comes from Horne, who took it from a letter in the Herbert Hoover Papers. Horne, *Black Liberation/Red Scare*, 25.
65. *Atlanta Independent*, January 5, 1928; and Dittmer, *Black Georgia in the Progressive Era*, 163-64.
66. Davis was also a close associate of Austin T. Walden; Walden would sponsor his lawyer son, Ben Davis Jr., for the bar. Horne, *Black Liberation/Red Scare*, 23-24, 35; Chambliss, "What Negro Newspapers

of Georgia Say About Some Social Problems," 12; *N.W. Ayer & Son's Directory of Newspapers and Periodicals, 1932* (Philadelphia, 1932), 170; *N.W. Ayer & Son's Directory of Newspapers and Periodicals, 1933* (Philadelphia, 1933), 168; *N.W. Ayer & Son's Directory of Newspapers and Periodicals, 1934* (Philadelphia, 1934), 163; *N.W. Ayer & Son's Directory of Newspapers and Periodicals, 1935* (Philadelphia, 1935), 164; and *N.W. Ayer & Son's Directory of Newspapers and Periodicals, 1936* (Philadelphia, 1936), 162. For further years, newspapers in the Ayer directories are listed alphabetically by city and state.

67. The Odd Fellows offices were also in the building, along with retail and office space used by other black businesses. Eventually those businesses would include the Yates and Milton Drug Store. The total cost of the buildings was \$100,000. Velma Maia Thomas, "Centennial Celebration: The Odd Fellows Buildings," *Atlanta Daily World*, April 29, 2013, online, <http://www.atlantadailyworld.com/201304295615/Original/centennial-celebration-the-odd-fellows-buildings>, accessed October 14, 2013; Herman "Skip" Mason Jr., *Black Atlanta In the Roaring Twenties* (Charleston, SC, 1997), 18, 24; and Horne, *Black Liberation/Red Scare*, 21.

68. *Baltimore Afro-American*, January 12, 1935; *Pittsburgh Courier*, January 12, 1935; *New York Amsterdam News*, January 12, 1935; *Atlanta Daily World*, January 7, 1935; and Melissa Fay Greene, *The Temple Bombing* (1996; rpt., Cambridge, MA, 2006), 305.

69. *Baltimore Afro-American*, February 16, 1935; and *Atlanta Daily World*, January 7, 1935.

70. *Baltimore Afro-American*, January 12, 19, 1935; *New York Amsterdam News*, January 12, 1935; and *Atlanta Daily World*, January 7, 9, 1935.

71. Howard was legitimately famous, a veteran of the Spanish-American War, former member of the House of Representatives from Georgia's fifth district, and legendary criminal defense attorney. The *Afro-American* proclaimed that he was "known as the South's greatest cross-examiner." He was "reputed to be Georgia's greatest courtroom technician." Howard was "a typical Georgian," the paper reported, "with spindleggs and a reddish-brown pompadour, is worshipped by the gentry of color and bears a reputation which strikes awe into any opponent." Garland, in turn, was Howard's "stocky little rival." Howard was assisted in the case by attorney E.L. Tiller. "Howard, William Schley," *Biographical Directory of the United States Congress, 1774–Present*, <http://bioguide.congress.gov/scripts/biodisplay.pl?index=H000849>, accessed May 13, 2014; *Baltimore Afro-American*, February 9, 16, 1935; *Chicago Defender*, January 19, 1935; and *Atlanta Daily World*, February 6, 1935.

72. Though the evidence against Maddox was circumstantial, the decision was "generally considered" by most of Atlanta society, according to J.C. Chunn, "a triumph of justice." *Baltimore Afro-American*, January 12, 1935; *New York Amsterdam News*, January 12, 1935; *Atlanta Daily World*, January 7, 9, 18, 20, 1935; and *Pittsburgh Courier*, January 12, 1935.

73. *Chicago Defender*, January 12, 1935.

74. *Atlanta Daily World*, February 6, 1935.

75. C.F. Payne, for example, a receiver for the National Benefit Life Insurance Company—and a white man—testified against the defense's claims that there was no significant rivalry for the Odd Fellows building. There was a competition for the purchase, but it was a competition between friends who would not have killed him for the privilege of buying the building. *Atlanta Daily World*, February 6, 7, 8, 1935; and *Baltimore Afro-American*, February 9, 16, 1935.

76. *Atlanta Daily World*, February 9, 1935.

77. Ibid.

78. *Chicago Defender*, February 16, 1935, March 8, 1941; *New York Amsterdam News*, March 15, 1941; *Atlanta Daily World*, February 10, 1935, March 6, 13, 1941; and *Baltimore Afro-American*, March 15, 1941.

79. *Baltimore Afro-American*, February 16, 1935.

80. "The apathy of the rising generation in the South is deplorable. The argument of those in Atlanta—the city of colleges and universities—a city where a soda-jerker and a bootblack may hold a college degree, a city where what appears to be mere street corner loafers are engaged in discourses on Greek and other classics—is, 'We're getting along all right; why they even segregate you up North'.

"There seems to be a perfect surrender to this diabolical propoganda that the races are different and one is inferior.

"Sitting behind me in the courtroom was a stout old red-faced man, a member of the bar, who as the trial drifted into days, was overheard to remark, 'You know I'm proud to be a white man in Georgia. Just think how much of the taxpayer's money is being spent to solve this n-----'s murder. I tell you nobody can say that they don't get fair treatment down here'." Ibid.

81. Ibid.

82. Ibid., February 16, 1935.

83. *New York Amsterdam News*, February 16, 1935.

84. *Baltimore Afro-American*, February 16, 1935.

85. Ibid.

86. Ibid.

Copyright of Georgia Historical Quarterly is the property of Georgia Historical Society and its content may not be copied or emailed to multiple sites or posted to a listserv without the copyright holder's express written permission. However, users may print, download, or email articles for individual use.