



The Scottsboro Boys

INJUSTICE IN ALABAMA

By Jay Bellamy

With scant media coverage and little fanfare, on November 22, 2013, a three-judge panel of the Alabama Board of Pardons and Paroles posthumously pardoned Haywood Patterson, Charlie Weems, and Andy Wright, three black men wrongly convicted of raping and assaulting two white women more than 82 years earlier.



Although long deceased, the three were the last of a larger group to have their convictions cleared from the official record. Many believe the Scottsboro Boys, as they would become known, were the catalyst for the civil rights movement in the United States. This is their story.

The Scottsboro Boys case began on March 25, 1931, when nine young black men and boys hopped aboard a Southern Railway train in search of work in Memphis, Tennessee. The youngest were 13-year-olds Eugene Williams and Roy Wright. The other seven were Charlie Weems, 19; Andy Wright (Roy's brother), 19; Clarence Norris, 19; Haywood Patterson, 18; Olen Montgomery, 17; Willie Roberson, 17; and Ozie Powell, 16. Patterson, Williams, and the Wright brothers traveled together; the others were Georgia natives unknown to each other.

As the train passed through northern Alabama, a fight broke out between the young black men and a group of white youths. One of the white men, walking atop a tank car, stepped on the hand of Patterson, who was hanging from the side. After an exchange of angry words, the whites jumped off when the train slowed and began pummeling Patterson and the others with gravel before jumping back on.

The fight began anew near Stevenson, Alabama, with the black youths prevailing and throwing all but one of the white antagonists off the train. Meanwhile, several of those forced to jump off had run back to the Stevenson depot and accused the black youths of assaulting them. A posse of armed men met the train when it pulled into the Paint Rock, Alabama, station. They quickly boarded the train, rounded up the nine black youths, and took them off to the Scottsboro jail.

Opposite: The Scottsboro Boys were visited by Juanita E. Jackson of the NAACP (fourth from left) in January 1937. Jackson campaigned for their release and helped them write letters. *Above:* Haywood Patterson, age 18, during his second trial in early April 1933 with New York attorney Samuel Leibowitz at left. The Supreme Court found in late 1932 that all the defendants deserved new trials.

Also on board were 21-year-old Victoria Price and 17-year-old Ruby Bates. Bates was a minor with a history of prostitution, and Price had a questionable reputation, being described by one former neighbor in a defense affidavit as a “common street prostitute of the lowest type.” Both worked at a local cotton mill, where they could depend on just a few days of work a month. It was for this reason, Price claimed, that she and Bates had gone to Chattanooga seeking new employment.

Fearful of being charged with vagrancy due to their failure to purchase a train ticket, the two accused the prisoners of rape. Facing charges of assaulting two white women, the nine young black men would now have to fight for their lives. Many whites of that place and time harbored extremely negative feelings about black men consorting in any way with white women and would have been happy to see the youths lynched, saving the state the expense of a trial. Several hundred men gathered at the police station but were turned back when the National Guard arrived to protect the prisoners.

When Price identified only six of the young men as her attackers, the jail guard replied: “It stands to reason that the others had Miss Bates.” On March 30, an all-white jury handed down indictments charging the defendants with rape. Not only were the prisoners denied the opportunity to contact family, but they were given just one hour to consult with an attorney. Trouble for the “Scottsboro Boys” was only just beginning.

Prosecution’s Case Relies On Questionable Testimony

After the defense agreed to divide the cases, the trial of Clarence Norris and Charlie Weems began on April 6. Representing the state was Circuit Solicitor H. G. Bailey, and defending the prisoners were Milo C. Moody, a local attorney who hadn’t tried a case in years, and Stephen R. Roddy, a real-estate attorney with no experience in

criminal law. Where the 69-year-old Moody was frequently prone to forgetfulness, Roddy often appeared incapacitated due to heavy drinking.

The judge was Alfred E. Hawkins, who, according to defendant Clarence Norris, was “a low down bastard. He let it be known that we were guilty and a trial was a waste of time and money ‘for niggers.’”

The prosecution’s case against Norris and Weems relied heavily on the testimony of Victoria Price, who was often evasive in her answers, pretended not to understand

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the question, or flat-out lied. In trying to cast doubt upon Price’s credibility, the defense asked her if she had ever engaged in prostitution.

When she claimed not to know what prostitution meant, she was asked, “Haven’t you made it a practice to have intercourse with other men?”

“No, sir, I absolutely haven’t,” she answered.

Price also claimed that she and Bates had arrived in Chattanooga on March 24 and spent the evening at a boardinghouse. Price went on to say that she and Bates were hiding in a gondola car on the train when the fight broke out the following afternoon. She testified that after the white youths were thrown off, six of the defendants entered the car and raped her at knifepoint.

The prosecutor, Bailey, then called on Dr. R. R. Bridges to describe any injuries Price might have sustained during the rape. Surprisingly, he testified that he found only a few small bruises and scratches and that she was “not lacerated at all.” He further declared that there was no blood on either victim and that neither had seemed particularly

upset. When asked if either girl had been raped, the best he could offer was that it was “possible.” Dr. Marvin Lynch, who also examined Price and Bates, then testified that he could find no evidence of any internal violence coming from a rape.

Ruby Bates then took the witness stand, but she was not as brash and confident as Price. Price even made wisecracks at times during her testimony—mostly directed at defense attorney Roddy—that caused considerable laughter in the courtroom. Bates, however, seemed shy and nervous. Up to

this point, she had spoken very little of the alleged rape, but she now supported her friend’s story. She was, however, unable to identify any of her attackers.

When the defense called defendant Charlie Weems to testify, he was very sure of himself and conducted himself well on the stand. He told how Haywood Patterson had come to him and told him of the fight with the white boys and how he had agreed to help Patterson and his friends if the fight were to continue. He further claimed that, although he had been part of the fight, he had raped no one and that he had seen no women on the train. “There wasn’t a soul in that car with me and Patterson except those negroes and one white boy,” he testified.

Clarence Norris stunned all those in attendance when he announced during his testimony that “every one of them [his co-defendants] have something to do with those girls after they put the white boys off the train.” He claimed that a gang rape had indeed taken place, but he was the only one who did not participate. He said that Roy Wright held a knife on the women while the others took turns assaulting them.



Above: Witness Victoria Price testifying during the April 1933 trial of Haywood Patterson, one of nine men accused of rape. She claimed that six of the defendants entered the railcar and raped her at knifepoint. Her testimony was later discredited. Below: Dr. R. R. Bridges testified on April 3, 1933, with Judge James E. Horton (leaning forward) presiding, that he found no blood on either Victoria Price or Ruby Bates, or that they sustained internal damage consistent with rape.



Norris later explained his testimony: “We was scared and I don’t know what I said. They [the prison guards] told us if we didn’t confess they’d kill us—give us to the mob outside.” When Roddy offered to enter a guilty plea in exchange for life sentences, Bailey refused the deal.

Verdicts Come for Weems, Norris As Patterson’s Trial Begins

The trial of Haywood Patterson had already begun when the Weems-Norris verdict was announced. Hearing that both were found guilty, crowds gathered around the courthouse to cheer. Roddy complained that the cheers might bias the Patterson jury, but his request for a mistrial was denied. It took only three hours for the jury to convict Patterson, and a mere 15 days after their arrests, five of the six remaining defendants were also found guilty and sentenced to death.

The lone exception was 13-year-old Roy Wright. His case ended in a hung jury when he was found guilty but punishment could not be agreed on. Although the prosecution recommended a life sentence, 11 jurors held out for the death penalty. When the remaining juror refused to vote likewise, the court was forced to declare a mistrial.

A representative from the International Labor Defense (ILD, the legal arm of the Communist Party) who attended the proceedings recognized the potential the case might provide in recruiting new members, especially African Americans. Although the Communist Party supposedly represented the idea of racial equality for all, it was still perceived as a white man’s organization.

The National Association for the Advancement of Colored People (NAACP), which first chose to stay out of the case for fear that the accused might actually be guilty, now recognized the likely innocence of the Scottsboro nine. NAACP representatives went to Alabama to offer their services to appeal the verdicts. The NAACP argued

that “communist involvement in the case” would prejudice a jury.

With support from the mothers of the boys, the ILD convinced the nine young men to choose them as their legal representatives. With July 10 set as the execution date, the ILD sprang into action and managed to secure a stay of execution until the cases could be reviewed by the Alabama Supreme Court.

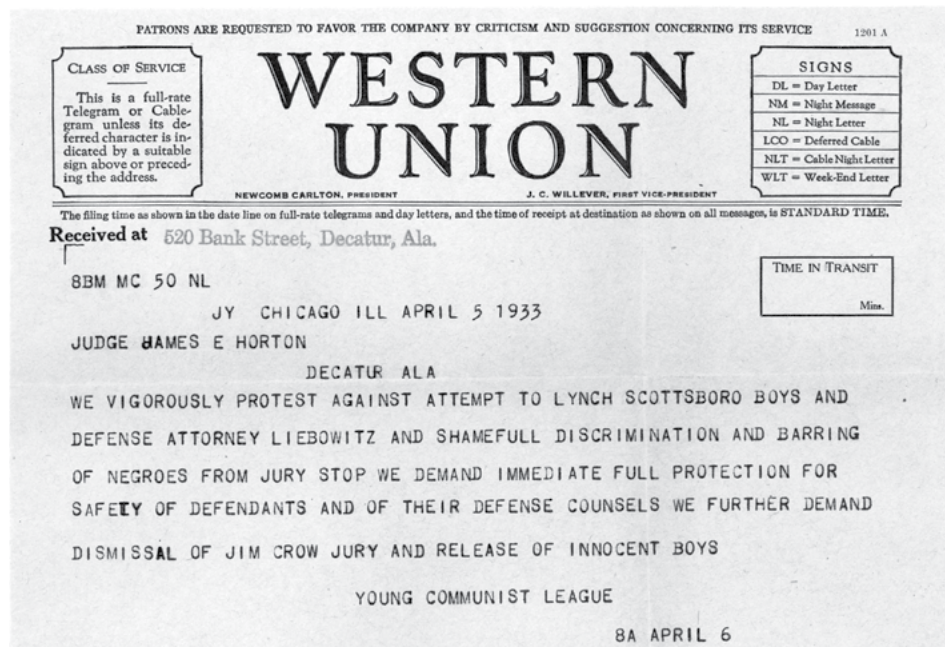
In March 1932 the Alabama Supreme Court upheld all but one of the original convictions. Eugene Williams was the lone exception, and the court ruled that he never should have been tried as an adult. The ILD lawyer, Joseph Brodsky, argued that the remaining defendants had been unfairly judged because there were no blacks on the jury, but the court ruled that the state had the right “to fix qualifications for jurors.”

When the ILD turned to the Supreme Court of the United States for relief, the Court announced in November that the defendants had received inadequate counsel and therefore would be granted new trials.

The second trial of Haywood Patterson began on March 27, 1933, with Samuel Leibowitz—a New York lawyer hired in part for his amazing record of 77 acquittals and 1 hung jury in 78 murder trials—now appearing as lead defense counsel.

Accuser Changes Her Testimony As Patterson Trial Moves Ahead

Victoria Price was called to the stand on April 3. After a short examination by the state, Leibowitz wasted no time going on the attack. He brought up Price’s reputation before painting her as a liar by pointing out untruths in her previous testimony. His next witness testified to having seen Price engage in sexual activity two days before the alleged rape. Leibowitz suggested that this might account for a small amount of semen found during her examination. Doctor Bridges was then called to the stand to restate his previous testimony that there




Judge James Horton received numerous messages, some threatening, during the Patterson trial. An April 6, 1933, telegram from the District Committee International Labor Defense in Detroit urged a change of trial venue to Birmingham.

was no blood found on either woman and that neither Price or Bates sustained internal damage consistent with rape.

When Ory Dobbins, a farmer who claimed to have seen the defendants pull Price and Bates back on the train as they attempted to escape, was called to the witness stand, Leibowitz quickly discredited him. Knowing that both women were wearing men’s overalls when they were taken from the train, Leibowitz asked how it was that Dobbins knew it was a woman the defendants had pulled back onboard. “She was wearing women’s clothes,” he answered. When Judge James Horton asked if it could have been overalls they were wearing, Dobbins was even more specific and said, “No sir, a dress.”

The biggest surprise came when Ruby Bates entered the courtroom. After disappearing from public view following the first trial, some thought she might have been kidnapped or worse. Now testifying for the defense, she said that her conscience had gotten the better of her and that she was there to tell the truth. There was no rape, she said, and it was Price’s idea to accuse the defendants of the crime in order to keep from being arrested themselves.

Attorney General Thomas Knight, however, pounded away on cross-examination until Bates admitted that the ILD had paid for her clothes and her trip back to Alabama (she had been in hiding in New York), suggesting that she was nothing more than a paid witness for the defense. She either lied

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- How the Civil Rights Act of 1964 became law, go to www.archives.gov/publications/prologue/2004/summer/.
- The beginnings of the African American migration from the South, go to www.archives.gov/publications/prologue/2008/summer/.

*Petitions
Sent to Justice
7/10/33*

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5/7/33

This committee, representing the National Scottsboro Action Committee elected by more than ninety fraternal, political, social, and religious organizations, Negro and white, and formed for the purpose of supporting the fight for the lives and freedom of the Scottsboro Boys as led by the International Labor Defense, is here to make an appointment with President Roosevelt for two o'clock in the afternoon of May 8, when a delegation of twenty-five representatives of the Free the Scottsboro Boys Marchers, who will be in Washington that day, will present their demands to him.

The marchers, from the cities of the Atlantic Seaboard, with delegations from as far as El Paso and Seattle, will come to Washington May 8 with a twofold purpose. They will ask that the president intervene in the Scottsboro cases, which have resulted in the first re-trial at Decatur in a lynch-verdict of death for Heywood Patterson, first of the Scottsboro boys to be re-tried. The precedent for such intervention by the president was laid in 1917 by President Woodrow Wilson, who intervened in the case of Tom Mooney, then sentenced to death in California.

The second purpose of the marchers will be the presentation of a "Bill of Civil Rights" to the ^{president and to the} congress, the purpose of which will be to put teeth into the enforcement of the 13th, 14th, and 15th Amendments to the Constitution, guaranteeing democratic rights to Negroes. The Scottsboro case, in which the issue of the exclusion of Negroes from juries was raised, has clearly shown that these rights are fundamentally linked with

calling for presidential intervention was handed to the White House appointments secretary.

A letter presented along with this petition called for the President to use his "good office to influence the granting of a desired change of venue, to a largely populated center" and further urged him to issue "a new declaration of civil, political and economic justice and freedom, in the authentic voice of the Chief Executive of the nation, aiming at the future strict enforcement of the Thirteenth, Fourteenth and Fifteenth Amendments to the Federal Constitution, for the purpose of safeguarding the life, liberty and prosperity, and guaranteeing the pursuit of happiness of twelve millions of black Americans."

Judge Horton Risks His Career, Orders New Trial for Patterson

At considerable risk to his professional career, Judge Horton, believing that Price was lying about the rape, announced on June 22 that he was setting aside the verdict and ordering a new trial for Patterson.

In his decision he pointed out several discrepancies between Price's story and the evidence presented. While Price claimed to have been hit on the head with the butt end of a gun during the supposed rape, the doctors found no sign of a head injury. She also stated that the doctors had seen her blood-soaked coat, but Judge Horton wondered why neither had mentioned it during their testimony. Price also testified that at the time of the rape she was lying in a car full of chert (crushed gravel), causing the sharp jagged rock to dig into her back. However, despite finding a few bruises in that location, the doctors found no visible lacerations.

The judge also questioned why none of the seven white boys were called to testify. In conclusion, he wrote that history had proven "that women of the character shown in this case are prone for selfish reasons to make false accusations both of rape and insult upon the slightest provocation for ulterior motives."

The International Labor Defense (legal arm of the Communist Party) provided defense counsel for the Scottsboro Boys. Its Action Committee planned a march in Washington in early May 1933 and asked for a meeting with the President to urge presidential intervention and adoption of a bill of rights for blacks.

during the first trial, Knight implied, or she was lying now; therefore, her testimony could not be believed.

In closing summation, the assistant prosecutor asked the jury to "show them that Alabama justice cannot be bought and sold with Jew money from New York." Leibowitz angrily demanded a mistrial be declared, but Judge Horton denied the motion. On April 9, 1933, the jury returned with its verdict—Haywood Patterson was guilty as charged. It was later learned that it took only five minutes for the jury to reach a decision. The defense immediately

filed a motion with Judge Horton for a new trial.

While awaiting the judge's decision, the ILD planned a march on Washington, D.C., in support of the Scottsboro Boys for early May.

On May 8, 4,000 marchers converged on Washington. Among them was Ruby Bates, who marched alongside Janie Patterson, Haywood Patterson's mother. When the marchers reached the White House, they were disappointed by President Franklin Roosevelt's refusal to meet with them. Instead, a petition signed by 145,000 people

These boys have faced death and torture each time hoping to prove their innocence. In the second trial the judge himself helped to convict them. This trial has stirred the hearts of the people in the North. Christmas is coming. It is a night of happiness and joy. Yet, in seven little homes sit seven mothers who will sit alone, mourning and brooding for

The White House felt public pressure for fairness in the Scottsboro cases. In a December 1933 letter, 15-year-old Pearl Blumkin wrote that “seven mothers . . . will sit alone, mourning and brooding for their sons.” She asked naively why they could not be tried in the north “where Negroes are considered as we are?”

He further declared that “this tendency on the part of the women shows that they are predisposed to make false accusations upon any occasion whereby their selfish ends may be gained.” Judge Horton failed to win reelection the following year.

Using his political connections, Attorney General Knight managed to have Patterson’s third trial, which began that November, transferred to the court of Judge William Callahan. Callahan’s prejudice was immediately

noticeable, as he overruled nearly every defense objection and denied Leibowitz the opportunity to question Price’s character and credibility. It was his opinion—and he openly shared it with the jury—that a white woman would never consent to sex with a black man. Haywood Patterson would later say of Callahan: “He couldn’t get us to the chair fast enough.”

Appearing for the prosecution was Orville Gilley, the lone white man allowed to remain

on the train after the others were thrown off. At Patterson’s retrial, and later at Norris’s, he claimed that the attacks on Price and Bates ended only when he begged the black youths to stop before they killed the two women. To the dismay of the defense, Ruby Bates had moved to New York and refused to return to Alabama after receiving letters suggesting she should be lynched along with the defendants. When both Patterson and Norris were found guilty, the remaining trials were delayed until the appeals process for both could be exhausted.

In 1934 the special assistant to the U.S. attorney general reported to President Roosevelt that he found the testimony of both Gilley and Price to be filled with inconsistencies and that if the Scottsboro Boys continued to face execution, it was his advice that the President intervene. Roosevelt then met with incoming Alabama governor David Bibb Graves at Warm Springs, Georgia, and asked him to do all he could to “clear it up.” The governor promised to look into the matter but later backed out of a plan to pardon the prisoners when they refused to acknowledge any guilt.

White House Flooded with Mail; FDR Refuses to Get Involved

Ruling that the paperwork in Patterson’s trial had not been submitted in time, the Alabama state Supreme Court refused to review the case. Two ILD officials then foolishly contacted Victoria Price and attempted to bribe her into changing her story. After first agreeing to do so, she then changed her mind and contacted the police. When ILD representatives arrived in Alabama carrying \$1,500 in cash for Price, they were immediately arrested. Angered by the actions of the ILD, Leibowitz and Communist Party officials reached a compromise. He would represent Clarence Norris, who still believed in him, while ILD attorneys would speak for Haywood Patterson.



[The Supreme Court] wrote that the defendant had been denied his 14th Amendment right of equal protection under the law.



Correspondence began arriving at the White House shortly after the arrests of the Scottsboro Boys. One particularly poignant letter was received from 15-year-old Pearl Blumkin in December 1933. She wrote: “Christmas is coming. It is a night of happiness and joy. Yet, in seven little homes sits seven mothers who will sit alone, mourning and brooding for their sons.” She then asks somewhat naively: “Why can’t these boys be given a fair trial in the Northern states where Negroes are considered as we are?”

But by 1935 much of the public was growing frustrated with Roosevelt for his failure to intervene. Mr. Ernest Pierce wrote the President, addressing him as “Franklin Deflated Roosevelt,” saying:

All the way down the historical line there have been so-called great men who, viewed from the more acute angle of greater distance, proved to be DAMNED FOOLS. ARE YOU AWAKE ENOUGH TO KNOW THAT TOM MOONEY [convicted of a San Francisco bombing in 1916] and the SCOTTSBORO BOYS ARE STILL SUFFERING THE INJUSTICE OF OUR CRIMINAL COURTS?

WHAT COULD BE MORE CRIMINAL THAN YOUR FAILURE TO ACT?

Even Andy and Roy Wright wrote to the President, asking him to bring their case to a conclusion, as they were the sole support for their mother and sister.

Eleanor Roosevelt herself was not immune from the pressure. A Mrs. Davis of Indianapolis appealed to the First Lady’s motherly instincts, writing: “You as a

mother can easily understand just how the mothers of those boys feel.” The New Deal Girls Social Club in New York asked her to “use your influence with the President in behalf of the Scottsboro Boys.”

Rev. Pearl Burnett of Flint, Michigan, inquired about the President’s refusal to meet with a contingent who had come to the White House. “I did not believe Pres. Roosevelt would deliberately refuse to see anyone,” Burnett wrote, adding “these boys have been punished enough by their three years of incarceration.” Despite public sentiment that was clearly on the side of the Scottsboro Boys, Roosevelt chose to stay out of the fray, believing this was a state issue and not a federal one.

On April 1, 1935, the Supreme Court decided *Norris v. Alabama* and *Patterson v. Alabama*. Leibowitz had argued that the verdict in the Norris trial should be overturned because the exclusion of black residents from the jury rolls in Alabama prevented the defendant from receiving a fair trial from a jury of his peers. For Patterson, the ILD’s Walter Pollak contended that a mere technicality about paperwork should not preclude the defendant from receiving a new trial. The Court agreed with both arguments and sent the cases back to Alabama. In the Norris decision they wrote that the defendant had been denied his 14th Amendment right of equal protection under the law, while in Patterson’s case they simply saw the unfairness of allowing him to be executed while at the same time granting Norris a new trial.

The fourth trial of Haywood Patterson began on January 21, 1936, with the ILD, the NAACP, the American Civil Liberties Union, the League for Industrial Democracy, and the Methodist Federation for Social

Services now working together on behalf of the Scottsboro Boys.

With the ILD no longer in sole control of the defense, Leibowitz had agreed to return. However, because of harsh comments he had made about Alabama, not to mention his religion and his affiliation with the communists, the Jewish lawyer from New York was now considered a liability. Leibowitz, whose first concern was always his clients, agreed to take on an advisory role and accepted Clarence Watts, a Southern attorney with local ties to the community, as lead counsel for the defense.

Life Takes Different Turns For the Scottsboro Boys

From the witness stand, Patterson declared that not only was he innocent of rape, but he also claimed to have seen neither woman on the train that day. During cross-examination, prosecutor Melvin C. Hudson, the local solicitor, simply mocked Patterson’s answers and treated him with utter contempt throughout the questioning. Hudson then called Obie Golden, a guard at Kilby prison, to testify to a supposed confession Patterson had made two years earlier. When asked on cross-examination why he never told anyone of this in the past, Golden was unprepared and had no answer.

In summation, Hudson made an impassioned plea for the jury to protect the “womanhood of Alabama.” If Patterson were allowed to go free, he told them, women would “have to buckle six-shooters to their middles.” Watts then took his turn for the defense and asked the jury to consider the evidence carefully and to administer fair justice for the defendant.

When the jury returned with a guilty verdict, Patterson was given a sentence of 75 years rather than the death penalty the prosecution had hoped for. For the first time in state history, a black man had escaped the death penalty after being convicted of raping a white woman.

Clarence Norris's trial began nearly a year and a half later, and for the first time Judge Callahan allowed the defense to call witnesses to testify to Victoria Price's character. Despite two deputy sheriffs from Huntsville, Alabama, telling the jury that they "would not believe her under oath," and Doctor Bridges's earlier testimony (he had died the previous March) regarding the lack of any serious injury found on Price, the jury returned with a guilty verdict and once again sentenced Norris to death. This proved too much for Watts to handle, and he fell ill. Leibowitz was once again left to represent the remaining defendants.

The next two trials ended with Andy Wright receiving a 99-year sentence and Charlie Weems getting 75 years. Ozie Powell, who was seriously wounded after being shot in the head while attempting to escape the previous year, was next brought into the courtroom. It was then announced that rape charges against Powell were being dropped and that he would instead plead guilty to assaulting a police deputy during his escape attempt. State Attorney General Thomas Lawson then shocked everyone in the courtroom when he announced that all charges against Olen Montgomery, Willie Roberson, Eugene Williams, and Roy Wright were being dropped as well.

In 1943 Charlie Weems was paroled, followed by both Clarence Norris and Andy Wright in 1944. Norris, however, was returned to jail after violating the conditions of his parole by leaving the state without permission. Two years later, he was again paroled and once again fled.

In 1973, after spending a number of years in New York, Norris contacted the Alabama governor's office to see if he was still wanted for his last skip. When told that he was, Norris enlisted the NAACP to help him obtain a pardon. In October of 1976, after a media blitz and public relations campaign launched by the NAACP, the state of Alabama granted Norris his pardon. Ozie Powell, who was never the same after being shot in the head, was released in 1946.

Andy Wright, like Norris, violated his parole by leaving Montgomery, Alabama, without permission. He was captured the following year and paroled for good in 1950. In 1951 he was accused of raping a 13-year-old girl (the daughter of a girlfriend) in New York but was acquitted by an all-white jury. Roy Wright, the youngest of the Scottsboro Boys, joined the military after his release from prison and served until 1959.

Upon returning home, believing his wife had been unfaithful to him, Wright took both of their lives in a murder-suicide. Although they each suffered from various problems on the outside, Willie Roberson, Eugene Williams, Olen Montgomery, Ozie Powell, and Charlie Weems eventually settled into everyday society and started new lives for themselves.

Life behind bars was not an easy one for Haywood Patterson. Not especially liked by any of his co-defendants, he found this to be the case as well with many of the prisoners and guards at Atmore prison near Mobile, Alabama. In fact, one guard had paid another prisoner to kill Patterson, but he miraculously survived despite being stabbed 20 times. Because of this and other abuses suffered at the hands of prison guards, he twice attempted to escape, the second attempt being a successful one.

On July 17, 1947, Patterson was working on a prison farm when he and several other inmates simply ran off from their assigned duties. After swimming through snake-infested creeks and evading pursuing dogs, Haywood reached Atlanta, Georgia, before eventually arriving at his sister's home in Detroit. He was arrested there in 1950 after killing a man in a barroom brawl. Two years later, Haywood Patterson died in prison at age 39.



As scholar David Pitts has remarked, the Scottsboro case resulted in a "more wide-reaching interpretation of the Fourteenth Amendment guarantee of 'equal protection under the law.'"

Whereas in most cases whites could feel confident about the protection of their 14th Amendment right guaranteeing them a fair trial, blacks, especially those in the South and of lower financial and economic status, could not always feel as secure. As stated earlier, the Alabama Supreme Court had ruled that the state had the right to "fix qualifications for jurors," preventing the defendants from being judged by a jury of their peers.

The Scottsboro Boys deserved the same protection under the law that the Constitution grants to all Americans. They didn't always get it. **P**

NOTE ON SOURCES

My special thanks go to Christina Jones and Tab Lewis at the National Archives at College Park, Maryland, and Kirsten Carter at the Franklin Roosevelt Presidential Library and Museum in Hyde Park, New York, for their help in locating documents related to the Scottsboro case. Thanks also go to Karen Needles for bringing the Scottsboro Boys case to my attention.

Letters to President Roosevelt are in the Straight Numerical File 158260-46 section 1-13, General Records of the Department of Justice, Record Group 60. Records regarding the Scottsboro march on Washington are from File 104-32—Scottsboro Demonstrations May 8, 1933, Central Classified Files, 1937–1950, Records of the U.S. Secret Service, Record Group 87.

Two books were helpful in writing this article: *The Scottsboro Boys* by James Haskins published by Henry Holt and Company, Inc. 1994, and "The Scottsboro Boys and Fundamental Rights" by David Pitts, published in *Issues of Democracy* (July 2001). The quotation from Clarence Norris about Judge Hawkins is from "The 1930s in America: Facing Depression" published by the Center for Gifted Education at the College of William and Mary, published in 2003.



Author

Jay Bellamy is an archives specialist in the Research Support Branch at the National Archives at College Park, Maryland, and a frequent contributor to *Prologue*. In 2008, he published *Dear Jennie*, a mystery novel based on the lives of three young people who grew up in the town of Gettysburg, Pennsylvania, before the start of the Civil War.