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The Patterson Ranch in Goldville

on the date(s) of 3-17-96

for the oral history collection being compiled by Dr. Marshall.

John Patterson  
Interviewee's Signature

Date: 3-17-96

Address 300 Dexter Avenue

Montgomery, Al. 36104-3741

Phone (205) 242-4347

Chris Nall  
Interviewer's Signature

Date 3-17-96

Address 330 State Lake Rd,

Lincolville Al

Phone (205) 396-5558

INTERVIEWEE BACKGROUND INFORMATION

Name: Judge John Patterson M/F: Male

Address: 300 Dexter Av Montgomery Al 3604-3741

Phone number(s): 1-800 236-4069

Approximate age or date of birth: Born September 27, 1921

Mothersname: Agnes Louise (Benson)

Father's name: Albert L Patterson

Places lived and when: Tallapoosa County, Goldville, Ashland  
Phenix City

Education: Law degree From University of Al.

Religion: Methodist

Business, political and social memberships (past and present): Phi Eta Sigma, Omicron  
Delta Kappa, Phi Alpha Delta, Farrar Order of Jurisprudence, Alpha Tau Omega  
American, Montgomery, Alabama Bar Association  
Present occupation: Judge Court of Criminal Appeals

Former occupations: Lawyer, Army, State Governor, City Attorney General

Special Skills: Politition

Major Accomplishments: Cleaned up Phenix City, Major in army

National Events in which interviewee has participated: North African, Sicilian, Italian  
Southern France, and German Campaigns of WW II

Local Events in which interviewee has participated: Cleanup of Phenix City  
(2) Dedications of Patterson Hall at JSU

National born U.S. citizen?  Yes  No Naturalized Citizen: Yes/No

Country from which he/she emigrated: \_\_\_\_\_

Documents, photographs, and artifacts which are in the possession of the interviewee: \_\_\_\_\_

Individuals recommended by the interviewee who might be candidates for an oral history interview: \_\_\_\_\_

Additional information: See News Clips attached

## **LIST OF NAMES WITH CORRECT SPELLING**

- Judge John Patterson
- Angen Louise (Benson)
- Albert L. Patterson
- Lamer Reed
- Gordon Persons
- Crack Hanna
- J. Edgar Hoover
- Arch Ferrell
- Si Garrett
- Albert Fuller
- Willie Painter
- Johnny Frank Griffith
- John McIntire
- Lurleen Wallace
- George Wallace
-

# TALLAPOOSA COUNTY BACKS JOHN PATTERSON



*For Alabama's  
Next Governor!*

Welcome To The  
**KICKOFF RALLY**  
*at New Site High School*

*Friday, March 4 - 7:00 p.m.*



**JOHN PATTERSON . . .**  
*"PROVEN DEFENDER . . .*  
*OF OUR RIGHTS!"*



# *Patterson's Heritage Lies Deep In County*

The roots of John Patterson lie deep in Alabama's soil. The rugged character and unswerving devotion of his pioneering ancestors are reflected in the dogged determination, the courage and the integrity that have marked every term in his illustrious career.

This brilliant man has been an outstanding student, a brave and daring soldier, and a dedicated and fearless leader in every public office he has held. Having served with distinction one term as Governor of his beloved State — a term of memorable achievement — John Patterson now seeks to return to that office to continue the progress he inaugurated during his four years in the Governor's chair.

John Patterson himself was born on the family farm near Goldville, Alabama, only three miles from New Site. He still maintains this original family home. But those roots go back much farther than that — back for many generations.

His grandparents resided in this same East-Central Alabama territory. They were Robert and Louvena (Hart) Benson of Sunny Level in Tallapoosa County and Delona and Mary Green (Sorrell) Patterson of Goldville. Grandmother Patterson died at 92, just two weeks after her greatest hour of triumph — the inauguration of her illustrious grandson as Governor, when she proudly danced the first waltz with him at his Inaugural Ball.

John is the son of Mrs. Agnes Louise (Benson) Patterson and the late Albert L. Patterson. Both his parents taught school at various times. His mother was his first teacher when he began his education at a tiny rural school at Rocky Ford in Morgan County.

Governor Patterson's father attended Jacksonville State College and the University of Alabama, where he was a Phi Beta Kappa. He taught in small schools in Tallapoosa and Cullman Counties in the 1920's, was principal of high schools at Ashland and Rockford, and was chairman of the Phenix City Board of Education for nine years.

John Patterson proceeded through the public schools of Rockford, Opelika and Alexander City and Central High School in Phenix City, where he was graduated in 1939.

With the outbreak of World War II, the future Governor entered the United States as a private. He served from 1940 until 1946 and emerged with the rank of Major. He took part in the actions in North Africa, Sicily, Italy, Southern France and Germany.

During this period he was a member of the 5th Field Artillery Battalion, First Infantry Division and the 17th Field Artillery Battalion. He was recalled into the Army during the Korean conflict in 1951, serving until December, 1953, in the Judge Advocate General's Section, Headquarters Fourth Infantry Division, where he engaged in the prosecution and defense of criminal cases for the United States Army in Germany.

Governor Patterson enrolled in the University of Alabama Law School in 1945. In undergraduate school he majored in political science, public administration and history. He received his law degree in August, 1949, graduating with honors, and joined his father's law firm in Phenix City where he remained except for time out for the Korean service.

While studying at the University of Alabama, John Patterson met lovely Mary Joe McGowin of Clanton, a home economics major. They were married in Clanton in October, 1947. His wife was born in Georgiana in Butler County, the daughter of Mrs. Mildred (Dunn) McGowin and the late Sibley McGowin.

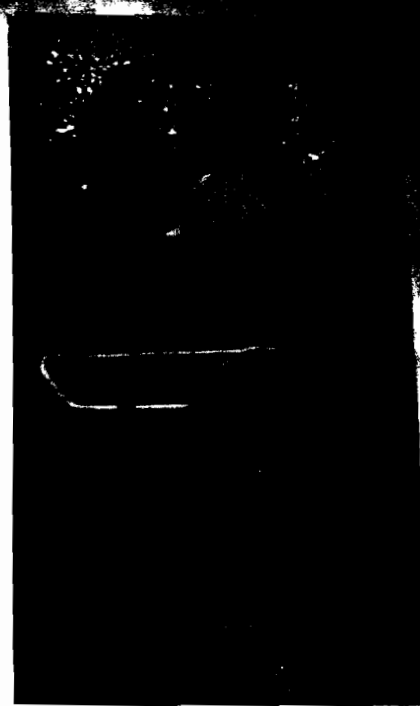
The Patterson's have two children, Albert L., III, and Barbara Louis, known affectionately as Babel. Albert is an honor student at Sidney Lanier High School in Montgomery where he is a Vocational Agriculture student. He is active in ROTC and is an Eagle Scout. Babel is a student at Bell-grath Junior High School.

It was sheer tragedy that catapulted John Patterson into the political arena. His father, Albert L. Patterson, had won the Democratic nomination for the office of Alabama Attorney General. He had vowed to "cleanup" Phenix City, which had become infamous for its wide open vice and gambling, with the community at the mercy of gangsters.

Mr. Patterson was assassinated on June 18, 1954. Martial rule immediately was established in Phenix City. With National Guardsmen bringing hundreds to trial, young John Played a leading role in the cleanup and return to law and order. Heeding the call of the people of the State, John Patterson was elected Attorney General and his discharge of that office brought wide acclaim.

As Attorney General, John Patterson provided statewide leadership in the field of law enforcement, applying the laws with relentless vigor and virtually wiping out the last vestige of organized crime in Alabama. He realized a personal hour of triumph when, in 1956, Phenix City won nationwide honors as "America's Model City."

Governor Patterson himself has been paid many notable honors. In 1956 he was named one of the ten outstanding young men in America by the United States Junior Chamber of Commerce. This was in competition with candidates from all parts of the country. That same year he was chosen as one of the four most outstanding young men in Alabama. Many organizations, including international news services, have named him "man of the year" on several occasions.



**JOHN PATTERSON**—The man who rose from a Tallapoosa County farm to the governorship of a flourishing state. As a young boy (top left) young John lived several years with his family in Alexander City on Franklin and Semmes Streets. Those were the years spent in companionship with a toddling playmate, his younger brother Maurice (top center). As he grew toward manhood young John Patterson found that life afforded him luxuries only if he worked to earn them. A new bicycle (top right) was paid for by John by delivering papers before and after school. The years ahead gave him a fine family (left) which, in 1958, became Alabama's first family. With the governor are his wife, Mary Jo, their daughter, Babel, and son Albert III. The John Patterson story . . . from Tallapoosa farm to the governor's mansion . . . is truly one of stirring accomplishment. It is backdropped by hardship, perseverance, fortitude, and a Christian belief in mankind.



**“NOBODY BUT THE PEOPLE**

**For PATTERSON . . .**

**and thank goodness there are still plenty of them!”**



JOHN PATTERSON AT ABOUT 5 YEARS OF AGE,  
ON THE STEPS OF THE SCHOOL.

*In this picture, I  
am standing on the  
steps of Daugette Hall  
at Jacksonville State Univ.*

# JOHN PATTERSON

WORE

*Frohsin's*

CLOTHES

WHEN HE WAS  
A BOY ...

## Today He Still Shows This Same Fine Judgment!

EVERY CITY HAS AN OUTSTANDING STORE . . . . .  
IN ALEXANDER CITY

IT'S *Frohsin's*

work  
on  
gamma,  
prelims &  
interviewing

95

## The Patterson influence on Phenix City Alabama

Judge John Patterson lives on a farm ~~in~~ located in Tallapoosa County in the small town of Goldville, Alabama. It was on this farm that he was born on September 27, 1921. John Patterson is the son of the late Mrs. Agnes Louise (Benson) Patterson and the late Albert L. Patterson. The Patterson family moved to Goldville in 1889 from nearby Clay county. Both his parents were school teachers. They attended Jacksonville State University in the summer to gain extra degrees. Patterson hall at JSU is named after Albert Patterson. John Patterson dedicated the first building and 30 years later dedicated the new Patterson hall. His family moved to Phenix City in 1933. Although this was in the height of the great depression work was plentiful because the nearby Fort Benning. Soldiers would come to Phenix City and spend their paychecks on gambling, and the plentiful prostitution. Albert Patterson began a law practice and was doing well.

After graduating high school in 1939 from Central High in Phenix City, John Patterson joined the army. He was stationed in Canada, and served 3 years in the service. During his term he saw action in the North African, Sicilian, Italian, Southern France, and German campaigns of World War II. He was discharged in 1945, with the rank of Major. John Patterson then went back to school at the University of Alabama and got an undergraduate degree. He then transferred to law school and in 1949 got his law degree. He then went back to Phenix City to practice law with his father. John Patterson was then recalled to the army and served 2 more years in the Korean war. He then returned back home to Phenix City.

Upon returning to Phenix City his father was running for the office of State Attorney General. He was running on the platform of cleaning up Phenix City. John Patterson helped his father with his campaign. He said, "Phenix City had become a poor man's Las Vegas". What he meant by this, was that it had all of the same things to do but not as high class as Vegas. Phenix City was controlled by the Mafia or the syndicate. They controlled all businesses and political activities. If local people tried to do any thing



about it they would wind up in trouble with the gangsters. When good people tried to report the situation in Phenix City to the Governor of Alabama, he would say it <sup>was</sup> a local matter. When a person would go to Montgomery to the Governor's office and report on the gangsters' activity, someone would call the gangsters back in Phenix City and tell them who was reporting them before the person could even leave the Governor's office. This usually caused the person to wind up dead. The way they selected the jury foreman, jurors, and grand jury was also just as corrupt. They had a jury box with three by five index cards with all the jurors names in it. The cards were held together with a rubber band. They would reach into the box, pull out the packet, and simply deal off the top of the group of cards. This would be the names of the people for the next term. If anyone would "buck the system," the syndicate would boycott them, burn them out or just kill them to shut them up. This was a real desperate situation for the honest people of Phenix City. They were simply <sup>scared</sup> to death of the gangsters in Phenix City. The syndicate owned, or where actually part of, the local law enforcement, courts, politicians and business men. 502

June first 1954, Albert L. Patterson took the office of State Attorney General. The election was not free from it's share of criminal activity. In a runoff election, an effort was made state wide to steel the election from Mr. Patterson. The chairman of the Democratic committee in Jefferson County was Lamer Reed. He let the Attorney General of the state and the Attorney General Phenix City and some others take the voting records down to a local hotel. At the hotel they altered the recapitulation sheets. The purpose was to steel six hundred votes from Albert Patterson. A Jefferson county reporter caught them and reported their actions to the Jefferson county Grand Jury. The grand jury launched an investigation into the election fraud. During the grand jury's investigation the Chairman of the Democratic committee Lamer Reed confessed. In his confession, he implicated several of the key players involved in the voter fraud. A few short days after the election Patterson was to testify before the grand jury about the election fraud. This would never take place. Albert Patterson was gunned down in his car a few days before he was to leave for Montgomery. This ruthless killing infuriated his son John Patterson. He went to the Governor of Alabama Gordon Persons for help in

solving the cold blooded murder. Governor Persons was reluctant to do anything about the crimes. It was only after enormous public pressure that the Governor did something. What he did was to call out the National Guard, commanded by General Crack Hanna, and for the first time in the history of the United States, marshal law was declared in Phenix City, Alabama. A 75-man, battle-equipped group of Guardsmen began shutting down and burning the slot machines and closing the casinos.

After his father's funeral, John Patterson announced he would run for Attorney General to replace his father in the office. "Politics was a little distasteful to me" he said, "but I was so angry about what they had done to my daddy, that I wanted to do something about it." This was his motivation to run for Attorney General. He was nominated and had only a token Democratic opposition. He was elected in a special election and replaced his father as State Attorney General. Two days later, John Patterson boldly claimed that the officials investigating his father's murder were the most likely suspects. He traveled to Washington DC hoping to enlist the help of FBI investigator J. Edgar Hoover. Hoover was too busy to see him. "I got mad as hell about it" but the snub brought a backlash of beneficial publicity, Patterson recalls. Due to the negative publicity Alabama's Supreme Court ordered a special grand jury to investigate the murder and related corruption. Bernard Sykes, an assistant attorney general, was sent to replace local investigators. Eventually, nearly every local official resigned. Those arrested included a state representative, the Russell county circuit judge, district attorney, sheriff, chief deputy and deputy; and Phenix City's mayor, city clerk and city attorney. On December 9, 1954 Russell County solicitor Arch Ferrell, Chief Sheriff's Deputy Albert Fuller and Alabama Attorney General Si Garrett were indicted for the murder of Albert Patterson. Si Garrett checked into a Texas mental institute and never stood trial. It came out in the trials of Ferrell and Fuller that evidence had been destroyed at the scene of the crime. On March 11, 1955, Fuller was convicted and given a life sentence. Ferrell was found not guilty. He was disbarred; however, a decade ago he reopened his law practice in Phenix City. None of this would have been possible if not for one honest man. Willie Painter was an investigator in the murder. Painter suspected that his superiors were covering up in the

investigation. Although the crime scene had been wiped clean by the cover-up, Willie found some prints. He found prints on the inside of a visor of Albert Patterson's car. After lifting the prints, he put them in an envelope and mailed them directly to the FBI in Washington. The prosecution had 2 eye witnesses in the case. One of the witnesses was Johnny Frank Griffith. A few hours after testifying, Griffith was stabbed at a local bus stop. When he heard about it, John Patterson went to the hospital to see him. Griffith seemed to be in good shape. Patterson scolded him for being carelessly out in public, then he went home to eat supper. While eating, he got a call from the hospital. The hospital reported he went into cardiac arrest, and they did an open heart massage on him but couldn't revive him. Patterson, and several others, believe he was killed in the hospital. The other witness <sup>who</sup> that came forward was cleverly hid<sup>d</sup> out from the gangsters and was able to testify. John Patterson is careful to point out that he had a lot of good people helping to solve the murder case and to clean up Phenix City.

Shortly after the murder of Albert Patterson, people from Hollywood came to Phenix City. They wanted to know latest historical events that took place there. After a short investigation by producers, they decided to make a movie about it. When they came to make the movie, they took over the city. They wanted to get in, get it filmed, and get out. They did re-enactments of the murder of Albert Patterson on the exact spot where he was killed. The actor who played Albert Patterson, John McIntire, actually wore some of Patterson's clothes. They wanted to spice up the story and were not really interested in the truth. One of the main misconceptions the movie portrays is that Albert Patterson was killed in gang activity. This is not true, he was killed for political reasons. The movie is titled "The Phenix City Story" and is still shown on the late movies sometimes, it is not yet available on tape. The Hollywood version does accurately depict the deep roots of the gang activity, and the successful cleanup of the city.

"After a couple of years as Attorney General, I saw if I wanted to be Governor I had an opportunity to be Governor." Patterson explained. "Four years later I ran in 1958. I finished first in the Democratic primary. George Wallace finished second. We had a run off, and I beat him in the runoff and was inaugurated in January of 1959." This made Patterson the only

politician ever to defeat George Wallace in the statewide race and the youngest man ever elected to the post. Patterson served four years as governor. After staying out the required four years, Patterson ran for another term as governor and was defeated by Lurleen Wallace. After an unsuccessful campaign for Chief Justice of the Alabama Supreme Court, Patterson decided to give up politics and go back to his law practice. George Wallace was a good friend of John Patterson and helped him to get on the Court of Criminal Appeals. Patterson still serves as Judge on the Court of Criminal Appeals. This is the last term he will be able to serve due to his age. He plans to continue serving the court as a retired judge in some capacity. "I owe everything to my father, he is responsible for what has become of me" Patterson states. "I think about that everyday. I can say that today Phenix City, Alabama is a fine place, it is a growing and prospering city." Phenix City was cleaned up and legitimate business moved in. In 1956 Phenix City won nationwide honors as "America's Model City."

Some of my observations in talking with John Patterson are that he has enjoyed his life and role in Alabama history. Although put in the situation of becoming a politician under unfavorable circumstances, he has been very successful in politics. He has no regrets and takes great pride in having a prominent role in changing the history of Phenix City. Even as the governor of Alabama, he worked to rebuild Phenix City. He cherishes his relationship with former governor George Wallace, and he enjoyed helping him in the Presidential race. Loyalty and a likeness to George Wallace probably got him appointed to his current position of Judge on the Court of Criminal Appeals. John Patterson seems to regret that he cannot be return to his current position. The law will not allow him to run again because he is over the age limit of seventy. His first love and probably still his favorite occupation is practicing law. He said "If I had to do it again I would still practice law."

Judge John Patterson's ranch house is in the middle of 40 acres, surrounded by trees, horses, cattle and a large lake with fish. I think this

explains what Patterson is all about. He is a simple country boy with a significant historical background, and accomplishments. He said " I don't think I could be a politician now because I couldn't say what is supposed to be said today and keep a straight face."

Great  
job  
A

# Fateful '54

FRONT PAGE

## John Patterson recalls his father's death in Phenix City

By Ted Bryant

Associated Press

MONTGOMERY — About 9 p.m., 38 years ago tonight, a young lawyer lay on his bed in a little Chattahoochee River town and started reading a book, "Scottsboro Boy."

He didn't finish it. In fact, he's kept the book all these years, but has not resumed reading it.

June 18, 1954, was the night his father, Albert Patterson, died in a pool of blood just outside his law office, and Phenix City became known as possibly the most corrupt town in the country.

It had been rotten for a long time, John Patterson recalls today. His family moved there from Alexander City in 1933, before John reached his teens, because the depths of the Depression were felt less in Phenix City. Three regiments of soldiers at nearby Fort Benning, Ga., could count on a monthly payroll.

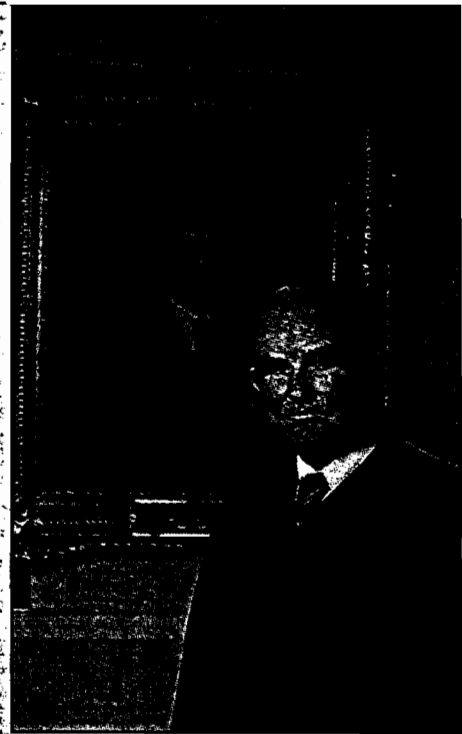
**'Phenix City was as wide open as Las Vegas. Every college kid at Auburn and every soldier at Fort Benning can tell you that.'**

— John Patterson

"I'd take part of my lunch money every day and play the slot machines and buy lottery tickets," John Patterson said this week.

So corrupt was Phenix City, he said, that two lotteries operated with city business licenses, a business manufactured loaded dice and marked cards and a safe cracking school was conducted, complete with mock-up safes.

Please turn to PATTERSON, page A8



Bill Ingram/Post-Herald

Judge John Patterson, former governor of Alabama, has a photo of his father, Albert Patterson, hanging in his office in the state Supreme Court building. His father's murder started the cleanup of Phenix City.

# JUDICIAL BUILDING

300 Dexter Avenue  
Montgomery, Alabama 36104-3741

## **HOURS OF OPERATION**

### Building

*Monday - Friday 8:00 a.m. - 5:00 p.m.*

### Supreme Court and State Law Library

*1-800-236-4069  
(205) 242-4347*

*Monday - Friday 8:00 a.m. - 8:00 p.m.  
Saturday 9:00 a.m. - 5:00 p.m.*

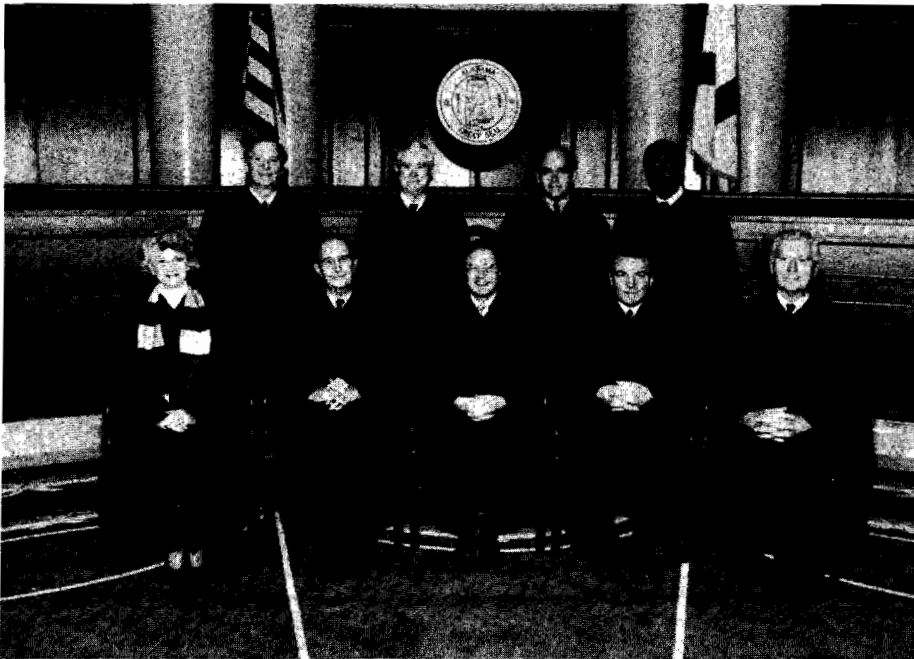


ALABAMA · JUDICIAL · BUILDING

## SUPREME COURT

The Supreme Court, the highest state court in Alabama, is composed of a chief justice and eight associate justices, each elected statewide for a term of six years. The Supreme Court has the power to superintend and review any case tried, heard, or appealed in any other court in the state. It has exclusive jurisdiction over all suits at law where the amount in controversy exceeds \$10,000<sup>1</sup> and all appeals from orders of the Alabama Public Service Commission involving utility rates. The Alabama Supreme Court has discretionary jurisdiction over all cases reviewed by the two intermediate appellate courts, is authorized by law to give advisory opinions to the governor and the legislature on constitutional questions, and may answer questions of state law certified by a federal court. In addition, the state's highest court has rule-making power and has authority to promulgate procedural and administrative rules to ensure the efficient, speedy administration of justice.

<sup>1</sup> *The Court's exclusive jurisdiction will include cases exceeding \$50,000.00, effective January 1, 1995.*



Standing, left to right: Justices Ingram, Steagall, Kennedy, Cook. Seated, left to right: Justices Shores, Maddox, Chief Justice Hornsby, Justices Almon and Houston.



## SUPREME COURT AND STATE LAW LIBRARY

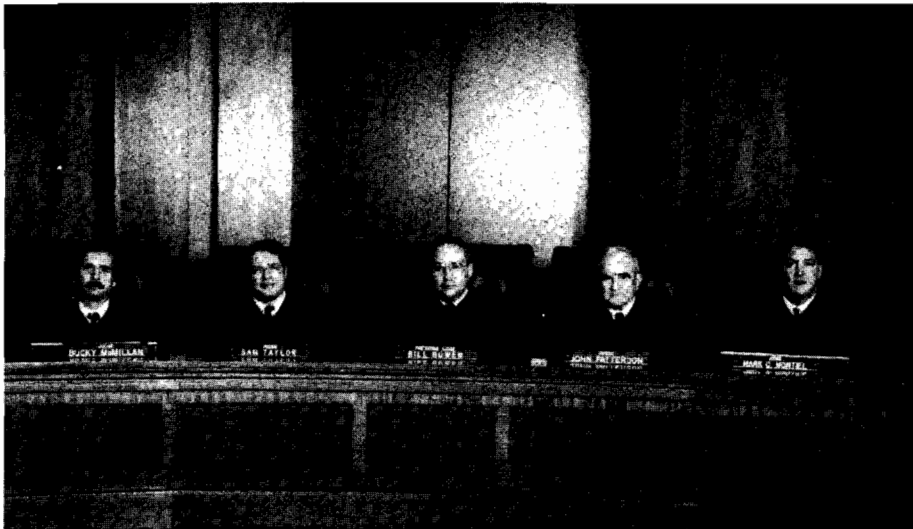
The Alabama Supreme Court and State Law Library was established in 1828 as the Library Society of the Bench and Bar of the Supreme Court, a private non-profit organization whose goal was to provide a library for the "exclusive use of the Bench and Bar of the Supreme Court of the State." One-hundred and sixty-six years later, the Law Library serves the Alabama Supreme Court, the Court of Criminal Appeals, and the Court of Civil Appeals, the Administrative Office of Courts and is also the State Law Library, open to the public. Its collection, approximately 185,000 volumes, is the second largest legal collection in the State. The Law Library is also one of the oldest U.S. Government Depository libraries in the United States, having been designated a depository in 1884.

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## COURT OF CRIMINAL APPEALS

The Court of Criminal Appeals is a five-judge court having exclusive appellate jurisdiction of all criminal cases, including all post-conviction writs arising therefrom. The Court has authority to issue remedial writs necessary to give it general superintendence and control over all circuit, district, and municipal courts exercising jurisdiction in criminal proceedings and in juvenile proceedings wherein the juvenile is alleged to be delinquent. Judgments of the Court of Criminal Appeals are subject to review by the State Supreme Court, except the review is automatic in capital cases where the death penalty has been affirmed.

Judges of the Court are elected state-wide for six year terms, and the presiding judge of the Court is elected by the members of the Court for such term as the Court shall prescribe.



left to right: Judges McMillan, Taylor, Presiding Judge Bowen, Judges Patterson and Montiel.

## ADMINISTRATIVE OFFICE OF COURTS

The Chief Justice of the Alabama Supreme Court is the chief administrative officer of the state's court system and is authorized to appoint an administrative director of courts and other personnel to assist him in the performance of his administrative responsibilities.

The Administrative Office of Courts, under the direction of the administrative director of courts, is responsible for providing centralized, state-level administrative support necessary for the operation of the state's court system; developing improved procedures and systems to increase the operational capacity of the courts including court automation; and collecting and disseminating information necessary to promote more efficient operation of the courts. In addition to providing administrative assistance to the trial courts, the Administrative Office of Courts provides judicial educational, legal research, personnel, and budgeting and purchasing assistance and develops forms and manuals for use by the trial courts.

## COURT OF CIVIL APPEALS

The Court of Civil Appeals is composed of a presiding judge and two associate judges. The Court of Civil Appeals has original jurisdiction in all civil appeals where the amount in controversy does not exceed \$10,000<sup>2</sup>. The Court also has jurisdiction of all appeals from administrative agencies other than the Alabama Public Service Commission, all appeals in workers' compensation cases, all appeals in domestic relations cases, including annulment, divorce, adoption, and child custody.

Pursuant to Act 93-345, which became effective October 1, 1993, the Supreme Court is authorized to transfer certain civil cases appealed to that court to the Court of Civil Appeals.

<sup>2</sup>*Jurisdictional amount will increase to \$50,000.00 effective January 1, 1995.*



left to right: Judge Thigpen, Presiding Judge Robertson, Judge Yates

# Patterson

Continued from page A1

Phenix City drew young soldiers to Fort Benning and college students from Auburn University, then Alabama Polytechnic Institute.

Phenix City was as wide open as Las Vegas," Patterson recalls. "Every college kid at Auburn and every soldier at Fort Benning can tell you that."

The 1954 assassination propelled Patterson, then 32 years old, into the attorney general's office. Four years later, he was elected governor, becoming the only politician ever to defeat George Wallace in a statewide race and the youngest man ever elected to the post.

Today, at age 70, the sparkle remains in Patterson's eyes as he looks back over the past 38 years from his office in the cluttered Alabama Supreme Court building on Montgomery's Dexter Avenue, a block away from the Capitol.

He's a member of the Alabama Court of Criminal Appeals. Ironically, Wallace appointed him to the job, but he has won election twice without opposition.

There's yet more irony in the fact that Patterson's current office was part of the attorney general's suite when he took office in early 1955. "I've gone clean circle and come right back to where I started," he said.

On a typically hot June day in 1951, the official vote canvass showed Albert Patterson had been nominated for attorney general by the Democratic Party. With little

Republican strength in Alabama then, the Democratic nomination virtually assured election in November.

Campaigning on a platform of cleaning up Phenix City's illegal gambling, prostitution and mob corruption in general, Albert Patterson had defeated Lee "Red" Porter of Gadsden by 1,400 votes in a June 1 runoff.

The election became marked by charges of voter fraud. In fact, on June 18, a grand jury in Birmingham was considering those charges. The elder Patterson was in Montgomery, where the canvass was being conducted.

John Patterson recalls the evening. "When he went back home that night, he knew he'd won. He went back to his office, then went to the post office to get his mail about 8:30 and he went back to his office until a little after 9."

About 9:10 — Phenix City observes Eastern time like its sister city, Columbus, Ga., just across the river — the new nominee went to his car.

Witnesses said they saw two men walk into the alley where the elder Patterson's car was parked.

One of the men, later identified as Albert Fuller, 37-year-old chief deputy sheriff of Russell County, was leaning against the vehicle, his hand resting on top of it on the driver's side.

Two shots rang out, and soon John Patterson was roused from his reading of "Scottsboro Boy," a book about one of the nine black men accused of raping two white women in Alabama in 1931. Patterson was told there was trouble at the office where he practiced law with his father.

At the scene, he said, "I got down

and looked at the blood. I could tell it across the river and mailed it to the FBI without telling anybody he found it," Patterson said.

Fuller was convicted of murder and served 10 years before being paroled to a city job in Mobile in 1967. He was injured in a fall at a sewage plant and friends brought him back to Phenix City, where he later died.

Witnesses identified the other man running away from the shooting scene as Arch Ferrell, circuit solicitor (now called district attorney) for Russell County. Ferrell was charged with first-degree murder and found not guilty. Disbarred as a result of the voter-fraud charges, Ferrell eventually regained his license to practice law and now, Patterson said, runs a low-profile real estate practice in Phenix City.

Also implicated was Attorney General Silas Garrett, who testified for

"He found that fingerprint and took

10 hours before the voter-fraud grand jury in Birmingham on June 23, but quickly left the state and was sequestered in a Texas mental hospital. He died soon after returning to Alabama several years later.

Patterson said the June 1 runoff recapitulation sheets were taken to Garrett at the Redmont Hotel, where 35 were changed to 88 and 18 were changed to 75. It didn't work. His father won anyway, and died because of it.

The murder started the cleanup of Phenix City. Gov. Gordon Persons, who had until then ignored the town's vice and corruption, declared martial law, sending in a National Guard contingent as well as a force of state troopers.

More than 100 people, including many local officials, were prosecuted on a plethora of criminal charges.

The State Democratic Executive Committee called a special election to replace Albert Patterson as its attorney general nominee. Because his father had gone \$15,000 in debt in his campaign, John Patterson said, he had to borrow money for his qualifying fee to run in the election.

"I had grave misgivings, but the reason I wanted it (the office) was because I saw the only way to solve that crime (his father's murder) and clean up Phenix City was to have that office," Patterson said. "So far as I know, it's still a clean place."

Over the years, new evidence has turned up. For example, investigators never knew where the gun used in the shooting came from or what happened to it. Patterson said he has an affidavit

showing the gun, a .38-caliber pistol on a 44-frame (a long-barreled weapon used as a club as well as a firearm), was stolen in the burglary of a railroad detective's home in Milledgeville, Ga.

The affidavit says it was cut apart with an acetylene torch and the pieces taken away by Fuller in an onion sack after they cooled.

Today, Patterson believes a movie about those times, "The Phenix City Story," was inaccurate because it portrayed his father's murder as a mob action.

"It was a political murder," he said. "The outgoing (state) administration had been doing business with those people over there and they were sending money back here (Montgomery). They fully believed they could do anything they wanted to do and get away with it."

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## Phenix City, 33 years ago: 'It's like a dream'

By CHUCK CHANDLER  
Advertiser Staff Writer

PHENIX CITY — Big-city mob murders are legendary, but few people 33 years ago expected a rubout of Alabama's highest lawman by a good-ole-boy Mafia.

Albert L. Patterson had just won the Democratic nomination for attorney general on a promise to clean up Phenix City, a town coincidentally called Sodom when it was founded in 1838. Patterson and other Phenix City residents were fed up with the bluejeaned boys who ran their city in the same style of zoot-suited thugs up North.

PHENIX CITY HAD BECOME a Southern Viceland, the redneck playground of prostitution, gambling, alcohol and drugs. Corrupt elected officials and police always turned their heads

and often profited — from the illicit games. Naturally, local mobsters were angered by Patterson's attempts to close their thriving sin city. They violently lashed out at his Russell Betterment Association, dynamiting one member's home, burning the RBA attorney's home and Patterson's law offices and assaulting RBA members at the polls.

Patterson was entering his car in the alley between his law office and the Elite Cafe when someone rammed a .38-caliber revolver in his face and fired four times. The World War I hero staggered about 25 feet before falling dead on a sidewalk overlooking many of the gaming parlors.

Threats and attacks had been rampant, but few people expected the June 18, 1954, cold-blooded, gangland-style murder. Please see PATTERSON, 2A

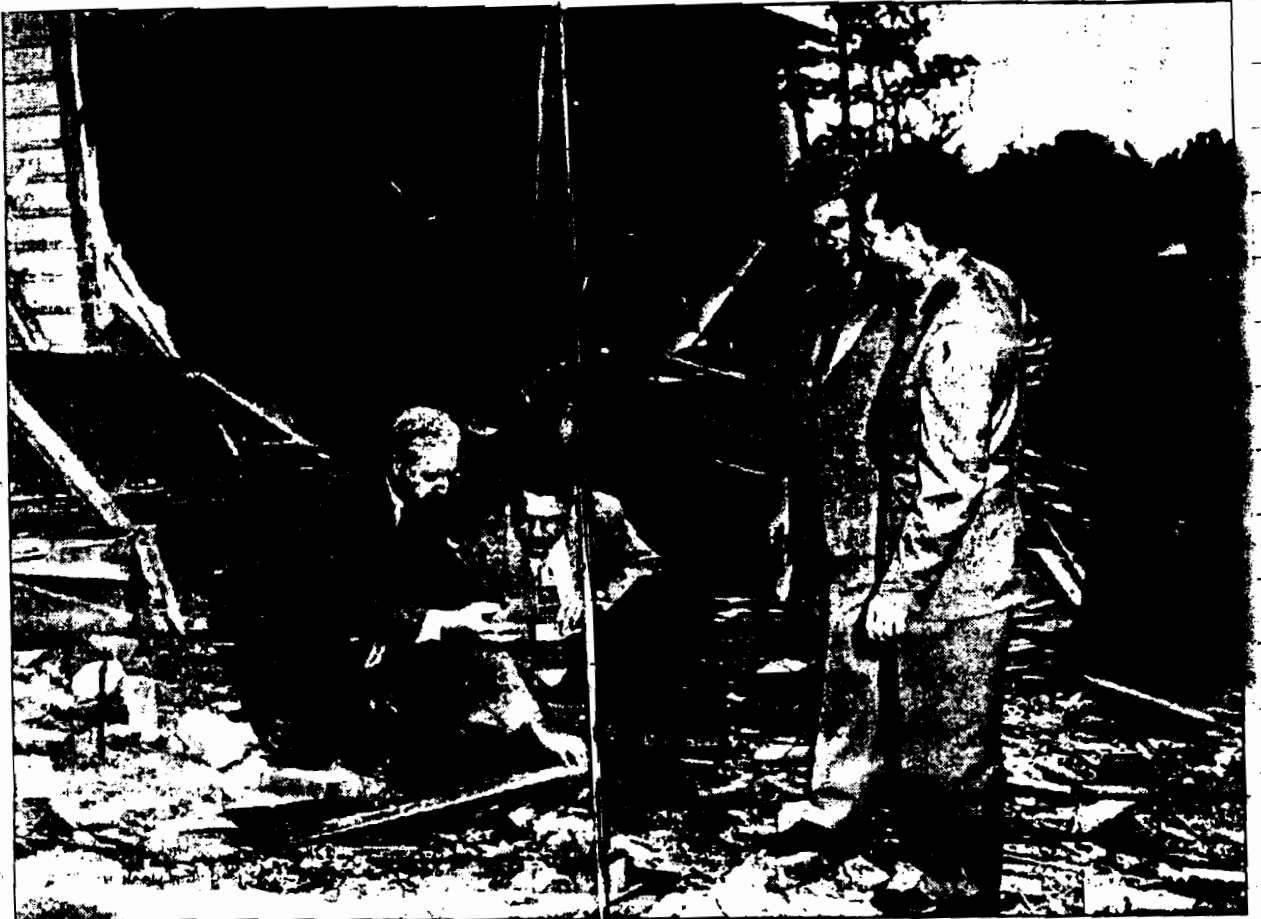


J. Patterson



Pennington

# Patterson died on the day he won runoff



—Photo courtesy of Rex Thomas

Kneeling, Gov. Persons, left; and Garrett inspect the home of Bentley, right

...at far right, the shortest man is Fuller, who was convicted of Patterson's murder; Garrett was suspect

## ● continued from 1A

of Patterson. The shooting came the same day he was certified as the winner of the Democratic primary runoff.

"Unbelievable" is the word most often used to describe the events that broke the collective back of the hoodlum overlords. Patterson's assassination was the beginning of the end for what his son recently described as "sort of a hoodlum's Las Vegas."

JOHN PATTERSON WAS 33 when his father was found lying in a pool of blood below the law offices they shared in the Coulter Building on Fifth Avenue. They were partners less than a year before the rapid-fire triumph of election and tragedy of death.

In the days before his murder the elder Patterson said publicly and privately that he had little chance of surviving through the swearing-in ceremonies. Patterson told fellow RBA founder Howard Pennington, "If they do get me, don't let them get away with it."

Still, John Patterson claims his father never intended to be a martyr. Twice in one day during World War I he received terrible machine-gun wounds on the battlefields of France, yet he had his military rate of disability reduced from 100 percent to 34 percent! It isn't logical that Patterson would sacrifice himself, his son contends.

"He never told me that, and you know, to this day I don't think he seriously thought those people would do that," said Patterson's eldest son, who currently serves on the Alabama Court of Criminal Appeals.

"I think he had every intention of using the powers of the Attorney General's office to clean up that city, and I think they knew it," Patterson added.

The elder Patterson's premonitions aside, and regardless of the assassins' intentions, Phenix City began a miraculous transformation almost the instant the bullets struck Alabama's new attorney general. Within a year the border town could no longer live up to its reputation as the city "Georgia won't have and Alabama doesn't want."

**THE MORNING AFTER** the assassination Gov. Gordon Persons ordered all honky tonks closed, sending in a 75-man, battle-equipped group of National Guardsmen. They began raiding gambling casinos, smashing and burning slot machines and destroying other gaming devices. After the attorney general's funeral, John Patterson announced his intention to replace his father as the attorney general nominee. Nomination was tantamount to election, since there would be only token Republican opposition.

Two days later Patterson boldly claimed that the officials conducting the murder investigation were the most likely suspects. Patterson went to Washington seeking the help of FBI Director J. Edgar Hoover, but Hoover was too busy to talk.

"I got mad as hell about it," but the snub brought a backlash of beneficial publicity, Patterson recalls. Gov. Persons declared martial law in Phenix City, marking the first time historians could recall such extreme action in America.

"In just a matter of hours the whole town was shut down, and it's never been open again," Patterson said. "Everything began to move just right into place."

Alabama's Supreme Court ordered a special grand jury to investigate the murder and related corruption. The circuit judge and district attorney were relieved of their duties.

The governor sent Bernard Sykes, an assistant attorney general, to replace local investigators.

**EVENTUALLY**, nearly every local official resigned. Because of large-scale voting fraud, the State Democratic Executive Committee voided the entire Russell County primary election.

More than 100 people were prosecuted for nearly 600 criminal charges running the gamut of vice. Those arrested alongside reputed mobsters included a state representative; the Russell County circuit judge, district attorney, sheriff, chief deputy and deputy; and Phenix City mayor, city clerk and city attorney.

Abortion centers were closed. A white slavery ring was broken. Bodies were exhumed and for the first time labeled murder victims. Thousands of weapons and rounds of ammunition were seized. Factories producing loaded dice and marked cards were closed. A safecracker's classroom was discovered and shut down.

In a single month guardsmen found and destroyed stills containing nearly 4,000 gallons of moonshine whiskey.

"It's like a dream thinking about it," Patterson said recently. "It's almost unbelievable."

Some of the biggest revelations came during the Birmingham trials of two of the three men accused in Albert Patterson's death.

On Dec. 9, 1954, huge headlines in newspapers across the state told of the indictment of Russell County Solicitor Arch Ferrell, Chief Sheriff's Deputy Albert Fuller and a third, unnamed man who was out of state and could not be arrested immediately.

**THE UNKNOWN SUSPECT** four days later was revealed as Alabama Attorney General Si Garrett. Garrett checked into a Texas mental institution within days of the Patterson murder and never stood trial.

The trio of murder suspects was the same group John Patterson had accused from the beginning. The young Patterson had leveled his sharpest criticism at Ferrell's "sloppy" investigation, challenging Ferrell to "sue me if he wants to."



More than 500 witnesses were subpoenaed, and Fuller was the first to go on trial. The first state witness, a toxicologist, said the bullets that killed Patterson were the type commonly used by police for target practice.

Two witnesses said they saw Ferrell and Fuller standing in front of the Coulter Building just minutes before Patterson died. One witness said Fuller ran from bushes surrounding the nearby post office, then raced in his car away from the scene about one minute after the shots were fired.

Four state lawmen and an FBI agent testified that despite Patterson's vehicle being wiped free of fingerprints, a single print matching Fuller's later was taken from a concealed location on the passenger door.

Pennington testified that Fuller was never seen without his pistol, yet the deputy sheriff's holster was empty when he came to the hospital emergency room to investigate the Patterson murder.

**A POLICEMAN SAID** he gave Fuller a plaster mold of a shoeprint found near the murder scene, but Fuller destroyed the evidence the next morning.

The most damaging testimony came a week after the trial began, when a construction worker said he saw Fuller, Ferrell and Patterson walk into the alley, heard shots fired and saw the two lawmen flee.

Fuller claimed he was a friend of Patterson, and several alibi witnesses said Fuller was not near the crime scene.

On March 11, 1955, Fuller was convicted and given a life sentence. He was paroled after serving 10 years in Kilby Prison.

The same day Fuller was convicted, Ferrell was acquitted on vote-fraud charges for allegedly changing some 600 votes in Jefferson County in the attorney general's race won by Patterson. A man who claimed he switched the votes for Ferrell was later convicted.

On April 18, 1954, Ferrell stood trial on the murder charge, facing nearly the same witnesses and arguments that led to the conviction of Fuller. Although the witnesses made similar claims, they were not as positive in their identification of Ferrell as they were in placing Fuller at the scene.

Two reporters said a drunken Ferrell told them shortly after the Patterson murder that he was "glad he's dead" and attempted to give three cheers for Fuller before collapsing on his face at Phenix City Hall. Ferrell said, "I hated the (SOB), but I didn't gun him," just before leaving City Hall and being arrested for driving while intoxicated, the newsmen said.

**TELEPHONE RECORDS** showed Ferrell could have been making a call at the courthouse at the time of the Patterson murder. Experts said the telephone call might also have been placed elsewhere in Phenix City.

On May 3, 1955, the state sought the death penalty for Ferrell, and a jury began deliberations. The Columbus Ledger that afternoon won a Pulitzer Prize for its coverage of the Phenix City cleanup.

On May 4, after pondering the evidence 13½ hours, the jury found Ferrell not guilty. State prosecutors were stunned, having believed they had a better case against Ferrell than Fuller.

"Twelve courageous and honest men confirmed my innocence, which I personally have always known," Ferrell said after the verdict. "I am deeply gratified and shall always be grateful for the justice which I have received."

Ferrell was disbarred, but a decade ago reopened his law practice in Phenix City. A request for an updated version of Ferrell's side of the story was met with a firm but jovial, "Hell no."

"I've talked about that about as much as I can," Ferrell said. "The last real talking I did was on the witness stand in Birmingham back in 1955."

Ferrell again read the statement he had given after being acquitted. The time-worn words almost said it all, but not quite.

"We stripped the state witnesses naked," he said after pausing a moment. "Stripped them on the witness stand about the way they were -- damned bars."

**FERRELL WAS FRIENDLY** and calm as he ended the brief telephone conversation, becoming philosophical about his place in history.

"I got treated pretty nasty by some people," Ferrell said. "Most of my tormentors are dead. I've lived and prospered."

Patterson and state investigators refuse speculation about Ferrell's involvement. Patterson himself was initially a suspect — having had a loud argument with his father the day before the murder — and will say only that Ferrell was fairly tried and acquitted.

Many people still claim it was Phenix City's apathy that killed Albert Patterson. Some apparently felt the gambling halls and whore houses offered a bankrupt city its only chance to survive, enticing the 12,000 soldiers stationed six miles west at Ft. Benning.

A newspaper editorial the day after the assassination foretold the contemporary opinion: "It does not matter who pulled the trigger. It was Phenix City that got him."

Indeed, John Patterson said his father's legal practice was run-of-the-mill in Opelika and Alexander City, but began prospering upon moving to Phenix City in 1933. Patterson at one time represented the city's reputed gambling kingpin and as a state senator nominated Ferrell for solicitor.

As a 14-year-old paperboy, John "quite quickly took up the practice of putting my nickles and pennies into slot machines, betting on baseball parlays in the pool halls and buying lottery tickets.

"A fellow had to be a real church-type to not have those things in his business," Patterson recalled. "As a general rule, practically every store had them."

**ON PAYDAYS** at Ft. Benning, soldiers flocked to 14th Street, often four or five deep along the sidewalks outside the Manhattan, Silver Dollar, Silver Slipper, Skyline, 602 Club, Bama Club and others. They visited the Hilltop House, Highway 80 Fish Camp or any of about 10 other joints if they wanted prostitutes.

"It was the darndest sight you ever saw," Patterson said.

Pennington moved from Auburn to Phenix City in 1933.

"I knew there was a lot going on," he recalled recently. "But I didn't have any idea so much."

Pennington's young son came home crying one afternoon several years after the family was settled. The boy had collected his paper route money but lost all of it in slot machines before reaching home.

The father scolded the son for wasting his hard-earned money and warned that gambling was illegal.

"**HE SAID**, 'If it's wrong to play, why did the policeman show me how? Why did they stack the drink boxes up for me to reach it?'" Pennington said. "I said I'd go to the mayor and straighten this out. That was a joke."

However, when the underworld began controlling local politics, people like Albert Patterson, Hugh Bentley and Pennington fought back.

Initially, racketeers bribed local officials for protection. Later, the racketeers became the local officials, and by the late 1940s the criminal syndicate controlled Phenix City, Patterson said.

Favored local criminals seldom were arrested, and when they were, acquittal was virtually assured because the mob also controlled jury selection. Investigators later found that of thousands of potential jurors, the same two men were called for jury duty 17 times in less than a decade. A select group of about 120 "fixed" jurors repeatedly formed grand juries or decided trials during the last few years before the cleanup.

Although the Russell County Courthouse sits on a bluff overlooking the state's biggest former gambling district, the grand juries under Ferrell failed to call for investigations of the illegal activities. One infamous jury report singled out the major local problems as a hole in a courthouse screen door and excessive speeding by vehicles in the honky tonk section of town.

Gambling interests also controlled the Board of Registrars, which began registering transients of all types. Pennington recalls how mobsters carried lists of fictitious voters from one polling place to the next, openly casting hundreds of ballots for mob candidates.

**THE ELECTION PROCESS** was so corrupt, it wasn't unusual for the mob to put up \$100,000 in a local race where there were less than 4,000 votes," Patterson said.

However, the gangster influence didn't stop at the Russell County line. They began contributing heavily to statewide elections, gaining favor in the highest state offices.

"It just became the accepted attitude in Montgomery that it was a local problem," Patterson said. "The federal attitude was, 'That's a local matter. Y'all are just going to have to work that out yourselves.'"

Less than a year before Patterson's assassination, the Alabama Supreme Court had thrown out an RBA attempt to impeach Sheriff Ralph Matthews for dereliction of duty. In essence, the decision reaffirmed the



state's detachment from its outlaw city and confirmed the mob's rule.

Bentley was the first to organize against the criminal element, but the future RBA leader made little headway. Pennington about the same time began circulating anti-vice fliers on the other side of town and was similarly unsuccessful. Patterson suggested the men combine their efforts and in 1951 helped incorporate the RBA.

Pennington suggested that RBA members begin going into the gambling parlors, taking notes and swearing out warrants for criminal activities. The group instead took Patterson's advice and hired a private investigator who began bringing charges against gamblers and prostitutes.

"WE ALMOST ALWAYS lost in court, but it did kind of shake the mob up," Pennington said.

In January 1952, Bentley's home was blown up in the middle of the night. The dynamite blast hurled his wife and small son through the walls 30 feet onto their front lawn. Miraculously, all three survived.

"That was their first real mistake," Pennington said. "That got national attention. If they hadn't gotten rough, they probably could have just gone on."

The bombing bolstered the RBA, but the mob also got rougher. A month later, a state office was set afire and a local newspaper backing the RBA was burned by an arsonist.

In May 1952 RBA members stood watch outside election polls, hoping to stem the illegal voting. A gang of thugs attacked Hugh Britton, Bentley and his son, beating them as police and highway patrolmen watched nonchalantly.

Five months later an arsonist sprayed gasoline around the Opelika home of Roberts H. Brown, setting the RBA attorney's residence afire. Brown, who was the state Speaker of the House and his wife were nearly trapped in the blaze but they managed to escape. The fire came just four months after Brown unsuccessfully argued for the impeachment of the Russell County sheriff.

After Gov. Persons told the RBA they were "asking for trouble" fighting the gambling interests, Albert Patterson decided the only option was to seek the state's highest law office. During Patterson's first campaign debate, he was labeled a criminal attorney in a Mafia town by the front-runner, Gadsden attorney Lee Porter.

**PATTERSON WAS RUNNING** a poor third in nearly every newspaper's poll on the attorney general's race, trailing Porter and MacDonald Gallion.

So Patterson and Pennington traveled the state, sometimes sleeping only two or three hours each night. "Pat wore (Porter) out," Pennington recalled.

Voters began paying more attention to the dark horse, becoming partial to Patterson's platform — that the people would serve as the "court of last resort" to clean up Phenix City. They liked his bold and independent nature.

Patterson surprised the experts, almost winning without a runoff. Investigations later revealed that only several thousand last-second, illegal vote changes denied the outright victory.

Patterson led by 70,000 votes, and Gallion — through a pre-election deal — threw his support to Patterson. Big Jim Folsom, the governor-elect, backed Porter.

In the runoff, Patterson had an apparently comfortable lead before his opponents began offering \$5,000 to county election officials who would alter vote totals on the official tabulation sheets.

"They came to me at about 3 or 4 the morning after the runoff, asking if I would change votes for Porter," recalled Macon County Probate Judge Preston Hornsby. "I was so mad, I said, 'Y'all get the hell out of here and don't never come back.'"

"They started to tell me how much it would be worth to me, but I didn't even let them tell me," Hornsby added.

**THE NEXT DAY** a Birmingham grand jury caught several men in the act of changing votes after a district attorney saw what the men were doing and gathered the jury members, who were already meeting in the courthouse.

Ferrell was among the persons indicted for the Birmingham vote changes. Hornsby testified in the vote fraud case but said he couldn't identify the three men who sought his help.

Patterson eventually won by 1,404 votes of more than 382,000 cast in the runoff. He was set to testify before the Birmingham grand jury but was killed two days before his scheduled date on the witness stand.

Pennington immediately suspected Fuller, since Patterson frequently warned PDA members to be wary of the deputy sheriff. His worst ideas were confirmed when he saw Fuller's empty pistol holster at the hospital as they viewed Patterson's body.

"He walked past me and kind of grinned," Pennington said. "I said, 'Albert, you'll never get away with it.' He just laughed."

Before Fuller was indicted for Patterson's murder, he suffered a heart attack and was convicted of both election fraud and accepting bribes.

Fuller telephoned reporters several times from his deathbed, saying he wanted to tell what really happened. He was incoherent each time reporters arrived.

THE YOUNG PATTERSON was elected attorney general and four years later became governor of Alabama. He never returned to live in Phenix City.

Many of the mobsters also fled Phenix City, but most of the local men and women who did the syndicate legwork remained.

Many of the key personalities on both sides of the Phenix City struggle are dead. Most survivors are reluctant to talk about the incidents that brought national attention to their gambling river town.

Some wounds from the cleanup battle have not yet healed, local civic and political leaders say. The 1950s are seldom a topic within Phenix City.

"Time heals those things," said Sheriff Prentiss Griffith. "The more time that goes past, the better it gets."