

# Murder Mystery

at Rainbow Terrace

News articles, obituary, and  
book chapters relating to the  
murder of Henry Heinz in 1943

The Atlanta Constitution  
Wednesday Morning, September 29, 1943

### **BANKER HENRY HEINZ SLAIN BY BURGLAR; DR. VANN ACCIDENTALLY SHOT BY POLICE Son-in-Law Hit In Mix-Up Duel With Patrolmen**

Henry Heinz, 63, prominent Atlanta capitalist and vice president of the Citizens & Southern National Bank, was shot and almost instantly killed last night as he grappled with a masked prowler at his 1610 Ponce de Leon avenue home, and his son-in-law Dr. Bryant King Vann, of a near-by address, rushing to answer a call for help from Mrs. Heinz, was seriously hurt in an exchange of gunshots as he and police officers apparently mistook each other for the intruder.

Police said Vann, rushed to Emory hospital, was suffering from gunshot wounds in the chest and in an arm.

The condition of Dr. Vann, a well-known Atlanta dentist about 40, was reported as critical at an early hour this morning.

#### **Heard Shot Fired.**

Radio Patrolman W. M. Miller, who was first among the officers to arrive at the scene, said he and his partner, M. W. Blackwell, rushed to the Heinz home as soon as they received the alarm, Blackwell going to the rear of the house.

While Blackwell was in the rear, Miller said he heard a shot fired and heard the officer crying, "He's shooting at me." Passing the body of Heinz, on the floor of a sun parlor in the palatial Heinz home, Miller said he joined his partner in firing upon a figure he saw darting behind trees. It later developed this was Dr. Vann.

#### **Tells of Fatal Fight.**

Mrs. Heinz told friends and others, who rushed to her aid, she was preparing to retire about 9:45 when she heard a dog barking. Her husband, she said, was in the front parlor of the home and she called to him not to "worry about \_\_\_\_\_"

Rushing to the sun parlor, she said, she saw her husband grappling with a tall man, apparently a Negro, who wore a white mask, a skullcap, a blue shirt, and dark trousers.

As she rushed back to her own room to obtain a gun, Mrs. Heinz said she heard two shots and when she returned, her husband was sprawled on the floor, apparently dead – and the prowler had disappeared.

#### **Mixup Duel Occurs**

Then, she said, she called her son-in-law, and spread the alarm. It was while Dr. Vann was hurrying over to the neighboring house that the shooting with the officer occurred.

The officers said they did not know which one fired the shot striking the son-in-law of the slain man.

Ambulance drivers said Heinz was dead when they reached the scene. At a mortuary reports said Heinz was wounded in the chest.

Immediate clues held by police consisted of the description furnished by Mrs. Heinz, the works of a wrist watch, apparently smashed out of a timepiece on the prowler's arm, and a button from his shirt.

### **Police Surround Scene**

Meantime, neighbors reported they saw a man dashing about in the neighborhood, and one told police she saw a man, thought to be the prowler from the Heinz home, dart about the rear of the near-by residence of Preston Arkwright, also a well-known Atlanta business leader.

Police officers sent practically all available radio and prowler cars to the scene to surround the neighborhood, and several ambulances, sirens screaming, rushed to the scene.

Police Chief Hornsby, assuming charge of the investigation as soon as he could reach the Heinz home, assigned Detectives J. A. Preston and H. C. Newton to immediate charge of the case, and planned to add other detectives to the case at once.

Later it was learned officers had been troubled recently with reported prowlings and robberies in the section of the Heinz home, and they had made late hour patrols in the section for some time without having found any clues to the identity of the prowler.

### **Graduate of Emory**

Heinz was past president of Kiwanis International and was serving his second term as president of the Atlanta Athletic Club, of which he was a director.

He was president of the Atlanta Boys' Club and was a graduate of Emory University and Atlanta Boys' High school. He was a member of Kappa Alpha social fraternity. He was active in Shrine affairs and was the leading figure in the foundation of the Scottish Rite hospital.

His wife is the former Miss Lucy Candler, only daughter of the late Asa Candler Sr., one of the city's most prominent capitalists.

In addition to his wife, he is survived by a son, Henry Heinz Jr., a pilot with Eastern Air Lines; a stepson, William D. Owens, and his son-in-law, Dr. Vann. Mrs. Vann is dead.

First garbled reports of the shooting, police said, indicated Heinz and a friend, who was not immediately identified, grappled with a burglar in the home, but it later developed the "friend" was his son-in-law.

September 30, 1943

### **Police Seek To Clear Heinz Slaying Clues**

Fingerprints of an escaped Negro convict; whose name officers declined to divulge – but which they said were characteristic of those found at the scene – are being checked by police investigating the slaying of Henry C. Heinz, Atlanta banker, at his 1610 Ponce de Leon avenue home.

The prints were received from a convict camp from which the Negro escaped recently. They corresponded in style with those filed by the convict when he went into the custody of the camp, it was revealed.

State troopers have joined local officers in the investigation. Meanwhile, other clues are being studied.

### **Other Clues.**

The battered works of a wrist watch, a shirt button, some faint fingerprints found on a window, and three badly mashed bullets found in the Heinz home furnished police with their only clues. A Negro suspect detained early yesterday later was freed by DeKalb county police.

Dr. Bryant K. Vann, of 761 Lullwater road, prominent Atlanta dentist, who was accidentally shot in a gun duel with police a few moments after the fatal shooting of Heinz, was in a critical condition yesterday at Emory University hospital.

His condition was such that he could not be questioned about the shooting in which he participated in the backyard of the Heinz home, and while he was apparently en route to the aid of Mrs. Heinz.

### **Vann Home Near By**

The Vann home, which is just around the corner from the Heinz estate, is connected by a path running through the grounds.

Police Chief Hornsby yesterday was leading the Atlanta investigation to determine the circumstances of the wounding of Dr. Vann who was shot by Radio Patrolman M. W. Blackwell, or his partner, W. M. Miller.

Patrolmen Blackwell and Miller answered the first call to the home, made by Mrs. Heinz shortly after she said she saw her husband scuffling with a masked burglar in the sun parlor.

In a report which they filed with Chief Hornsby, Blackwell said he went to the back door, while his partner entered the Heinz home through the front door.

After entering the home and getting a brief description of the assailant, Blackwell said he ran back to the police car, parked in the rear of the Heinz home, and broadcast a description of the assailant.

"I then started running back to the house," Blackwell said, in a signed statement.

"About 30 feet from the car I was fired upon from the shrubbery and trees. I returned the fire in the direction from which I saw the shots coming. I then saw a man run from the shrubbery and I could not tell whether he was white or black. At this time my partner jumped into the driveway. The man fired once or twice more, and we both fired at him."

Hours after the shooting, when he limped in to report for work yesterday, Miller discovered he had suffered a fractured ankle in the excitement. He was dismissed and sent home after a cast had been applied. Miller said he had no idea when he was hurt.

Detectives R. E. Hulsey and I. A. Thomas, who reached the scene a moment after the gun duel, reported they found Miller and Blackwell struggling on the ground with Dr. Vann.

"Let me up - I'm not the burglar - I was called by Mrs. Heinz," they quoted Dr. Vann as saying.

Dr. Vann, the officers said, was armed with a .45-caliber revolver. Five empty shells were found in it, they reported.

Police fingerprint experts examined an opened window, found on the first floor of the home shortly after the shooting. A faint smudge of black found on the window ledge led police to believe that the burglar, instead of being a masked Negro, was a masked white man who had painted his face and hands black.

#### **Fingerprints.**

Fingerprints found on the glass were photographed, and experts were searching their files to see if the prints match any they have on file.

Mrs. Heinz, who was in a highly nervous state yesterday, could not be seen by police officials. Tuesday night she told officers that a tall, black Negro, with the lower part of his face covered with a mask, shot her husband.

Immediately following the shooting, Mrs. Heinz told Detectives Hulsey and Thomas that she and her husband noticed something unusual when they heard the dogs barking. She said she went to the phone but before she could make her call, she heard pistol shots, ran towards the sun parlor and saw her husband and the intruder scuffling.

The window through which the intruder apparently had entered faces Ponce de Leon avenue and is on the opposite side of the house from the sun parlor.

#### **Screen Removed.**

A screen, ordinarily suspended by hinges, had been removed, and was found lying on the terrace floor by the window.

During the past two or three years burglars have frequented the Heinz home, police records reveal. Twice a burglar has entered the home, once obtaining a small amount of money, while on another occasion, a burglar obtained about \$210 from Heinz's wallet, records reveal.

On two other occasions, burglars have made attempts to enter the home but failed.

As a result of these burglaries, Blackwell told Chief Hornsby, he has made it his habit to drive through the Heinz yard at least once each night. On these inspection trips, he said, if he did not see Heinz or Mrs. Heinz, he would flash his lights on all windows and see if they were intact.

#### **Spoke to Heinz.**

He said he drove through the yard only a short time before the shooting, and that Heinz had spoken to him, telling him all was quiet. On numerous occasions, Blackwell said, Heinz had reported seeing suspicious persons lurking about the grounds.

Three battered bullets, apparently fired from a .38 caliber gun, were found by police. They are being preserved carefully for ballistics comparison with any suspicious guns police may pick up.

The wrist watch works, apparently were snatched off the arm of the intruder during the scuffle. Police hope to be able to trace the watch through the factory numbers and establish its ownership.

Police and detectives searched the grounds surrounding the home hoping they might find something concealed in the shrubbery that would throw light on the slaying.

Tracks were found in the soft turf, but officers expressed the opinion they were made by the yard man.

At the time of the shooting no one except Mr. and Mrs. Heinz were in the home.

There will be no inquest, it was announced at the funeral home where Heinz' body was carried.

#### **Blood Smear Found.**

DeKalb county police, who reached the home shortly after Atlanta police arrived, aided in a search of the neighborhood. They reported finding a tiny smear of blood on a door screen of a home near the Heinz residence.

Leading the DeKalb county investigation are Chief J. T. Dailey and Detectives C. L. Visscher and Johnny Jones. Atlanta police officials taking part in the investigation are Detectives J. A. Preston, H. C. Newton, J. D. Corley, W. S. Acree, E. O. Mullins, E. L. Sikes, I. A. Thomas, R. E. Hulse, W. M. Holland, J. E. Helms, W. D. Wallace and C. L. Taylor, while Fulton county authorities were asked to study the bullets and fingerprints found on the window.

"I am distressed by what happened Tuesday night," Chief Hornsby said. "Atlanta lost one of its leading citizens, and then to add to the distress was the unfortunate shooting of Dr. Vann.

"I am extremely anxious to talk to Dr. Vann and get his version of the duel he staged with detectives. It appears from my investigation of the matter Blackwell and Miller did what I would have done, or what any other police officer would have done under the circumstances."

#### **Other headlines from September 29:**

**Atlanta Surges Past Bond Drive Goal by Nearly Four Millions**  
**Avenger's Third Sub Dies Beneath Bombs**  
**Wewak Knocked Out As U. S. Planes Sink Seven Jap Vessels**  
**Nazis Claim Corfu, Occupy Split Harbor**  
**U. S. Marines Seize Island in Ellic Group**  
**Nazis Drafting U-Boat Crews, Admiral Says**  
**Official OPA Whiskey Ceiling Prices Now in Effect in Atlanta**  
Four Roses \$3.75 4/5 qt. \$2/35 pt.  
Paul Jones \$3.00 4/5 qt. \$1.90 pt.

## **Henry C. Heinz Funeral Rites Schedule for 4 O'Clock Today**

Funeral service for Henry C. Heinz, Atlanta banker and civic leader who was shot to death at his home Tuesday night, will be held at Spring Hill at 4 p.m. today, with Dr. Joseph Smith and The Rev. Nat G. Long officiating.

Pallbearers will be Thomas C. Law, Carling Dinkler, Lane Young, William W. Woolfolk, Albert S. Happoldt, John H. Venable, John S. Blick and Joe S. Shaw. Burial will be in West View cemetery.

Heinz is survived by his wife, formerly Miss Lucy Candler, daughter of Asa Candler Sr.; a son, Henry C. Heinz Jr., a captain with Eastern Air Lines, who has been participating in the work of the Ferry Command; a stepson William D. Owens, captain in the Army Air Force in India; two sisters, Miss Mary Heinz, of Atlanta, and Mrs. G. F. Venable, of Elberton, Ga., and a brother, William L. Heinz, of Columbia, S. C.

### **Born in Connecticut.**

Those who knew how deeply the life of Heinz was intertwined with Atlanta and the south probably would never have guessed that he was born in New Haven, Conn. He was still young when his parents moved to Atlanta. He was born August 18, 1879.

The vice president of the Citizens & Southern Bank was known for his civic leadership and philanthropic interest in all moves, especially those designed to help youngsters.

"It was not an unusual sight to see a ragged, dirty urchin make his way through the C. & S. Bank to Henry Heinz's desk," a business associate related yesterday. "What passed between them, I don't know, other than a sincere bond of friendship and mutual affection.

"On Henry Heinz's desk were wooden ashtrays and other pieces of handicraft made and presented personally by youngsters striving in their own way to say 'thank you' to their benefactor."

With a small group of men, he organized the Atlanta Boys' Club, of which he was president when he died, and activities under his leadership of the Kiwanis Club resulted in the purchase of the present tract where Hillside Cottages are located. He led the drive for funds to establish this Community Chest agency, then known as the Home for the Friendless, which cared for orphan boys.

### **Taught at Southwestern.**

Heinz was educated in Atlanta schools, and Emory University. After his graduation in 1901 he taught for a year at Southwestern University, then located at Clarksville, Tenn., where he also coached football and baseball teams.

His first active business employment was with Southern Railway, with which he was connected for three years.

He began his bank career with the Central Bank and Trust Corporation, founded by Asa Candler Sr. From 1907 to 1917 he was assistant cashier and manager of the Mitchell street branch of that bank. He was elected vice president in 1917.

When the Central Bank and Trust Corporation was merged with the Citizens and Southern National Bank in 1922, he became vice president and director of that institution. He also served for years as a member of the investment and trust committees of the bank. In addition, he was vice president and treasurer of the Dinkler Hotel Company.

### **Active in Kiwanis**

A member of the Kiwanis Club in Atlanta since 1918, he was second president of the club in 1919. He was an honorary director for life of the Atlanta club and in 1927-28 was president of Kiwanis International, presiding at the Seattle meeting.

A third-degree Mason, past potentate of Yaarab Shrine Temple and a member of the Royal Order of Jesters, one of his most intense interests was serving as a member of the national board of directors of the Shrine Hospital for Crippled Children in North America.

A charter member of the Atlanta Athletic Club, he served continuously for 30 years as a rector, vice president and treasurer, and In April, 1942, succeeded Robert P. Jones as president of the club.

Perhaps a throw-back to those early days as a football and baseball coach, one of the dominant interests in his life was helping boys. This is clearly evidenced by his work with the Hillside Cottages and the Crippled Children's hospitals. In the same spirit he saw the need for helping the underprivileged boys of Atlanta and rallying around him a small group of equally understanding men, he organized the Atlanta Boys' Club. He contributed generously to its founding. Close friends have listened on more than one occasion when he described with filmy eyes the joy which was his in eating Thanksgiving dinner and attending the Christmas party for these underprivileged youngsters.

### **Civic Leader**

He was a civic leader in every sense of the word, a man who sought no personal honors but to whom the honors came because of his acknowledged ability as a leader. No worthy project for the good of the community ever developed without finding him actively participating in it. Possessed of a natural eloquence, his voice was heard on many occasions but always in a sincere appeal for a worthy project, and always his appeal, if for money, was prefaced by a generous contribution by himself and his wife. Possessed of more than average wealth, he lived quietly and unassumingly.

His intense love for boys found the greatest expression in his own family and he was possessed of a justifiable pride with respect to his two boys – his stepson, William D. Owens and Henry C. Heinz, Jr.

To recount in full the impression which Heinz has left on Atlanta and the south would be impossible, for he was one who strongly practiced the philosophy of "never letting his left hand know what his right hand was doing."

And I can't resist including the arcane little article that immediately followed the obituary . . .

### **Orchid From Hawaii Received in Eatonton**

EATONTON, Ga., Sept. 29. --- Orchids are rare in this city at any time, but this week one arrived perfectly fresh from Hawaii within five days from date of shipment. The orchid was sent to Mrs. W. W. Walker by her husband, Lieutenant Walker, who picked the blossom from a native plant, packed it in a nest of paper with stem in self sealing vial of water.

Lieutenant Walker resigned as mayor of Eatonton to accept service in the U. S. Navy 18 months ago.

*Think of all of the orchids in Atlanta now in 2015! Not only in the Fuqua Conservatory at the Atlanta Botanical Garden, but proliferating at Publix, Kroger, Whole Foods and Trader Joe's – inexpensive and in myriad colors.*



## **Boys Club, Sponsored by Heinz, Is a Living Monument to Him**

By Jackson Turner

Greater tribute can be paid no man than a wreath of flowers on the door marking his death and the sound of happy children at play continuing his life.

That was the tribute paid Henry Heinz by members of the Atlanta Boys' Club yesterday. When his funeral services are held, they will add more solemn but no more sincere respects.

Heinz was the "father" of the Boys' Club. And as a father to the boys, he was a pal.

His favorite story was that once at a prize fight (or boxing exhibition, if you prefer) as he was leaving his box, a big banker with bigshot friends, a soiled urchin appeared from nowhere and put his arm around his waist.

### **Still His Buddy.**

"Mr. Heinz," the urchin asked, "are you still my Buddy?"

"Why, sure I am, Sonny, sure I am," the "bigshot banker" assured him with a smile.

"Then everything's okay, Buddy, everything's okay."

But Heinz never could figure out whether the kid had bet on a winner or a loser in the fights, or – what he likes to think was that the kid had bet on him.

When we set out for the Atlanta Boys' Club to get this story we took a street car in front of a big bank. The car was marked "Federal Penitentiary."

We couldn't escape the significance of the coincidence.

Heinz was a banker who made good.

The federal penitentiary was a home for those who made bad as opposed to good.

### **Moral of Story.**

Well, the real moral of this story, and it has a moral, is that the Boys' Club is just midway. They can turn right and find their way into the same kind of banking fame that Heinz enjoyed. A turn to their left for an equal distance – and all downhill – will take them to the penitentiary – the end of the line.

When we left the street car and entered the club there was that wreath of flowers on the door. Behind it were children playing, building up their health and their morale. They were getting in shape for that right turn. Heinz had made possible for them. They were getting in shape to take over where he left off so suddenly.

They were getting in shape, in full, to make something out of the death of Henry Heinz instead of just making a gesture.

They were getting in shape to make something out of the life of Henry Heinz that will be a living monument, not one of stone.

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## **Warden's Daughter**

### **Section One - LIFE IN PRISON**

#### **Chapter 04 - A Most Bizarre Murder Case**

I don't believe my father was ever convinced that Horace Blalock was guilty of murdering Henry Heinz, the prominent Atlanta banker. Knowing Daddy's feelings and the complete trust he and our entire family had in Blalock, I have always been curious about the Heinz case. Is it really possible that this kind, gregarious man could have been responsible for such a terrible and senseless crime?

A few years ago, I determined to learn more about the events that had such a major impact on so many lives, including mine. After reading everything I could find, I must admit that the evidence against Blalock appears strong, although there are elements about his case that still trouble me.

The Heinz case was once described by long-time Atlanta Police Chief Herbert Jenkins as his most bizarre murder case. In an article in the Atlanta Journal-Constitution Magazine for August 22, 1971, Jenkins claimed, "In my more than 40 years of police work, I have never been involved in a more bizarre murder case than that of Atlanta banker Henry C. Heinz nearly 30 years ago."

Jenkins went on to describe the strange events at Heinz's Ponce de Leon mansion (now part of the Lullwater Estates Condominium complex) on the night of September 29, 1943. The night ended with Heinz dead and a Hollywood style shoot-out between police and Heinz's son-in-law, Dr. Bryant K. Vann. It seems that Vann, a dentist who lived directly behind the Heinz mansion, thought the fast-arriving police were the burglars, and the police thought that he was. After guns blazed furiously for several minutes, one policeman had a broken ankle from falling off a porch, and Vann was wounded in the right arm and chest.

Jenkins describes the scene when he arrived as total chaos.

"People were rushing to the estate from everywhere. A contingent of Atlanta police was on the scene. Since the Heinz home was in DeKalb County, the DeKalb police were also there. Neighbors and curiosity seekers, attracted by the commotion and gunfire, began to invade the premises. The streetcar had been passing in front of the house when the shots were fired, and the motorman stopped the car and ran to investigate. All of his passengers piled out of the car after him to see what had happened. Relatives learned what had happened and came from their own homes in Druid Hills. I have never seen anything quite like the confusion at the Heinz home that evening. It was like a carnival."

Inside the house, Henry Heinz, a prominent banker and pillar of the community, lay dead in his library, shot several times by a man described by Mrs. Lucy Candler Heinz only as "a large Negro man."

The primary evidence left on the scene were fingerprints on the blinds and the battered inner workings of a man's wristwatch on the library floor. These were later to prove significant in the case.

Not until 16 months after the murder did Horace Blalock become a suspect. Atlanta police took Blalock into custody for questioning about another burglary---this one to the home of prominent Atlanta attorney Hughes Spalding. Police discovered that Blalock's fingerprints matched a print lifted from a venetian blind in the library of the Heinz home on the night of the murder.

Then a jeweler, Harold Jacobson, told police that he had sold Blalock a watch similar to the

one found at the scene of the crime. Jacobson could not conclusively identify the inner workings of the watch found at the murder scene as being from the watch he had sold Blalock. However, Jacobson told police that two weeks after the murder Blalock had come to him and told him he had lost the inner workings of his watch and wanted them replaced.

When confronted with this evidence, Blalock confessed to burglarizing the Heinz home on three occasions, and said that on the third occasion he was surprised by Henry Heinz and shot him in the library during a struggle. He later reenacted the entire crime for the grand jury, leaving the 30 onlookers in stunned silence.

From this evidence, it seems likely that my childhood friend was guilty of the death of Henry Heinz. But why would a man who had a \$200-a-month job with the railroad—a good job in those times—turn to burglary? The answer is all too familiar. Blalock had an addiction, not to drugs or alcohol, but to gambling. As Blalock told the police, he had become addicted to playing the "Bug" and lost about \$15 a day on this illegal form of betting on numbers.

The murder of Henry Heinz was a tragedy for his family and for the City of Atlanta. His civic services were legendary. He had been a president of Kiwanis International and the founder of the Atlanta Boys' Club. He was also city chairman of the banking division of the third War Loan Drive, and just moments before his death he had heard over the radio that the drive had reached its goal.

If, as it appears, Horace Blalock did kill Henry Heinz, murder was apparently not his intention when he arrived at the Mediterranean-styled mansion on Ponce de Leon Avenue. He was a gambling addict and needed money to support his habit. According to his own confession, he pulled his pistol only when Heinz confronted him and called for his wife to bring a gun. Blalock tried to run away, but Heinz would not let go of him. During the struggle, the gun went off several times, fatally wounding Heinz. The coroner's report describes eight bullet holes in the victim, including entrance and exit wounds.

Still, several questions come to mind about Blalock's trial, conviction, sentencing and parole.

If Blalock provided the police with a written confession and gave a thorough re-enactment of the crime to the Grand Jury, why did he plead not guilty and face a trial in DeKalb Superior Court? Wouldn't he have been better off to make a deal with the prosecutor—or did the prosecutor refuse to make a deal?

How did a black man convicted of murdering a prominent white man in 1943 avoid the electric chair? And given the fact that he was found guilty and sentenced to jail for "the remainder of [his] natural life," how was he able to gain parole after serving just 10 years of his term? Was there really doubt about Blalock's guilt, as my father always contended?

Whatever the truth may be, Horace Blalock was paroled on May 18, 1955. He worked at a Ford dealership in Vidalia, Georgia, for 26 years and, after retiring from there, at John Deere for seven years. He also became the Treasurer and Deacon of the First African Baptist Church in Vidalia and, from all accounts, was an excellent worker and an asset to his community.

As an adult I came to realize that my relationship with Horace Blalock had been one-sided. He was a prison inmate who was assigned the duty of helping around our house and taking care of my brother and me. What was great fun for me was possibly just a series of chores for him. I felt a need to visit my childhood friend to see what he was like outside the literal and figurative "walls" of the prison. In 1993, when Blalock was 84 years old, I tracked him down in Vidalia, and we had a great visit. He still remembered his days at the prison and laughed as he recalled riding around in the jeep with me, and he told me that the other prisoners had a special name for him.

"You know what the other black prisoners used to say," he laughed. "They said, 'Look at Blalock riding around in that jeep. There goes the other warden.'"

I will never know for certain if Blalock was guilty as charged, because I could not bring myself to ask him at our 1993 reunion, and he has since passed away. And maybe his innocence or guilt really shouldn't matter, because I will always remember him as a special friend who looked after me, encouraged me to be adventuresome, and taught me that true joy and

*happiness must come from within.*

JAMES S. JENKINS

SON OF FORMER ATL. CHIEF OF POLICE

2 HERBERT JENKINS)

## Banker Henry Heinz

In the past crimes of violence have taken on an aura of mystery and intrigue when prominent people have been involved. Homicides of wealthy people then proved more interesting to the general public than homicides of poor people. The more interesting and noteworthy the life, the more absorbing the details if this life ends abruptly in sudden and violent death. Factors enter into such a homicide investigation that are not present in the ordinary case. The victim is not merely known to his family and associates, but well known throughout the larger community. People are interested in the homicide because they are acquainted with the victim or have heard of him. The case receives broad coverage from the news media. The police are under great pressure to apprehend the culprit who committed the murder. People discuss the case and theorize about various motives and angles. Everyone is an amateur sleuth and develops his own ideas about the case from what he has read and heard. The case becomes more than a homicide; it becomes a part of the folklore, as much a part of a town as the waterworks. Such homicides, because of their complexity, are seldom solved to the satisfaction of everybody.

Coca-Cola is an Atlanta institution. The founder of the Coca-Cola Company was an Atlanta druggist, Asa Griggs Candler, a very prominent Atlanta citizen in the early decades of the present century. He was president of the Coca-Cola Company and later chairman of the board. He served as mayor of Atlanta in the period prior to World War I and was active in all aspects of life in the city. In 1908 he had been the moving force behind the development of the Druid Hills neighborhood.

Asa Griggs Candler was the father of four sons and a daughter. In 1943, his only daughter, the former Lucy Candler, lived at 1610 Ponce de Leon Avenue. At this time she was married to Henry C. Heinz, an Atlanta banker. Their

beautiful home in Druid Hills was a notable estate in this section of fine homes. Mr. and Mrs. Heinz were charming hosts and entertained often. The Heinz home was one of the showplaces of the city; in the dogwood season the estate was opened to the public, and thousands visited its grounds and gardens. On the night of September 29, 1943, there took place at the Heinz estate not an elegant party, or a tour of the grounds and gardens, but a murder. At approximately 9:50 p.m., Henry Heinz was shot to death in the library of his home.

Officers I. A. Thomas and Ralph Hulseley were patrolling in squad car No. 19 on the north side of the city when they received a call over the police radio to 1610 Ponce de Leon Avenue, signal 4 (burglar in the house.) Though they were the officers who initially received the call to the Heinz home that fateful night, they were not the first officers to reach the scene. But since the call was given to car No. 19 originally, it was the responsibility of the officers in this car to file at police headquarters that night the initial report of the events which transpired at the Heinz home on the night of September 28, 1943. The first report in the Heinz case as submitted by Officers Hulseley and Thomas reads as follows:

We backed car No. 19 up to 1610 Ponce de Leon Avenue on a signal 4 (burglar in the house.) We entered the house and found Mrs. Henry Heinz in a very hysterical condition. She stated to us [that] earlier in the evening she heard a dog barking on the property outside and Mr. Heinz started to go out and investigate. She called him back and told him not to go out. Mrs. Heinz went out to use the telephone, and she could either not reach her party or decided not to call. Mr. Heinz had gone back in the library and she heard him cry out. She went into the library and saw Mr. Heinz scuffling with a Negro man. She went into her bedroom to get a gun, while there she heard two shots. She went back into the library and the Negro man was gone. She described the man as being a large Negro man wearing a blue shirt, brown pants, skull cap and with a handkerchief tied over his face. She said that his back was to her and she could give no other description.

Upon examination the victim, found lying on the divan in the library, had eight bullet holes in his body, and this included both entrances and exits. One bullet entered six inches below the arm pit, another entered at the fifth rib, one entered in the center of the chest, and one entered in the right arm three

inches above the elbow. Mr. Heinz was pronounced dead by Dr. J. L. Campbell, a private physician, and the body was removed to Patterson's funeral home. The fingerprint man arrived on the scene and in going over the room, he immediately located three bullet holes in the room. As far as could be determined at the time, there was no property loss at the scene of the crime.

### THE ESTATE

The Heinz estate is located on several acres of land at the corner of Ponce de Leon Avenue and Lullwater Road. The house faces Ponce de Leon and sits on a gently rising hill some distance from the street. Although the grounds adjacent to the house are wooded, the front lawn is landscaped, and the house is plainly visible to traffic along Ponce de Leon Avenue. The entrance to the estate is up a driveway that enters the grounds at both the left and the right of the house itself. It is a circular drive which on the left side (facing the house) comes up next to the house, where there is a covered drive-through entryway, screened porch, and side door into the house. A person coming up the drive in an automobile would stop under the entryway, get out of his car, and walk through the porch and side door directly into the library of the house, which is a large corner front room. The driveway does not stop at the entryway, but continues beyond the house and forks; the drive to the left continues in a circular fashion to a three-car garage and storage house located directly behind the main house. Because of tall trees and hollies the garage is practically hidden from the main house. The drive toward the garage is through wooded grounds, and here the land of the estate reaches the crest of the hill and just beyond the drive begins sloping downward to the end of the Heinz property. On the drive, just before one reaches the garage and to the left, there is a children's playhouse built in the style of the estate. Also to the left, and farther down the hill, are a tennis court and a swimming pool. Beyond the garage are greenhouses. The property is planted in azaleas, camellias, hollies, magnolias, and dogwood. The entire Heinz estate, except for the front lawn and the immediate side yards and gardens, is heavily wooded.

A visitor coming up the drive from the street on the left side of the estate would, as stated, drive under the entryway, stop, and enter the house from the side door or else walk around to

the front of the house and enter through the front door. Leaving the estate, one would not have to back down the drive, but could continue driving around the house (but would not take the fork to the left to the garage) and would continue driving on the driveway to the right. This drive swings around behind the main house all the way, and bears right and then goes directly toward the street to Ponce de Leon Avenue. The driveway on the right side of the house (facing the house from the street) does not contain an entryway or door, and a person entering the estate up this driveway must go into the house through the front entrance. Therefore to gain access, one must go up the circular drive, entering from the street at either the left or right of the main house. It is an unusual circular driveway in that it circles around behind the house rather than in front of it, in the more ordinary manner. The driveway was constructed in this way to accommodate and be in harmony with the style of architecture of the house.

The house is white stucco with a dark-orange roof and is a replica of a Mediterranean-Spanish villa of the period; and although this type of architecture flourished in Florida and Southern California, in this era it was unique in Druid Hills, where most of the homes tend to be either red brick traditional or English estate limestone. The great charm of the Heinz mansion was certainly due, in part, to its setting on Ponce de Leon and the uniqueness of its architecture in this location.

Flanking each entrance to the driveways are twin white stucco pillars, and suspended above and supported by the pillars there is an ornamental Spanish-design grillwork. In the center of the iron decoration there is an elaborately designed letter "H".

Although the two entrances to the estate are flanked by these pillars, they were placed there for effect and ornamentation, rather than protection, for there was no barrier to entering the grounds of the mansion, either by automobile or on foot. There was no wall or fence enclosing the grounds, or any type of structure to mar the natural beauty and flow of the landscape. Although it was an imposing residence, to the casual visitor it was a home which appeared warm and inviting. The house, even from the outside, reflected the friendliness and old-style Southern charm of the inhabitants. The openness of the Heinz estate is a clue to the character of the people

who lived there. It was also an important factor contributing to the tragedy which occurred there one harvest night long ago.

### SHOTS IN THE DARK

Officers Marion Blackwell and Bill Miller were not surprised when they heard over the police radio in their squad car the signal 4 to 1610 Ponce de Leon Avenue. It was an address they knew well and a place they had been many times before, for the Heinz estate had been plagued by prowlers in the past several months. At the time the call went out over the radio, the two officers were patrolling in their squad car in the Little Five Points section. Officer Blackwell was at the wheel, and although he was driving along Moreland Avenue from the Druid Hills section when the call came over the radio, Blackwell turned the car around in the middle of the street, driving up over the curb and onto the sidewalk in order to do so. Pressing the accelerator to the floor, Blackwell and Miller roared off as fast as the car would go in the direction of the Heinz mansion, oblivious to all traffic rules.

Blackwell and Miller encountered few cars as they thundered down Moreland Avenue and turned right on Ponce de Leon, the tires squealing as Blackwell negotiated the turn without slowing down. Back then, during World War II, people parked their cars at nightfall, because of gasoline rationing and did not drive around on nonessential errands—hoarding their precious gas coupons for work and other important trips. In this era the police, unhampered by traffic congestion, could wheel about the city in their sleek 1941 black-and-white Fords at breakneck speed.

Within minutes after the first call, Blackwell and Miller were roaring up the drive on the left side of the house at 1610 Ponce de Leon Avenue. Blackwell noted that the light was on in the outside entryway, but that otherwise the house appeared dark. As he approached the entryway, Miller leaped out of the patrol car and ran toward the front door. Just as Miller reached the front entrance, he heard a woman's scream from inside the house. It was dark outside in front of the house and there was no moonlight. There were no outside lights with the exception of the lighted porch and entryway around on the left side of the house. Miller tried to enter the front door and found it locked. He tried to enter the tall front win-

dows which reached to the floor, but found that they too were locked. Then there was another scream and Miller managed to squeeze through a small window of the library on the front of the house. The room was dimly lit and as Miller came through the window, he collided headlong with Mrs. Heinz, who had been doing the screaming and now screamed again; but then recognizing Miller as a policeman said: "Thank heaven you have come—I think he is still in the house!" Miller saw Mr. Heinz lying on the divan in the library. From his experience as a police officer, he immediately knew that the man was dead.

After Miller had leaped out of the car and raced toward the house, Blackwell drove through the entryway and around to the back, whipped the car around, and faced it toward the house, leaving the lights on. His object was to snare the burglar if he was still on the premises or attempted to come out of the house somewhere in the rear. Then Blackwell ran back toward the house, through the lighted entryway and entered through the side door that opened into the library. Blackwell took one look at Heinz and, like Miller, knew at once that the banker was dead. He ran back to the patrol car and placed a lookout for the murder suspect. The only description he could give was that of a large Negro man. He then called for an ambulance and detectives to come to the murder scene. As he returned the police receiver to its place on the dashboard of the car and walked toward the house, a shot rang out, and Blackwell felt the sting of a sliver of concrete graze his cheek as a bullet ricocheted off the stucco abutment of the driveway and sent small pieces of concrete flying. Blackwell thought that the burglar was shooting at him. He wheeled around just as another shot rang out, and from the inky darkness in the shrubbery about half-way down on the side of the drive away from the house, he saw the unmistakable orange glow of pistol fire aimed directly at him. He leaped out of the drive and away from the lighted entryway and took cover behind a tree; grabbing his service revolver and blindly returning the fire toward the orange glow in the darkness. Blackwell called for Miller:

"Here!! He is out here!!! He is shooting at me!!" Inside the house, Miller heard the gunfire and his partner calling out that the slayer was in the yard shooting. Miller ran out through the door of the library and into the porch and lighted

entryway. He was in full police uniform and standing there in plain view. Blackwell screamed for him to get down just as the assailant fired toward Miller from his place in the bushes. Blackwell heard the gunfire again and then saw Miller fall off the porch into the dark as though he had been shot. Blackwell thought the murderer had shot and possibly killed his partner. He could not see Miller because of the darkness; his partner had fired once but did not fire again, and he was closer to the slayer than Blackwell. Enraged, Blackwell advanced on his assailant with his service revolver blazing. The gunfire was returned, but even though he drew closer, none of the bullets hit Blackwell. As he advanced, his assailant began moving backward down through the shrubbery toward Ponce de Leon Avenue. At this point, Miller, who had not been shot but had broken his ankle as he leaped off the porch of the entryway to escape the line of fire, managed to make his way painfully down the driveway. This put the assailant almost in a cross fire between the two officers, and, as he turned to fire at Miller, Blackwell ran toward the assailant and fired the last bullet in his gun. Because of the darkness and dense shrubbery, Blackwell was right in front of his assailant before he could actually see him. Miller got within two feet of the person and fired his gun directly at the person's head. The bullet failed to fire properly. With his pistol empty, Blackwell managed to use it to knock the gun out of the assailant's hand. Then, Blackwell grabbed the assailant, leaping upon the back of the man, and began beating him on the head with the butt of his gun. Miller also got into the scuffle. At this point officers Hulsey and Thomas (*remember them*) and Officer Cody arrived on the scene and they joined the fray. Even with five policemen struggling with him, the supposed slayer managed to stay on his feet; and the fight continued furiously until the man was forced to the ground, one of the officers sitting on his chest, another on his stomach. At this point the man shouted:

"I am not the burglar! I am not the burglar!! I have been shot! I am Doctor Vann, Mrs. Heinz's son-in-law." The police backed away in stunned amazement from the darkened form sprawled before them. Officer Blackwell remembers thinking it was all a nightmare: the blazing gun battle, the murder, everything. There in the confusion and darkness it just did not seem real.

## SCENE OF CHAOS

While the gun battle was taking place on the grounds, Mrs. Heinz was in the house alone. She thought, too, that the police had cornered the killer before he made a get-away. In the turmoil she had forgotten all about her call to Dr. Vann. When the police came up to the house with Dr. Vann, and Mrs. Heinz learned that the shooting had been not at the slayer, but at her son-in-law, she collapsed.

At this point the situation at the Heinz home was complete chaos. No one was sure exactly what had happened. No more than ten minutes could have elapsed since the original call went out over the police radio; yet at this point one of Atlanta's most prominent citizens was dead and for the moment being ignored, the police were rushing about trying to comfort Mrs. Heinz, and Dr. Vann was thinking he was going to die before anyone came to his aid. Officer Blackwell remembers the oppressive, overwhelming sense of darkness, of trying to get Dr. Vann into the house, of trying to get Miller, who could not walk, into the house, of everybody stumbling over one another and bumping into each other, and of nobody being able to see more than two feet in front of him in the darkness; also, of trying to see by lighting matches, of getting everybody into the house and trying to find the light switches and towels and giving first aid, and all the time the overwhelming sense of frustration bred in the darkness. He also remembers Mrs. Heinz coming around after fainting and rushing about trying to tell them what happened.

Officers Hulsey and Thomas calmed Mrs. Heinz and then examined the body. They sent out several help calls over their police radio. Officer Blackwell, as the full impact of what had happened dawned on him, turned his attention to Dr. Vann. To have one of the town's most prominent citizens murdered on your beat was bad enough, but to shoot and possibly kill an in-law at the scene of the crime in a mistaken gun battle had implications almost too frightening to imagine. Blackwell immediately went to Dr. Vann's aid. He determined that Vann had been shot in the right wrist and chest, either from the same bullet or a second bullet. Although understandably in a state of shock, Dr. Vann was coherent. He managed to relate what had happened that night and to explain his presence on the Heinz property.

He stated that his first wife, then deceased, was the daughter of Mrs. Heinz by a previous marriage. Vann lived at 761 Lullwater Road, around the corner from the Heinz home. The backyard of his home backed up to the rear of the Heinz estate. There was a well-worn pathway which both families used to walk back and forth to each other's homes. The path started at the end of Dr. Vann's property and continued uphill by the tennis court and pool and came into the Heinz home at the back entrance. This pathway, easily traveled in daylight hours, was pitch black at night. Dr. Vann stated to Blackwell that he was in his home getting ready for bed when the phone rang. He was tired and disinclined to answer, but the phone kept ringing and he felt that it might be something urgent, possibly a patient (Dr. Vann was a dentist), and that he had better answer. When he answered, Mrs. Heinz began screaming something about a burglar and told him to get a gun and come over to her home at once. Dr. Vann stated that he grabbed his army .45 and loaded it with a full magazine. He started out of the house through the back path but realized that it was so dark that he could not find his way; so he changed his mind and ran out the front of his house, up to the intersection at Ponce de Leon, and entered the Heinz estate from the front.

As he rushed toward the house, he saw Officer Blackwell and thought he was the burglar, about to get away in the car, so he opened fire. When Blackwell returned the fire, his first or second shot hit Vann in the right wrist, thus crippling his firing arm and ruining his aim, for in order to fire the gun after that, Vann had to support his right hand with his left. The wound was very painful, he could not keep his hand steady, and the bullets missed their mark.

At this juncture the ambulance which had been called for Mr. Heinz arrived, and Dr. Vann was quickly placed upon it by the police and attendants. Blackwell noted as Dr. Vann was placed on the stretcher that he was wearing a pajama shirt and a pair of plain khaki trousers of the army uniform type. He wore bedroom shoes and no socks. His mode of dress seemed to match his story.

People were rushing to the estate from everywhere. Senior police officials arrived, summoned by continued calls for assistance and confusion at the Heinz home. As they arrived the police officials encountered Vann being carried out on a

stretcher. They realized that the man had been shot, but he did not appear to be in bad shape; certainly he was not a corpse. No doubt the report of a homicide was not accurate. They soon learned otherwise.

Neighbors and curiosity seekers, attracted by the commotion and gunfire, began to invade the estate. A streetcar had been passing in front of the house when the shots were fired, and when the motorman stopped it and ran to investigate, all of his passengers piled out of the car after him to see what had happened. Relatives learned of the tragedy and went from their own homes in Druid Hills to the scene. It would be long after midnight before family and friends, police and press, and the plain curious departed.

After the body was removed from the house, Officer Miller was sent to a hospital. At this point what seemed like a full battalion of Atlanta police officers and investigators was on the scene. Men from the fingerprint and identification sections were going over everything in the house. Four detectives and the chief of the detective bureau were on the scene beginning to unravel the strange goings-on of the evening.

The major portion of the city of Atlanta lies within the boundaries and political and police jurisdiction of Fulton County; however, a portion of the northeast section of the city lies within DeKalb County. 1610 Ponce de Leon Avenue lies within the city of Atlanta but in the county of DeKalb. This jurisdictional anomaly would further confuse and hamper the investigation of the Heinz case.

The sheriff of DeKalb County went to the scene and called for the bloodhounds. The chief of the DeKalb County police was next on the scene. When the dogs were brought there, the officials discussed the possibility of the bloodhounds being able to search for the killer; but it was the unanimous opinion of all the police there that due to the confusion and delay, at that juncture any attempt to use the dogs would be futile.

The police therefore gave their attention to the house and the only person present at the time of the murder—Mrs. Henry C. Heinz. Mrs. Heinz had been taken upstairs and given a sedative by her doctor. Although very distraught and confused, she faced a battery of questions from the police and the press.

She told essentially the same story that is related in the report of officers Hulsey and Thomas. She and Mr. Heinz were



alone in the house. They were both sitting in the library awaiting a news broadcast. Mr. Heinz was sitting in a large chair, next to a floor lamp, reading the editorial page of the evening edition of *The Atlanta Journal*, as was his custom before retiring. Earlier they had heard a commotion outside and a dog barking on the left side of the estate, the side on which the library is situated. Mr. Heinz started to investigate, but Mrs. Heinz restrained him. Then Mrs. Heinz stated that she went into another downstairs room to make a phone call, and, before the call was completed, she heard Mr. Heinz cry out. She rushed back to the library and found Mr. Heinz struggling with a Negro man. She stated that it seemed like the struggle went on a long time, and there was gunfire. She could not say exactly what happened after the struggle, but she said she had the impression that the slayer was still in the house when she ran back to the telephone and called Dr. Vann and then the police.

She went back into the library and found her husband lying on the divan. She tried to talk to him, to get him to answer her; but he said nothing, and she stated that she felt sure that he was dead. Mrs. Heinz stated that she had the feeling the slayer was still in the house when the police arrived, but she could not actually say that she saw anyone.

In the library the police inspected an overturned floor lamp and disarranged furniture—the only evidence of a scuffle there. As investigators went over every detail in the library a few meager clues were unearthed. The battered inner workings of a man's wrist watch were found on the library floor. Several relatives and friends stated to police that Mr. Heinz did not wear a wrist watch. An ordinary shirt button was also found on the floor. Three badly smashed bullets were dug out of the library walls. Then the fingerprint man went over the room and lifted prints from furniture, door facings, window sills, and venetian blinds. At this point it was all the available evidence the police had to go on.

Next an attempt was made to determine the route the burglar used in both entering and leaving the house. As you enter the Heinz home through the front door, you step directly into a large reception hall which is a massive room that is two stories high. Standing at the front door, facing the room, there is an enormous fireplace to the left, and to the right a stairway lead<sup>s</sup> to the second floor. Beyond the fireplace, on the

left side of the house, is the library—the room in which the murder was committed. To the right, and beyond the stairway, is the dining room. This is the layout of the rooms in the entire front part of the house. There are, of course, other rooms to the rear and bedrooms on the second floor. The only lights burning in the front part of the house that night were in the library and the outside light in the entryway beyond the library. The dining room and reception room were dark. The French windows in the reception room and the front door were locked. Officer Miller had tried to enter the house through all of these entrances and had been unable to do so. There was a small library window on the front of the house which Miller had found opened and through it he entered the house. At this hour, however, Miller was at the hospital, and his partner, Blackwell, was at the police station, making his report concerning the shooting of Dr. Vann. A detective on the scene immediately concluded that this window was too small for a man to enter (he was a very large detective) and that the burglar must have entered the house some other way. A window on the far right corner of the side of the dining room was found raised, and it was thought that the burglar must have entered the house through it. If this were the case, it would mean the killer had to traverse the immense reception hall, both before and after the shooting, which was completely dark. This might account for Mrs. Heinz's impression that the killer was still in the house after the murder, and in the darkness he could have had as much difficulty making his way back to the dining room window as the police had in the darkness outside.

It was also theorized by the police that the floor lamp in the library, when knocked over in the struggle between the intruder and Mr. Heinz, went out. It was not touched by the police until the fingerprint man had been over everything in the room, and it was not burning when the police arrived. Other lights in the room were turned on for light when Dr. Vann and Officer Miller were brought in. The fallen lamp explains why the police found the house in total darkness.

Members of the press, the police, and the curious continued to mill about the house far into the night. Mrs. Heinz left with relatives to escape the confusion and relentless questions. It would be a long while before she returned to the house at 1610 Ponce de Leon.

### BACKGROUND

At Atlanta police headquarters investigators began sorting through the meager details they had of the case. The best sources of information were officers Blackwell and Miller. Inasmuch as Miller was at the hospital that night with a broken ankle, it was up to Blackwell to give an account to his superiors and the press concerning the events that evening at the Heinz home.

How was it that he and Miller managed to get to the Heinz home when the original call was given to officers Hulsey and Thomas? It was at this point that some of the background of the case began to emerge.

During the past two or three years burglars had frequented the Heinz home, and Blackwell and Miller had handled those calls. On one occasion, a burglar had entered the Heinz home and stolen a small amount of money, awakening Mr. Heinz in the process. Mr. Heinz had gotten a brief glimpse of the burglar as he fled the house, and when Officers Blackwell and Miller arrived, the banker described him as being a large Negro man. In this same period other homes in the Druid Hills section had been burglarized, and the thief always took only money. Another victim had gotten a glimpse of the burglar and described him as a large Negro man. The press had become aware of the situation in Druid Hills and had written several articles about the robberies. The pattern was always the same. At night, when the victims were either away from home or asleep, someone quietly entered the house and stole money—and sometimes during the daylight hours. Nothing in the houses was ever disturbed or taken, and the burglar or burglars were very careful to enter an unlocked door or window. A fleeting glimpse of a large Negro man was the only clue to the burglaries, and the alleged thief had been dubbed the cat burglar by the press.

After he was robbed the second time, Mr. Heinz decided that enough was enough. He bought a .38-caliber pistol and began target practice in the rear of his estate. He stated to the police that if the burglar came to his house again, he would shoot him.

The police were very concerned about the cat burglar situation in Druid Hills. The most influential people of the community lived there. It was a situation they did not wish to see

continue. In attempting to catch the so-called cat burglar, Blackwell and Miller began making nightly checks on several of the estates in Druid Hills that had been visited by the burglar. They made it a practice to drive through the Heinz estate every night between ten and twelve o'clock. They would vary the time of their patrol in order not to establish a pattern for a would-be burglar, thereby allowing him to rob the Heinz home as soon as they departed. If they were not entertaining or up for some special occasion, Mr. and Mrs. Heinz would be in bed by 10 p.m., and all the lights would be out. Blackwell and Miller would ride through the grounds and cruise behind the house, shining the car lights and their police spotlight about the house and grounds. When Mr. Heinz bought that gun, the officers were concerned he might shoot them, thinking they were the cat burglar. Mr. Heinz, a fearless man himself, laughed at this notion and said there was no danger of that. He said he always knew if it was the police, because they shined that spotlight; however, he did caution them never to come onto the grounds without shining the light.

Officer Blackwell was concerned about two things on the Heinz estate: the gun and the total lack of security. He had several conversations with Mr. Heinz about the gun. He pointed out to him that burglars seldom carried guns (we are talking about 40 years ago) and they wished to appear peaceful; and if caught or surprised while on a job, if they had a gun, they might use it. It would be better to face a burglary charge than a murder charge. Mr. Heinz scoffed at this suggestion and continued with his target practice. Blackwell also urged him to take some precautions on the estate. The Heinz place was not enclosed by a wall or fence, and Mr. and Mrs. Heinz owned no dogs. They lived on the estate alone, and the people who worked for them in the daytime left at nightfall. Blackwell stated that when he and Miller drove through the estate on patrol, the grounds were as dark and spooky as a cemetery. They were ready to make their visit to 1610 Ponce de Leon Avenue that night when the call came over the police radio. This explains how Blackwell managed to put a lookout over the police radio for a Negro man in the vicinity, even before talking with Mrs. Heinz.

A second question Blackwell had to answer was the Vann shooting. Members of the press wanted to know, Why did he and Miller shoot Dr. Vann? Blackwell stated that it was all a

horrible mistake. They thought Vann was the cat burglar, and he thought they were. But why couldn't Vann see the police car, or see that Miller was in police uniform when he came outside on the lighted entryway? Blackwell stated they would have to ask Dr. Vann that question. When interviewed, Dr. Vann stated that the police fired at him as he entered the grounds and he returned their fire thinking they were the burglars. Upon examination, it was determined that Dr. Vann fired nine times, Blackwell six, and Miller once. Vann stated that when he answered the telephone call from Mrs. Heinz that night, she stated to him in a very frantic voice: "By! By! Come over here this instant! *They* are killing Mr. Heinz!"

"I started to go down the path through the gardens," Dr. Vann continued. "But then I decided that whoever was over there might be outside or have accomplices, so I went down Lullwater Road to Ponce de Leon and up Ponce de Leon to the entrance of the Heinz home."

Blackwell maintained that he could not have fired at Dr. Vann first because he did not know that he was there. Blackwell insisted that he could not see Vann until he was within two feet of him, even after the shooting started. Dr. Vann was not in the drive, but, by his own account, hidden in the bushes; so, how could Blackwell, or Miller, for that matter, know he was there until he opened fire? Blackwell was sure Vann opened fire on him thinking he was the burglar, and he thought this a rather normal reaction considering the hysteria of the moment and the pitch darkness of the setting. In the black night all Vann saw was the form of a man beside the entryway and another darkened silhouette leap from the house. All things considered, it was impossible to tell they were police officers. A man preparing for bed had been thrust into a crazy series of events. Upon reflection, his behavior seems quite normal.

Most Atlantans learned about the Heinz murder the following morning over the radio or by reading the morning edition of *The Atlanta Constitution*. The entire city was shocked and horrified that such a thing could happen in Atlanta. The first news accounts of the events that had transpired at the home the night before painted a rather strange and confusing picture. Needless to say, on the morning after the shootings the police performance did not come off very well.

Henry C. Heinz was not only a well known but a highly

regarded citizen of the city. Although born in New Haven, Connecticut, on August, 18, 1879, Henry Heinz's father and grandfather had been native Atlantans. Heinz as a young man began a long career in the banking business. He began with the Central Bank and Trust Company, which had been founded by Asa Griggs Candler; and in 1922, when this bank merged with Citizens and Southern, Henry Heinz became a director and vice president of the Citizens and Southern Bank—a position he held at the time of his death. Like other men of wealth of the period, he was very active in civic affairs and devoted much of his time and energy to helping the less fortunate. In 1938 he was a founder of the Atlanta Boy's Club and served this organization as president from then until the time of his death. He took great interest in the work of the Boy's Club, and his desk was cluttered with ashtrays and other artifacts made by members of the club in their projects.

Mr. Heinz was involved in countless civic affairs. He was city chairman of the banking division of the Third War Loan Drive; and he had heard over the radio, just moments before his death, that the drive had reached its goal. Indeed, it was to hear whether the drive had been a success that Mr. Heinz had remained up beyond the time at which he usually retired for the night. Beside Mrs. Heinz, he was survived by a brother, two sisters, and a son and a stepson.

By mid-day all Atlanta knew of the murder, and the police assigned to the Heinz residence had a time of it shooping sight-seers and photographers away. People flocked to the scene of the crime hoping to get a glimpse of Mrs. Heinz. And she was forced to stay away from the home she had built back in 1922. For several days Atlanta was agog over the murder, and even the war in Europe and the Pacific had to take second place to the Heinz case.

*The Atlanta Journal* headline of Wednesday, September 29, 1943, stated:

#### GREATEST ATLANTA MANHUNT LAUNCHED FOR HEINZ KILLER

When Officer Blackwell put out that alert for a large Negro man shortly after the shooting, it had some results. No large Negro man anywhere in the northeast section of the city was safe from either search or seizure. Three suspects had been picked up that night; but by the following morning they had

been released, the police satisfied that they were guilty only of being large Negro men.

Following a night of panic, a quiet calm hung over the Druid Hills neighborhood. That night, as news of the murder spread, residents of Druid Hills began to flood the Atlanta police station and DeKalb police station with calls of prowlers on the property and burglars in the house. The police not at the Heinz murder scene were scurrying around all over Druid Hills answering these frantic calls. The residents were gripped by fear. There had never been a murder in the neighborhood before. It was not that kind of neighborhood, and it was in a frenzied atmosphere that the police, in searching the grounds of various homes for reported prowlers, collided with one another—with pistols drawn—in the darkness. It was a replay of the scene at the Heinz home earlier. The miracle of the night of September 28, 1943, is that only one person was murdered.

#### ENVY SPAWNS RUMORS

As the shock of the murder wore off and the initial reaction of fear ebbed, tongues began to wag. All at once, the city was flooded with a host of wild and unfounded rumors. The case, in that pre-television time, became something to talk about, and as people talked and speculated, fiction very often supplanted fact. Some of the rumors were the result of the dual police investigation of the crime. Some were spread by newspaper writers and radio commentators speculating about the murder, but many of the rumors originated simply from wild imaginations.

Due to the twin police jurisdiction of the case, investigations by two separate police agencies were going on at the same time. The major investigation was being conducted by the Atlanta Police Department, but insofar as the murder occurred in DeKalb County, the police agency there was involved. The chief of the DeKalb County Police stated to the press that he had had several conversations with Mr. Heinz about the burglaries at the Heinz home and had instructed a patrol car from his department to check on the house at various times. The chief's statement strengthened the case against a burglar as the likely murderer.

There were other police detectives assigned to the case who did not agree. Some of them felt the case was more involved;

one detective leaned toward a Cain-Abel theory, and felt that Mr. Heinz had been killed by someone close to him, that probably his death was the result of some kind of conspiracy. Although he did not actually name the conspirators, Mrs. Heinz and Dr. Vann were the implied villains in the case. The impression grew and persisted and flowered into full-blown speculation that Mr. Heinz was killed by Mrs. Heinz and Dr. Vann because the two of them wished to marry and had to get rid of Mr. Heinz in order to do so! This rather absurd notion was given some credence when the press printed what were supposedly the last words of Heinz:

"Don't shoot me . . . you will get more if you don't shoot me."

This really set the rumor mills to churning for it was interpreted to mean that if Vann didn't kill Heinz, Heinz would give him whatever he wished. The idea persisted that Heinz was killed because Mrs. Heinz and Vann wished to marry and wished to "get their hands on the money." Meaning that Mrs. Heinz would get Vann and all the money too. Many people believed this was the true motive in regard to the Heinz murder, and that the "facts" never came out because Mrs. Heinz was a rich woman and the police and press hushed everything up. For several years afterwards, the press always referred to the conflicting opinions of various police officials when mentioning the Heinz case.

It was exceedingly difficult for investigators to get a complete picture of events because of numerous rumors and false reports concerning the case. Both Mrs. Heinz and Dr. Vann were under seige from the police and the press who wished to question them endlessly concerning what happened. They grew weary of the ordeal and quit talking to anyone; and when it appeared in print that Mrs. Heinz was at an undisclosed location and that Dr. Vann's attorney had told him not to talk to the press anymore, the "I told you so's" had a field day.

The Atlanta Police Department issued a directive for all officers working on the Heinz case not to discuss it with anyone not involved. This order was issued in good faith in an attempt to cut down on false reports and rumors concerning the case; however, it was widely regarded as a cover-up.

The first reaction to the Heinz murder had been one of shock and fear. This could not happen in the city, certainly not in Druid Hills. People were truly saddened by the violent

death of a fine citizen. But as rumors continued to spread, they began to grow uglier. The viciousness of the attacks on Mrs. Heinz were directed at her because she was a person of wealth.

Soon, strange and threatening letters began to arrive at police headquarters and at editorial offices of the newspapers. Sometimes letters written by near-illiterates, but just as often by people who could write legibly and spell correctly. What they had to say was very clear: Because Mrs. Heinz was a rich woman, a member of the most famous Atlanta family of the era, she could get away with anything, even murder. That is the way it was with rich people: If you had enough money, you could buy your way out of anything; only the poor were ever convicted.

The facts in the Heinz case were swept aside, the police being accused of having been bought out by big money and paid to cover things up. It was a conspiracy which the letter writers felt powerless to do anything about; but the message came across on paper, loud and clear—this terrible hatred and prejudice against the rich. In our present day we are aware of this kind of prejudice existing against certain minority groups within our society, but hatred has not always been so directed. Different times and different conditions create different hates. The era of the Heinz murder was a time when people still lived under the pall and anguish of the Depression. That era of hunger and economic failure had generated a prejudice against the wealthy that even in 1943 had not abated. Strangely enough, it was a homicide that caused this hatred to surface into full view.

#### PANIC AND FALSE LEADS

The acrimony generated by the Heinz killing severely restricted the murder investigation. The police had become rather sensitive on the subject. They were working very hard for a solution of the case, but they had been accused repeatedly of a sell-out, of treating rich people better than poor people, and any attempt to look for the killer was regarded by many as a mere diversionary tactic to take the heat off Dr. Vann and Mrs. Heinz. But some investigators believed in this Heinz-Vann conspiracy theory and proceeded to try and prove it. This they were unable to accomplish. In fact, about the strongest case against any kind of conspiracy was Dr. Vann's

presence on the estate the night of the murder in his pajama top shooting at anything that moved. It would be absurd to believe that people engaged in a conspiracy would behave like that.

A report persisted that because the killer was masked he must have feared recognition and was therefore known to Heinz. An elaboration of this theory held that the man was actually a former employee of Heinz, who was not a Negro man at all, but a white man disguised as a Negro to throw the police off the trail. Very extensive and thorough police investigation could turn up no one who was an enemy of Mr. Heinz. He was the type of man who was beloved by the people who worked for him, and the type of person who would give anyone he knew anything they asked of him. He was constantly coming to the rescue of people who worked for him when they needed money or came upon hard times. If any of these people had any grudge against Henry Heinz, it was not discernable. But Heinz was a man of strong character who did not cotton to being robbed, and it was, with him, as much a matter of principle as of money.

Another theory was that if burglary was the motive the intruder would hardly have gone from the darkness of the dining room into the well-lighted library, especially if he was at the dining room window at the time Mr. and Mrs. Heinz heard the commotion outdoors. Officers Blackwell and Miller felt that the theory that the murderer entered the house through the dining room window did not hold water, and they were convinced that the burglar went in the same front window of the library and entered the house directly into the library as did Officer Miller himself a few minutes later. Others insisted no burglar would enter a well-lighted room with people awake in the house. It was ridiculous! Burglars did not operate in that manner. Never! Only the murderer himself could say what happened that night. Although the search for the so-called cat burglar continued, the quest proved fruitless.

The Druid Hills section of Atlanta was never quite the same after the Heinz murder. Few places are following a homicide. Mrs. Heinz never lived in the house afterwards, and it was closed up and stood empty and forlorn.

Burglaries in Druid Hills did continue, however. Officers received hundreds of calls, but most of them proved to be false. Whereas before the Heinz murder Officers Blackwell

and Miller had been handling several prowler calls a week in the Druid Hills neighborhood, after the murder, they were answering dozens of calls a night.

The police thought they had a good break in the Heinz case when they arrested George Arnold, a black male, who fit the description given by Mrs. Heinz. He had been arrested for larceny and burglary in 1936, and for burglary in the northeast section of Atlanta in 1942. The newspapers, too quickly, headlined that a solution to the Heinz murder was imminent. For something more priceless than his own peace of mind, indeed his life, Georgia Arnold had an alibi. He was at work the night of the murder. His white boss stoutly maintained that Arnold was at work loading trucks from 6 p.m. until after midnight on September 28, 1943. Whew! for George Arnold. For the police and the press the speculators had no mercy. A storm of protest from the public followed the Arnold fiasco, and the police and the press became very leery of anything touching upon the Heinz case. Both investigation and reporting of the case came to a near-standstill. It seemed that whatever was done or written about the case created a backlash from the public. The gossips who were saying the case was "too hot to handle" knew more than they thought. Due to the notoriety surrounding the case, nobody wanted any part of it.

Two months after the Heinz murder the police answered a burglary call at a house only two blocks away from the Heinz home. When officers Blackwell and Miller reached the house all the lights were out and a very hysterical lady met them at the front door and in a whisper stated:

"I had turned out the lights in the house and gone to bed and I heard somebody breaking in the back door so I crept downstairs and called the police and waited here by the front door until you got here. He is still in the house."

Blackwell went through the front of the house back to the kitchen where he encountered a large Negro man, who immediately started out the back door and ran right into Miller. The officers had their man. They immediately placed him in the patrol car and began to question him. Upon interrogation, while riding through the Druid Hills area, the suspect confessed and pointed out some 17 homes that he had either prowled around or burglarized. He denied ever burglarizing the Heinz home or being anywhere near it. The suspect was booked at the police station on suspicion of burglary, and the

officers were certain that, if not the Heinz killer, they had at least arrested the culprit who was causing them so much havoc in the Druid Hills neighborhood. When the suspect's fingerprints were identified by the FBI in Washington, it developed that the man was from Chattanooga, Tennessee; and upon further questioning and investigation, he revealed that he had arrived in Atlanta for the first time in his life the afternoon before on a Greyhound bus. When asked why he so readily admitted to being a burglar and fabricated such an elaborate but false scenario of his activities in that field, he replied that he was terrified by the obvious eagerness of the officers to implicate him in the Heinz slaying, and felt that if he confessed to something of a lesser nature they would be satisfied with that and not try and pin a murder rap on him. The man had an arrest record of traffic violations and petty theft in Chattanooga and was very frightened by the mess in which he now found himself. When asked why he had come to Atlanta, he stated that he had heard about the Heinz murder and other burglaries in Druid Hills and thought he would come down to Atlanta and do himself some good. When he reached the bus station in Atlanta, he asked for directions to Druid Hills and rode on the streetcar out there. He walked around awhile until it was dark and then entered the first house he could manage to break into, whereupon he found himself quickly in the hands of the police. Blackwell stated that this incident, early in his police career, taught him something about investigative work he never forgot: never put pressure on people to tell you things.

Several days afterwards, Blackwell spent an afternoon talking with Mrs. Heinz. It was three months after the murder, but this was the first time Blackwell had seen Mrs. Heinz since that fateful night. He had some difficulty in locating her, for she still found it necessary to keep where she was staying a secret, to keep from being badgered by the various police from two departments, the press, and the plain curious. Mrs. Heinz had heard the rumors then circulating the city, and they much distressed her. They talked about the case and Mrs. Heinz recounted the facts of the evening once more. They discussed the events in detail, but only one important new fact that Blackwell was previously unaware of emerged from his conversation with Mrs. Heinz. She stated that while she and Mr. Heinz were in the library listening to the news over

the radio, and while he had been reading the newspaper, she had been sewing for the Red Cross, and that she carried her sewing in a bright red knit bag. It did not appear significant to Blackwell then, but it was something he had not heard before; and Mrs. Heinz said that in the excitement of that evening she had not recalled it.

The next day Blackwell talked with Dr. and Mrs. Vann for the first time since the murder. Dr. Vann was out of the hospital and recovering from his wounds, but he still appeared dazed by the events of the past few months. The hysterical phone call from Mrs. Heinz that night, the gun battle at the Heinz home, his injuries; and then, the gossip about himself and Mrs. Heinz. It was all a terrible nightmare. He shook his head and wondered out loud about how such things could happen to people. Blackwell wondered how any responsible person could talk with Dr. Vann and then conclude that the man could possibly be involved in the Heinz murder.

#### CLOSING IN

On Sunday night, January 14, 1945, a year and four months after the Heinz murder, Fulton County police officers, on patrol in the area of north Fulton County, noticed a car driving somewhat erratically with the headlights out. They halted the car, and Officer Thompson got out to investigate. They found a Negro man in the car alone, and they asked him what he was doing in that neighborhood at that time of night, driving around with the lights off.

"I just a railroad nigger trying to get home," the man answered respectfully. "My lights went bad." The officers didn't find this unusual in the third year of World War II when people were finding it difficult to keep cars in good shape or to secure parts for much-needed repairs. The man appeared to be perfectly sober, and nothing else aroused Officer Thompson's suspicions. He told the man to drive on—and get those lights fixed. The Negro man thanked him profusely and drove off. Almost as an afterthought Thompson jotted down the license number of the man's car.

At approximately 8:30 that same night, the wife of prominent Atlanta attorney Hughes Spalding went into the well-lighted bedroom of the Spalding home on Peachtree Road and found a Negro man, gun in hand, his face hidden with a handkerchief, calmly moving about the room. She called to him

and demanded to know what he was doing there, but he paid no attention to her, walked over to a closet, removed a pocketbook from the shelf, and then left. When Fulton County police arrived, Mrs. Spalding described the intruder as a large Negro man who walked a short distance from the house and got into a blue car. The police found a bandanna-type handkerchief that the intruder dropped as he left the Spalding home.

When the lookout was placed over the police radio, Officer Thompson felt sure the man involved was the one he had stopped earlier less than a mile from the Spalding home. He immediately called over the police radio and gave the license number of the wanted car.

At 9:40 the same evening, Atlanta police, having been alerted for the wanted man, spotted the car with the license number driving west on Simpson Road. They stopped the car, placed the man under arrest, and took him to the city jail. He offered no resistance. From there he was picked up and taken to the Fulton Tower jail by Fulton County police. He was questioned that night but did not admit entering the Spalding home. Officer Thompson interviewed the suspect and positively identified him as the man driving a blue car with the lights off.

Fulton County police went to the suspect's home and interviewed his wife. She identified the handkerchief found at the Spalding home as the property of her husband. One of their children had given him a set of four for Christmas. When confronted with this, the suspect confessed and took officers to the spot where he had thrown Mrs. Spalding's pocketbook. He admitted also breaking into 14 other houses in the North Atlanta area. In the interrogation the suspect stated that he "didn't have to wait until people went to bed before breaking in." The suspect was booked and held for indictment by the Fulton County grand jury.

The arrest report gave the man's name as Horace Blalock, a black male, of 1986 Simpson Road, Atlanta. He was born in Cobb County, Georgia, on June 26, 1909 and attended school there until he dropped out in the eighth grade. He was a man of large build and was 6'3" tall and weighed 230 pounds. His complexion was described in the report as medium brown. He had a large burn scar on the left arm, inside and above the elbow, and two smaller scars: one on the left side of the fore-

head and another on the inside right thumb. He was married and the father of three children and had two brothers living in Cobb County. He gave his occupation as porter.

Upon checking, Fulton County police discovered that Blalock had received three citations for traffic violations by Atlanta police over the past three years but had no record of burglary. When he was arrested for burglary of the Spalding home, Horace Blalock was fingerprinted for the first time.

Since the Heinz murder, the fingerprints of all persons arrested for burglary had been compared with the prints found in the Heinz home the night of the murder. When the prints were compared, Fulton County police were amazed at the similarity of the prints taken from the Heinz home and those of Blalock. However, they proceeded with great caution. There had been so much publicity on the Heinz case, so many false leads that in fact led nowhere, that the Fulton County police moved forward warily. But they became the third police agency involved in the case. Blalock was told nothing about the check on fingerprints.

Identification experts of the Georgia Bureau of Investigation, the fourth law enforcement agency to be involved in the case, were called in to examine the prints. Captain Ben Seabrook of the Atlanta I.D. Bureau also studied the prints carefully. It was the unanimous opinion of all these people that the index and small-finger prints taken from the venetian blind in the library of the Heinz home the night of the murder matched those of Horace Blalock. This appeared to make the identification positive. But speculation in the Heinz murder had come in waves in the past year since the homicide, and when the police came upon each speculation they tried feverishly to trace down every possible clue. No case in Atlanta history had ever caused so much unrestrained theorizing. This time officers had to be sure, for if the prints did not match conclusively, then the results would be just more waves of speculation and another dead-end.

Both Blalock's prints and the prints lifted at the Heinz home were sent to Washington for comparison. The FBI, the fifth law enforcement group in the case, was the most respected authority in the country on the subject of prints. The investigators wanted the FBI's evaluation before proceeding any further with their latest lead.

It was an anxious 24 hours for the police connected with the

case as they awaited word from Washington. Then, a terse one-line telegram arrived from the FBI:

Latent print identical with print of suspect Blalock.

[signed] Hoover.

Now the police knew that Blalock was at the Heinz home at one time or another, and it would be up to the suspect to provide an explanation of his whereabouts the night of September 28, 1943.

Blalock was being held in Fulton Tower jail for trial on the burglary charge. He had been told nothing about his fingerprints matching with those from the Heinz home. He had not asked to see an attorney.

On Thursday, January 18, 1945, four days after he had been picked up on the burglary charge, Blalock admitted he had burglarized the Heinz home several weeks before the slaying and accompanied officers to the crime scene, showing them how he entered the house (through the library window) and the route he took to Mrs. Heinz's bedroom, where he said he took \$80 from a purse on a dressing table. The same afternoon, Mrs. Henry Heinz picked Blalock out of a lineup as the man she saw grappling with her husband the night of the murder.

Blalock was taken into the detective office and questioned extensively by Fulton County police, the chief of the DeKalb County police, and Captain Seabrook of the Atlanta police. Questioned constantly for some 15 hours, Horace Blalock confessed that he murdered Henry Heinz. One of the participants of that session described it later as follows:

Everybody was seated about the office very casual like. We would talk among ourselves about the case. Officers would come in and out on other business, there would be discussion of other cases, of routine police business and then we would begin talking about the Heinz case again. We would ask Blalock questions, mainly about his activities the night of the murder. Blalock was seated at a desk—an ordinary desk there in the office. There were no bright lights or the suspect being subjected to any discomfort, except the questions. Blalock was friendly and agreeable and showed no anger toward any of us. His replies *[sic]* were always well thought out and intelligent. He was a very likeable person and in the questioning there was none of the seething hostility that often develops in this type



of situation. Food and soft drinks were brought in from time to time, and we would not talk about Heinz during these breaks.

Blalock gave the appearance of being very fond of his family. I don't know how to say it exactly except that he was not care-free. In many ways he was different from your ordinary suspect; his manner, his very conservative way of behaving, his politeness, and his intelligence. All this made him different. Talking about his family and children seemed to get to him. We went over again and again all we knew about the case—which was a good deal—and tried to get Blalock to fill in the answers. Bit by bit he began to tell us things we hadn't known before. When he realized this, and this was quickly, he sat quietly for a long time and would not talk to us. We were on the verge of sending him back to his cell and giving it up for the night when he suddenly asked for a paper and pencil. It was handed to him and he began writing vigorously. While he was writing no one in the room said anything, and no one came in to interrupt while he was writing. He took a long time. It was kind of eerie . . . the long silence.

#### CONFESSION

For the time and the person and the place, Horace Blalock laboriously wrote out in long hand that night a rather remarkable statement. Then, he was writing down a confession to the murder of Henry Heinz; today, it reads more like a commentary, or social document of a by-gone era.

The following statement was written by Horace Blalock on January 19, 1945. Ryburn G. Clay, referred to in the statement, had once employed Blalock for a short time.

On the day of Sept. 14, 1943 I had to go to the hospital for a serious operation on the breast left side and I stay in the hospital until Sept. 18th cause I had a cold. They operated on me on the 18th day of Sept. 1943. I left the hospital on the 23 to go home. I was very weak until the 15 day of Oct. 1943. I began to gain my strain, I need some money. I was get \$7.00 a week out of my policy that was not anof and I try to figer out some way to get some more money. I was at home that nite. My wife and myself. So some body came by my house going to Dallas, Ga. to see my sister-in-law. They ask my wife and myself to go with them so I say I am to weak to ride up there so I demand my wife to go ahead so she did but she say will you be allwright. I say sure I will be so when she left I come out of my house and got in my car and left. I went down on out in Druid Hill and

look around. I stop and Mr. Heinz home on ponde de leon Ave. I went up there and I look around it was about 7:30 at night so I spotted them sitting in the side room. They were reading so I waited until Mrs. Heinz went into the bedroom then I went to the winder and walk slower to the side room I thought both of them was goind to the bed room and I thought I spotted a red pocketbook on the sofa but it was a sewing bag and I hat a gun in my pocket when I got there there he was I was surprised I turned to run and fell over the tables and he grab me and we tussle for a few minute he was so strong I could hardly hold him so he got my gun before I did and point it at me and shoot my thum half in two, and I got the best of him but I did never get the gun he had the gun but I twisted the gun point at him and it was fire every once in awhile. I don't know how many times it fire I got it in a little while in my hand and I ran out. Then I saw my finger was bleeding so and I all ready weak I could hard make it. I went strait home got me some little stick and did it up. I went to bed it bled all night. I went to the doctor the next morning and he fix it up. But I have not rested a nite since it have been worried me so much I could not sleep I say awake all night if it had not been for my wife and children I would have done give up. I go to church I could feel right it was sometime on my mind all the time I am sorrow I don't no what to do. I bought the gun from a boy on the west side of town. I dont no who he was. I throw the gun in the river at Marietta Bridge I was brought up in the church and made to do wright. My mother and father are dead they made me do wright but when I got up I staid away from her and his raised. They was very nice to me I have worked for some very good white people in Atlanta I work for Mr. Clay for a year or more. I do wont Mr. Clay to speak for me at my trial gentlemen I need mercy of you all for my family I have a wife and 3 little children. One 3-8-9 for the sake of my little children I ask mercy of Mrs. Heinz please mirm just in order so see my children grow up and not let the make the same mistake I have made in life I am ask that you gentlemen please sir, I am so sorrow have mercy on me for wife and my children. Crime dont pay everbody that is doing wrong quit it now dont pay. The trial will come off in Decatur, Ga. High Cort some time in March. I hope you gentlemen will consider my case by that time please sir and please mirm I am sorrow I turned out to be what I did I married a fine girl for a wife she is a chrisen woman and not a better one she beleave in wright and wright a long I hope she will be happier again someday. She is a mitre sweet girl I will have to give her critic for my little children that so much of me and there

mother it is hard for me to part from them but the lord says the best of friend must part from one another I wont you all to pray for me and I will pray for me. My time is all mose up but I hope not cose I am so sorrow I dont know what to do please pray for me and my family and children I hope no more of my people dont no crime. So sorrow.

[signed] Horace Blalock

Blalock's statement was printed in the papers and received wide readership. When the trial came up in March, it was very unlikely that anyone on the jury would not have read and been aware of the confession. And the remarkable thing is that is just what Blalock intended, for the confession is not really a confession at all, but a shrewdly worded defense of a man, knowing then that he was fighting for his life. For the person who could reason well and think things through and write it down coherently even to remembering dates without checking, and then slip back into the Negro idiom of the era, indicates that Blalock, from a lifetime of experience, knew well the softer spots in the Southern armor of black-white relationships of the period. Blalock was trying to get the point across that even though he was guilty of stealing money and had unwittingly killed a respected and wealthy white man, and in spite of all these terrible crimes, a person could read the statement and if saying nothing else for the defendant, could conclude that he certainly wasn't uppity. That would be a far worse crime for Blalock to be guilty of than either burglary or homicide. Making himself lowly and being properly humble, Blalock hoped to appeal to the sympathy and prejudice of the incoming jury. That he knew so well how to say not only everything that he knew the white man wanted to hear, and phrase it in a way that he knew the white man wanted it to sound, Blalock probably did himself more good than either of the two attorneys who would ultimately plead his case in court.

When the fifteen-hour session was concluded, Blalock's statement was distributed to the press, which had gotten wind of what was going on and was camped en masse outside the detective office.

The press and photographers were allowed inside to take pictures and interview Blalock, who was totally unperturbed by the mayhem in the rather crowded office and faced the press with quiet composure and unruffled answers to their

sometimes-barbed questions and requests for pictures. Blalock had not talked to a lawyer or asked to see a lawyer. It was normal police practice in such cases to get the confession and the case wrapped up before even considering a lawyer for the accused. It was the way all police departments operated then. Had someone suggested that Blalock's rights had been violated, the police would have been incredulous. The police in the case had treated Blalock very fairly, they thought. It had all been very friendly, and Blalock and the police seemed relieved when it was over.

Blalock stated that he earned approximately \$200 a month on his railroad job, a good salary for a man at that time. It was certainly deemed sufficient to support his family adequately. Then why did he feel compelled to steal? Blalock told the press that soon after he moved to Atlanta and got a job with the railroad, he began playing the "bug." In no time, he was spending at least \$15 a day playing the bug, and most days he would lose; but when he did win, he would put all his winnings on the bug; and as a result he never seemed to get ahead. He stated he wanted to quit playing the bug but that he could not, for it had become a part of him, a part of his everyday life. Blalock stated also to the press in his interview that he took \$45 and a billfold from Heinz after killing him.

### HEARING

The grand jury of DeKalb County was in session at that time, and, insofar as the Heinz home was located in that county, all facts and data pertinent to the case were turned over to DeKalb County authorities for prosecution. Immediately the grand jury took up the case and called witnesses. The main witness was Mrs. Heinz. She had identified Blalock in a lineup as the man whom she saw grappling with her husband. She had congratulated the officers for finding the slayer and stated to the press how relieved she was that it was all over and that the strain of the past year had at times been more than she could bear. In her sworn statement to the grand jury Mrs. Heinz said in part:

I was sewing something for the Red Cross. Henry was reading. We were in the library. A few moments before ten p.m. I grew sleepy and decided to go to bed. I laid my sewing bag on a sofa in the library, and went and took a shower. I had just stepped out of the shower when I heard Henry calling:

"Momma, Momma, that devil is in here. Get the gun quick!" I knew who he meant because he said, more than once to me: 'If that devil who has been stealing from us comes back I will kill him with my own hands.' I put a robe on and went rushing around. I do not remember what he said but I heard Henry cry out again and I heard two shots. I went into the library and saw a Negro man struggling with Henry. I went into another room to get a gun, but ran back to the library instead and found Henry on the sofa and the Negro man was gone. I went to the telephone and called Grady Hospital, the police, and Dr. Vann."

The jury heard from the police who had worked on the case and then it indicted Horace Blalock for the murder of Henry Heinz. The case was set for trial in March 1945.

A roar of speculation, gossip, and pure vindictiveness swept the city. Previously friends and relatives had offered a \$2500 reward for the solution to the murder of Henry Heinz. There were charges that the police were railroading a Negro man into prison to earn the reward. Some police on the case again speculated about the guilt or innocence of Blalock and the press picked up these rumors. The press often described Heinz as a "rich capitalist" and Mrs. Heinz as the "widow of the rich capitalist"—somewhat inflammatory terms for the era.

The gossip against Mrs. Heinz reached a fever pitch. The rumor-mongers said that of course she was relieved that the case was closed because then the heat would be off to find the real killer, who was someone in league with Mrs. Heinz. At this point Dr. Vann had faded from the picture, for his statements and appearances made it difficult for even the most determined to believe him a villain. Now, it was said, persons unknown who were responsible for the murder were being paid off by the rich to protect Mrs. Heinz. Mrs. Heinz was also criticized for looking too cheerful at the hearing and for not wearing the proper clothes for a truly grieving widow.

### THE TRIAL

In March Horace Blalock went on trial in DeKalb County with Judge James C. Davis of the Stone Mountain circuit presiding. Blalock was represented by two lawyers who immediately disavowed the alleged confession and asked the court not to allow it to be placed in evidence. They also asked that the fingerprint evidence not be allowed because it could not be proven beyond a shadow of a doubt that they were Blalock's

prints. After hearing from all sides and lengthy deliberation, Judge Davis ruled that both the alleged confession and fingerprint evidence was admissible. For the first time in Georgia court history, a projection machine and screen were set up in the courtroom to explain the fingerprint technique to the twelve-man, all-white jury.

Once again, Mrs. Heinz was the principal witness. Visibly shaken by the long ordeal and the attacks made against her, she left a sick bed to testify. In deference to public opinion, she wore a black suit and hat with veil for this appearance in court. Her testimony was essentially the same as that at the inquest. However, following intense cross-examination on the witness stand, she stated that Blalock "looked a lot like" the man in the Heinz home the night of the murder.

The prosecution witnesses were the various police investigators who worked on the case and a jeweler, Harold Jacobson, who testified that he had sold Blalock a watch similar to the one found at the scene of the crime. He could not identify the inner workings of the watch found at the scene as definitely being the watch he sold Blalock because it was an inexpensive watch and did not have a serial number on it. However, two weeks after the murder, Jacobson testified that Blalock had come to him and told him he had lost the inner workings out of his watch and wanted it replaced. The jeweler replaced the inner workings of the watch for him.

Blalock's lawyers alleged that during the fifteen-hour interrogation that the police had put some kind of "truth serum" (that was the new thing then) in Blalock's Coca-Cola, and that as a result Blalock was under the influence of drugs when he signed the so-called confession. It appears the lawyers might have erred in their strategy here. The best defense Blalock had was his confession.

### THE VERDICT

The case went to the jury after a three-day trial. After six hours there was no decision, and Judge Davis had the jury locked up for the night. They deliberated all the next day and were locked up a second night, spending the night on cots hastily set-up in the court house. After some 50 hours of deliberation the jury found Blalock guilty—with a recommendation for mercy. Under Georgia law it was automatic that Judge Davis sentence Blalock to life imprisonment. It was re-

liably reported that the jury was split 9 to 3 in favor of giving Blalock the electric chair. In spite of intense pressure, three jurors held out to the end for life instead, and rather than have a mistrial the other nine jurors agreed on life imprisonment for Blalock. It would be interesting to know if the three jurors who held out were influenced by humanitarian considerations, Blalock's confession, or a belief that Blalock was taking the rap for a murder he did not commit. Maybe it was a combination of these factors, but it is likely the last consideration was the most overriding.

It was the opinion of many that Blalock took the blame for higher-ups. No manner of evidence or reasoning could convince some people otherwise. The police were severely stung by the rumors and accusations in the Heinz case. They felt that a super-human effort had been made to solve it. However, many of the rumors developing around the case could be traced directly to certain police investigators who were influenced by and believed in the conspiracy theory—and became captives of it, themselves prisoners of the prejudice against people of wealth. Certainly the possibility of a conspiracy was thoroughly gone into, for the investigators wanted to find a basis for their beliefs. But no evidence of a conspiracy was ever uncovered. The officers closest to the case and best informed from all the police departments involved felt then, and later, that any implication linking Mrs. Heinz with the murder of her husband was absurd.

Those who attempted the most to make a conspiracy out of the Heinz case and felt that Blalock had been abused of his rights by the police and the rich were often those who thought nothing of insisting that Negroes should go to the back of the streetcar and take seats behind the white folks, and if any Negroes were seated and whites got on the streetcar and needed a seat, then the Negroes should stand, as was the custom. Clearly the prejudice voiced in the case was against wealth.

Following the events of the night of the murder, Mrs. Heinz's role in the case was endlessly speculated upon. In a way, she was also a victim of the case. Some years later when she remarried, all the innuendoes concerning her role in the murder were revived once more, and they still linger to this day. Many people insist that there was "something funny" about the Heinz murder.

Officer Blackwell managed to interview Blalock prior to the trial. Blalock stated he left the house through the door opening off the library to the entryway. But he also said that he started out of the house through the reception room but changed his mind and doubled back and went out of the house through the side entryway. Blackwell thought that Blalock was probably somewhat disoriented following his fierce struggle with Heinz. It also explains Mrs. Heinz's statement that she felt the slayer was still in the house moments after the struggle. After leaving the house, Blalock stated he went down the path and through the gardens, the same route that Dr. Vann almost took seconds later. Blalock also said his car was parked across the street from Dr. Vann's house on Lullwater Road and that he got into his car, started it up, and as he was approaching the intersection of Lullwater and Ponce de Leon he realized there was a car coming east on Ponce de Leon at breakneck speed. In order to avoid being hit by the speeding car, he came to a complete stop, and the other car roared through the intersection and quickly turned left into the driveway at the Heinz estate. It was Blackwell and Miller in their patrol car.

On May 18, 1955, Horace Blalock, having served ten years of a life sentence for the murder of Henry C. Heinz, was paroled by the Georgia Pardons and Paroles Board. On June 28, 1956, Blalock's wife swore out a warrant in Fulton Superior Court charging him with abandonment. For this he received a twelve-month probationary sentence which was terminated July 1, 1957. Blalock then moved to Vidalia, Georgia, where he worked as a porter for an automobile agency. This was the last the police heard of him. Some years later Mrs. Heinz married Enrico Leide, conductor of the first Atlanta Symphony Orchestra. They were prominent in social and musical circles in Atlanta until Mrs. Leide's death in September 1962.

The Heinz home became the property of a somewhat eccentric lady who lived in the downstairs section of the main house with a bevy of dogs and converted the second story and garage and out-buildings into apartments. People who rented the apartments stated that the place was spooked and that strange things went on there which attracted the attention of occult groups. It was said that on particularly dark nights a person could be heard walking about the grounds, but no one could be seen. It was also said that pistol shots could be heard

late at night, like someone target-practicing on the rear of the estate, but no one could be found. People living on the estate began to believe that the ghost of Henry Heinz returned to the scene of the crime periodically. Others moved away, for the darkness, the overgrown estate, and the memories of murder became too much to contend with. The estate was never kept up properly after the murder, and the grounds rapidly deteriorated. Today the house stands vandalized and forlorn. A walk upon the grounds in the dead of night has nothing to recommend it.

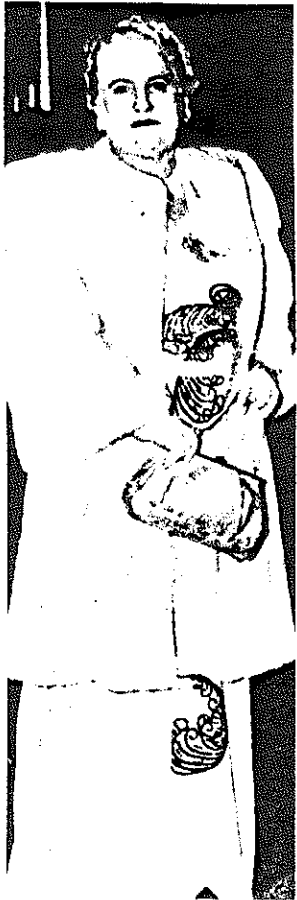
Now Ponce de Leon Avenue is a busy thoroughfare for commuters driving into the city from surrounding suburbs. Most of the old estates of another time have been converted into churches or clubs or cleared away to make room for apartments or town houses. The time when this section was regarded as being way out from town has long since passed. Time and the city have caught up with Druid Hills and overgrown it. Busy people driving along gaze at the Heinz home and wonder about its past. Sitting there, on a cloudy misty day, waiting for the developers and earthmovers, its shadow-white stucco makes the house appear like a ghost, and it looks, even to the casual passer-by, like a house with a past.

Just prior to the Civil War a German immigrant came to Atlanta and opened a gun shop. During the war he rendered valiant service to the Confederacy in the manufacture and repair of rifles and small arms. After the war, his son joined him in the business and the firm grew and prospered in the manufacture, repair, and sale of handguns. The firm was a prominent business establishment on Alabama Street in Atlanta. The father died in 1906, but the son continued the business until his own death in 1928, when the business was ended. Obviously the grandson of the founder and the son of the man who operated the business until it closed had no interest in the manufacture or sale of guns, for he took no part in the business. He was a peaceful man, well-liked and highly regarded by everyone who knew him. That man was Henry Heinz.

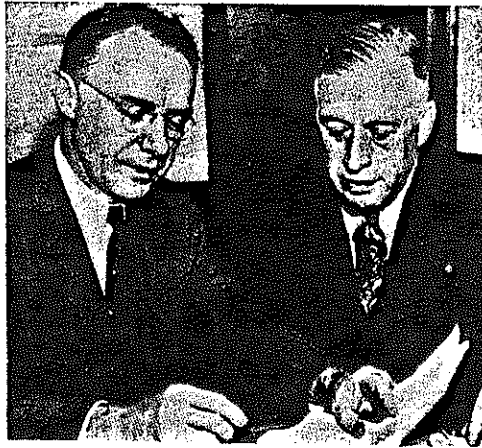
## Socialite Peggy Refoule

Paul and Peggy Refoule (*Reh'-fo-lā*) moved most of their furnishings into their new home on April 30, 1947. The unusual house on fashionable Howell Mill Road was converted from an old woolen mill dating from the Civil War period, when the area had been a battleground in the Atlanta campaign. The house was located in the sparsely-settled neighborhood of northwest Fulton County, beyond the city limits of Atlanta. The property had a thousand-foot frontage on Howell Mill Road and ran back about 300 feet from the road to the middle of Peachtree Creek, a winding stream in a very wooded tract. There were no close neighbors, and the house sat near the street—all the expanse of property being the wooded area behind the house down to the creek. The old mill part of the house was to be used by Paul, an artist, as a studio. It was a gigantic room 20 by 50 feet with two-foot thick granite walls. It had a beamed ceiling and concrete floors. Several tapestries adorned the walls, and Refoule paintings rested on easels about the room. The studio had an enormous fireplace, with a huge mantel. In the new section of the house which the Refoules had just added to the old mill structure there was a kitchen and small bedroom downstairs, and two bedrooms and two baths upstairs. In the master bedroom upstairs there was a large fireplace. A dry creek bed ran directly behind the home and resembled a moat, and the house from that vantage point looked like a medieval castle, which is exactly the way that Paul Refoule, who was a Frenchman, wanted it to look; for it reminded him of the houses in his hometown of Orleans, France.

On May 5, 1947, the Refoules moved into their new house. The first social gathering which took place there was on the afternoon of Sunday, May 11, 1947, during which time the Refoules were visited by their friends, many of whom brought



Mrs. Henry Heinz arrives at the Fox Theatre for a Metropolitan Opera performance.



Banker Henry Heinz (right) and Mayor William B. Hartsfield.

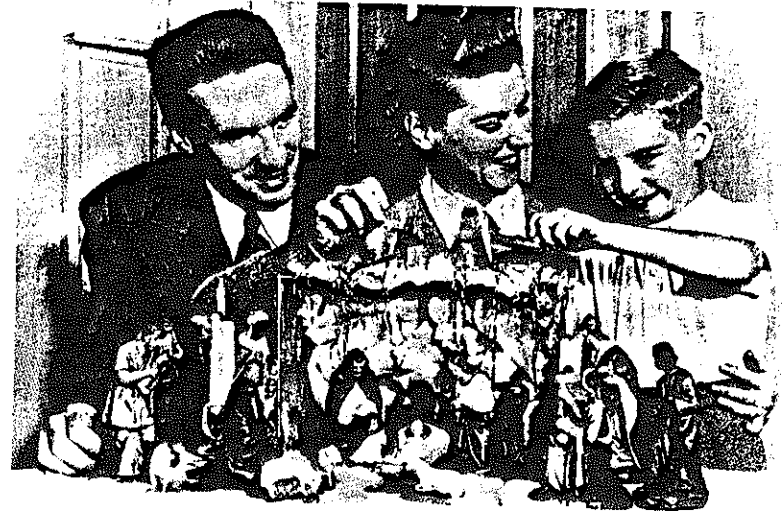


Accused killer Horace Blalock shows investigators where he threw the gun used in the Heinz murder.



**Rainbow Terrace**

View of the building from the street, looking over Rainbow Terrace, the palatial residence



Judge and Mrs. Robert Refoule (top) approach the Federal Building in downtown Atlanta for the hearing of their son's suit in 1947. In happier days, Paul, Peggy, and Jon Paul Refoule (middle) are shown assembling a