

CHRONOLOGICAL
ORDER

26 AUG 13

WITHDRAWAL NOTICE

RG: 65

Box: 00687 Folder: 0001 Document: 1

Series:

Copies: 1 Pages: 2

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The item identified below has been withdrawn from this file:

Folder Title: 44-13064

Document Date: 04-26-1958

Document Type: Photograph

From: N/A

To: N/A

Subject: Autopsy

In the review of this file this item was removed because access to it is restricted. Restrictions on records in the National Archives are stated in general and specific record group restriction statements which are available for examination.

NND: 21078

Withdrawn: 12-06-2007 by: Carmencita Bourque

FOIA RETRIEVAL #: 21078 00687 0001 1

F B I

Date: 4-23-58

Transmit the following in _____
(Type in plain text or code)Via AIRTEL AIR MAIL
(Priority or Method of Mailing)

TO: Director, FBI
 FROM: SAC, Atlanta
 RE: (FNU) RANDALL; (FNU) HANCOCK,
 Police Officer, Dawson, Georgia;
 ODELL BRAZIER; JAMES BRAZIER -
 VICTIMS
 CIVIL RIGHTS

Victim ODELL BRAZIER appeared at the Atlanta Office today and furnished a signed statement. He alleged that at about 6:30 p.m., Sunday, April 20, 1958, he was stopped by RANDALL for reckless driving; assaulted by RANDALL with a blackjack on the head and locked in city jail. His son, JAMES BRAZIER, witnessed his arrest and beating and objected, stating his father would go to jail peacefully. RANDALL took no action as to JAMES BRAZIER then.

Later JAMES BRAZIER was brought into jail with two or three cuts on his head and his shirt covered with blood. He claimed RANDALL and HANCOCK came out to JAMES BRAZIER's house and beat him with blackjacks. ODELL BRAZIER woke up during the night in jail, noticed his son missing from the cell.

The next morning, ODELL BRAZIER and another person, a prisoner, were ordered to another part of the jail where they found JAMES BRAZIER with his shirt torn from his body, unable to move of his own accord and unable to speak. ODELL BRAZIER and unknown prisoner carried JAMES to Mayor's Court. ODELL BRAZIER pleaded guilty to driving under the influence - reckless driving charge and was fined \$115. The case as to JAMES BRAZIER was "passed" until 4-28-58 because he could not speak.

3 - Bureau
 2 - Atlanta (44-New) AIRTEL
 ETK:mm1
 (5)

TELETYPE

A. M.

A. M. S. D.

SPEC. DEL.

REG. MAIL

REGISTERED

Sent

Approved: _____

Special Agent in Charge

11 APR 24 1958

REC-44

128

M Per

F B I

Date:

Transmit the following in _____
(Type in plain text or code)Via _____
(Priority or Method of Mailing)

AT 44-New

ODELL BRAZIER then took his son to Terrell County Hospital where x-rays were taken. The doctor there ordered ODELL to take JAMES BRAZIER to the hospital in Columbus, Georgia, immediately and phoned a specialist in Columbus concerning the case.

Examination, City Hospital, Columbus, Georgia, indicated skull fracture, clot on brain with loss of senses. Operation performed. JAMES BRAZIER still in critical unconscious condition.

Investigation instituted.

JOHNSON

- 2 -

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *R*

DATE: 4-29-58

FROM : F. L. Price *FLP*

Time of Call: 7:45 p.m.

SUBJECT: (FNU) BANDALL, ET AL;
ODELL BRAZIER, ET AL, VICTIMS
CIVIL RIGHTS

Tolson	_____
Boardman	_____
Belmont	_____
Mohr	_____
Nease	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
Clayton	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

SAC Nat Johnson, Atlanta, called to advise that his office had received a press inquiry from the Associated Press regarding captioned matter. He was wondering whether he should answer the inquiry with a no comment or state that an inquiry is being conducted in order that the allegation of a Civil Rights violation may be presented to the Department of Justice for a decision as to whether or not an investigation should be conducted. Johnson said that the press inquiry wanted to know the facts of our investigation in this matter.

ACTION:

Johnson was instructed to advise the press that the facts of our inquiry could not be divulged and that we were conducting an inquiry in order that the allegation of a Civil Rights violation may be presented to the Department of Justice. This action was cleared with Mr. Wick of Mr. Nease's office.

cc: 1 - Mr. Nease

FVG/jdn

-7-

EX-128

REC-4

44-13064-2

ADDENDUM:

Above inquiry refers to complaint made to Atlanta 4/23/58 by victim Odell Brazier. He alleged he was arrested 4/20/58 by subjects, Dawson, Georgia Police officers for reckless driving under the influence of alcohol. He claims he was hit on the head with a blackjack and his son James Brazier, who witnessed the arrest, objected but no action was taken against the son at that time. Later James Brazier was brought to jail with three cuts on his head. Odell Brazier claims subjects went to his house and beat his son James with blackjack. Son later taken to hospital where examination reflected skull fracture, clot on brain with loss of senses. Operation performed and as of 4/23/58, the son was in critical condition. Atlanta upon receipt of above complaint instituted preliminary investigation and report due 5/2/58.

57 MAY 9 1958

SLY

FBI

Date: 5/1/58

Transmit the following in AIRTEL
(Type in plain text or code)Via AIR MAIL
(Priority or Method of Mailing)

TO : DIRECTOR, FBI

FROM : SAC, ATLANTA (44-876)

SUBJECT: RANDOLPH ENNIS MC DONALD, aka Randall;
WEYMAN BURCHLE CHERRY, aka Hancock;
ODELL BRAZIER, JAMES CALVIN BRAZIER-VICTIMS
CIVIL RIGHTS

Re Atlanta airtel to Bureau, 4/23/58, captioned
"(FNU) RANDALL; (FNU) HANCOCK, Police Officer, Dawson, Georgia;
ODELL BRAZIER; JAMES BRAZIER-VICTIMS, CIVIL RIGHTS".

For information of Bureau, Victim JAMES CALVIN
BRAZIER died 4/25/58 at Medical Center, Columbus, Georgia.

Phone call received today from JOHN WESLEY DOBBS,
prominent negro leader, Atlanta, advising he received
anonymous long distance phone call from Dawson, Ga. advising
Victim ODELL BRAZIER was re-arrested by Dawson PD last
night on unknown charge.

Preliminary investigation completed prior to receipt
above phone call and contents of phone call being incorporated
into report but no investigative action being taken with
respect thereto, pending Department's review of report of
preliminary investigation.

② - Bureau
1 - Atlanta AIRTEL

ETK/rej
(3)

TELETYPE

A. M.

A. M. S. D.

SPEC. DEL.

REG. MAIL

REGISTERED

MCT-11

REC-50

MAY 3 5 50 PM '58

1958

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

May 6, 1958

Airtel

To: Atlanta (44-876)

REC- 50

From: Director, FBI *44-13064-3*

EX 108
 RANDOLPH ENNIS MC DONALD, AKA RANDALL, ET AL.; ODELL
 BRAZIER, ET AL. - VICTIMS, CR.

Reurairtel 4-23-58.

You are reminded Buded this type civil rights
 case is ten days. In event report not submitted within
 Buded explanations are to be submitted together with your
 recommendations.

YMW:pms *[Signature]*
 (4)

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____

f397
 67 MAY 12 1958

MAIL ROOM ☒ *[Signature]*

COMM - FBI

MAY 6 - 1958

MAILED 30

F B I

Date: 5/8/58

Transmit the following in PLAIN TEXT
(Type in plain text or code)Via AIRTEL AIRMAIL
(Priority or Method of Mailing)

TO: DIRECTOR, FBI

FROM: SAC, ATLANTA (44-876)

RANDOLPH ENNIS McDONALD, aka, ET AL;
ODELL BRAZIER, ET AL - VICTIMS;
CR.ReBuairtel 5/6/58. Bureau requested to
refer to closing report by SA HENRY L. BURGETT dated
5/2/58 at Atlanta.

END

NEJ:CM

(3) - Bureau (AM)
1 - Atlanta (44-876)

REC-57

44-13067-6

15 MAY 9 1958

EX-108

62 MAY 15 1958

Approved: [Signature]
Special Agent in ChargeSent [Signature] M Per

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 5/2/58

FROM : SAC, ATLANTA (44-876)

SUBJECT: RANDOLPH ENNIS MC DONALD, aka Randall;
 WEYMAN BURCHLE CHERRY, aka Hancock;
 ODELL BRAZIER, JAMES CALVIN BRAZIER-VICTIMS
 CIVIL RIGHTS

Transmitted herewith is report of SA HENRY L. BURGENT, dated 5/2/58, at Atlanta.

REFERENCE:

Atlanta airtel to Director dated 4/23/58, captioned, "(FNU) RANDALL; (FNU) HANCOCK, POLICE OFFICER, Dawson, Ga.; ODELL BRAZIER; JAMES BRAZIER-VICTIMS, CIVIL RIGHTS".

ADMINISTRATIVE:

Dr. JOHN G. DURDEN, JR. was not requested to furnish a signed statement because at the time of interview he was extremely busy. He had just returned from the hospital and was behind on his scheduled appointments.

Dr. CHARLES M. WARD was not requested to furnish a signed statement because at the outset he exhibited a hostile attitude and was critical of an investigation being conducted of police officers for "just doing their duty". It is noted he is a member of the Dawson City Commission.

- ② - Bureau (Enc. 2)
 1 - Atlanta (44-876)

HLB/rej
 (3)

1cc: AAG Civil Rights Division
 Form 6-94 E 5-8-58

58 MAY 15 1958

EXP. PROC.

REC-74

44-13064-5

11 MAY 5 1958

EX-123

FEDERAL BUREAU OF INVESTIGATION

Reporting Office ATLANTA	Office of Origin ATLANTA	Date 5/2/58	Investigative Period 4/23, 24, 25, 26, 28/58
TITLE OF CASE CHANGED RANDOLPH ENNIS MC DONALD, aka Randall; WEYMAN BURCHLE CHERRY, aka Hancock; ODELL BRAZIER, JAMES CALVIN BRAZIER-VICTIMS		Report made by HENRY L. BURGETT	Typed By: rej
		CHARACTER OF CASE CIVIL RIGHTS	7-3 2-13

Synopsis:

Victim, Odell Brazier, Dawson, Ga. furnished signed statement alleging that on 4/20/58 he was stopped by RANDALL, Policeman, Dawson, Ga. for reckless driving, assaulted with blackjack by RANDALL and locked in county jail. Son, JAMES BRAZIER, witnessed arrest and beating and objected, stating father would go to jail peacefully. ODELL BRAZIER stated JAMES BRAZIER, victim, was later brought into jail with two or three cuts on head and his shirt covered with blood. He claimed RANDALL and HANCOCK went to JAMES BRAZIER'S house and beat him with blackjack. ODELL BRAZIER woke up during night in jail and noticed son missing from cell. ODELL BRAZIER stated that on 4/21/58 he and another prisoner were ordered to another part of the jail where they found JAMES BRAZIER with shirt torn from his body, unable to move or speak. JAMES BRAZIER was carried to Mayor's Court, case continued to 4/28/58 because he could not speak. ODELL BRAZIER entered plea of guilty to charge of driving under the influence and reckless driving. Fined \$115. Paid fine and released. ODELL BRAZIER stated he took JAMES BRAZIER to Hospital, Columbus, Ga. where examination at City Hospital, Columbus, Ga. indicated skull fracture, clot on brain with loss of senses. Operation performed, JAMES BRAZIER still in

Approved <i>[Signature]</i>	Special Agent In Charge.	Do not write in spaces below	
Copies made: ② - Bureau 1 - USA, Macon, Ga. 1 - Atlanta (44-876)		44-13064-4	REC-74
		MAY 5 1958	EX-123
53 MAY 15 1958			

Acc: AAG Civil Rights Division
Form 6-94 E-5-58

AT 44-876

critical, unconscious condition. Dr. JOHN G. DURDEN, JR., Columbus, Ga. stated he examined JAMES BRAZIER 4/21/58, found no marks on body, small abrasion at hair line right anterior, small abrasion, not through skin at vertex of scalp, right side at vertex acromodric spots 2 centimeters in diameter, blow not severe enough to produce appreciable damage to scalp. Operation performed by Dr. DURDEN, 150-200 CC dark blood removed. Brain beneath showed some contusions but no lacerations. Dr. DURDEN stated there was no way to determine cause of injury. Injury not more than week to ten days old. Chief of Police, HOWARD L. LEE, Dawson, Ga. advised of investigation being conducted. Dr. CHARLES M. WARD, Dawson, Ga. stated he examined JAMES BRAZIER 4/20/58 in county jail, Dawson, Ga., noted odor of alcohol on his breath. Examination reflected superficial reflexes all normal, small laceration right forehead and on back of head, which did not require stitches. Swelling above left ear, no bleeding or out. Pupils of eyes reacted normally. Little blood on one side of nose. Some free blood in middle left ear. No probability of skull fracture noted due to reflexes. No evidence of hemorrhage except speech slurred. Ordered victim moved to cell, put to bed and to be awakened every two hours. Dr. WARD checked BRAZIER between 2:30 and 3:00 A.M. 4/21/58, noticed nothing unusual. Examination and x-rays made 4/21/58 reflected possible fracture left side of head, noted abnormality in size of pupils of eyes. Subject, RANDOLPH ENNIS MC DONALD, police officer, Dawson, Ga. furnished signed statement admitting striking victim, ODELL BRAZIER, when he resisted arrest. Subject, WEYMAN BURCHLE CHERRY, police officer, Dawson, Ga. furnished signed statement admitting striking victim, JAMES BRAZIER, when he resisted arrest. Witnesses in signed statements advised that victim ODELL BRAZIER resisted arrest by Officer MC DONALD and that JAMES BRAZIER resisted arrest by Officers MC DONALD and CHERRY. Victim JAMES BRAZIER died 4/25/58, at Medical Center, Columbus, Ga.

AUSA JOSEPH H. DAVIS, MDGA, Macon, Ga. stated that in his opinion sufficient investigation had been conducted in this matter and that the Department of Justice will be contacted for a final prosecutive opinion. Descriptions of subjects and victims set forth. Arrest record for JAMES BRAZIER and ODELL BRAZIER set forth.

- C -

DETAILS:

The title of this report is being marked changed to reflect the true and complete names of subjects RANDOLPH

- 2 -

AT 44-876

RANDALL

ENNIS MC DONALD and WEYMAN BURCHLE CHERRY, police officers of the Dawson Police Dept., Dawson, Georgia and to include the full name of Victim JAMES CALVIN BRAZIER as furnished by his wife, HATTIE BELL BRAZIER.

AT ATLANTA, GEORGIA:

This investigation is predicated upon information furnished by Victim ODELL BRAZIER on April 23, 1958 alleging that on April 20, 1958 he was stopped by RANDALL for reckless driving, assaulted by RANDALL with a blackjack on the head and locked in jail, Dawson, Georgia. He further stated that his son, JAMES BRAZIER, witnessed the arrest and beating and stated that his father would go to jail peacefully.

BRAZIER alleged that later, on April 20, 1958, his son JAMES BRAZIER, victim, was brought into jail with two or three cuts on his head and his shirt covered with blood. He stated that his son told him that RANDALL and HANCOCK came out to his house and beat him with black jacks.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

ODELL BRAZIER was interviewed by SA EDWARD T. KASSINGER and SA GEORGE H. TREADWELL in the office of the FBI, Atlanta, Georgia on April 23, 1958 and furnished the following signed statement:

"Atlanta, Georgia
April 23, 1958

"I, Odell Brazier, wish to furnish the following voluntary statement to Special Agents Edward T. Kassinger and George H. Treadwell of the Federal Bureau of Investigation, concerning an incident which occurred at Dawson, Terrell County, Georgia, Sunday, April 20, 1958. This statement is the truth to the best of my knowledge and belief.

"I reside on Route 1, Box 338, Dawson, Georgia, and operate a wood yard in Dawson, Georgia. I was born in Stewart County, Georgia, but have lived in Terrell County, Georgia, since I was four years old. I am now 56 years of age.

"On Sunday, April 20, 1958, I attended the I Hope Baptist Church on the outskirts of Dawson, Georgia, at about 3:30 in the afternoon. I drove my car, a 1956 Chevrolet, by myself back into Dawson, arriving about 6:30 p.m. A city policeman of Dawson, Georgia, known to me as Officer Randall, driving a city police car by himself stopped me near the project on Parrott Road, Dawson.

"Officer Randall got out of his car and came over to my car. He said, "What are you doing driving so recklessly, you almost ran over that white lady. You were about to make that lady have a wreck." I told him I had not been driving recklessly. He said, "What's that you been drinking," and I told him I had not been drinking, that I had just come from church.

"Officer Randall then yanked open the door and hit me with his blackjack over my left eye and in

- 4 -

Interview with ODELL BRAZIER File # AT 44-876
on 4/23/58 at Atlanta, Georgia Dictated: 4/23/58
by Special Agents EDWARD T. KASSINGER and GEORGE H. TREADWELL/rej

AT 44-876

back of my left ear. I then got out of my car. He told me to get into the city police car. I told him that I hadn't done anything and he told me again to get into the city police car.

"When Officer Randall hit me, my son drove up in his car and got out of his car. He told Officer Randall, "Don't hit my Daddy," that I would get into the city police car. My son is James Brazier and he is 32 years old and lives in Dawson, Georgia. He works for the Steve Chevrolet Company, Dawson. Officer Randall did not say anything to my son then.

"He took me in the city police car to the city jail of Dawson and locked me up. Officer Randall told Gene, the Negro trusty at the jail, to lock me up. I did not resist. All of this happened between 6:30 and 7:00 p.m., Sunday night.

"Sometime after 7:00 p.m., my son was brought into the jail. I did not see who brought him in. There were two other colored prisoners in the jail at the time but I do not know who they were.

"When I talked to my son, he told me that Officers Hancock and Randall had come out to his house and beat him up in the yard with blackjacks and then brought him to the city jail. I saw two or three places on his head where he said they hit him with a blackjack. My son told me that when they came out to my son's house to get him that Officer Randall said to my son, "What's that you said you were going to do to me," and then both of them started to beat him. James Brazier also told me that his wife was there when this happened.

"When I saw my son at the jail, he had blood all over his shirt from the wounds on his head.

"We both went to sleep after that and I don't remember what time I woke up during the night, but when I went to see how my son was, I found out that he was not in his bunk and was not in the jail. I asked the other two colored prisoners where my son was and they said someone had come to take him to the hospital.

AT 44-876

"The next morning at about 9:00 a.m., Policeman Chapman got me out of the jail and brought me to the Mayor's Court. Before we left the jail, Officer Chapman had me and another colored prisoner come around to the other side of the jail where they brought my son out. He could not walk and his shirt had been torn off his body. We had to tote him upstairs to the Mayor's Court. My son could not talk.

"The boy who helped me carry my son up had his case called, then my case was called and I was so worried about my son that I just pleaded guilty to the driving under the influence and reckless driving charges. Mayor Singletary fined me \$115 which I paid.

"They then called my son's case but since he could not talk they put it off until Monday, April 28, 1958. I then took my son to the Terrell County Hospital with his wife and my two daughters, Sarah and Clara Brazier. The doctor in the Terrell County Hospital took some x-rays of my son's head and then called a specialist at Columbus, Georgia. He then told me to rush him to the City Hospital at Columbus, which I did.

"My son is now in the City Hospital in Columbus and the doctors there tell me his skull has been fractured and he has a blood clot on the brain which has caused him to lose his senses. They have performed some kind of operation on him there.

"The above statement is true and is complete as to all of the information I know concerning the beating of my son and me.

" His
X

Mark.

"This statement consisting of this and three preceding pages was read to Odell Brazier by Special Agents Edward T. Kassinger, in the presence of Special Agent George H. Treadwell, after Odell Brazier advised he could not read or write. Odell Brazier stated he fully understood statement and it was true and correct. He then made his mark on this and each of the 3 preceding pages and this page.

"Witnessed: /s/ Edward T. Kassinger, SA, FBI.
/s/ George H. Treadwell, Spec. Agent FBI "

AT 44-876

The following descriptive data was obtained from observation and interrogation on April 23, 1958:

Name	ODELL BRAZIER
Address	Box 338, Rt. 1, Dawson, Ga.
Race	Negro
Height	5' 10"
Weight	155 pounds
Hair	Black, kinky
Eyes	Brown
Marks	Hard of hearing, particularly left ear
Relatives	Wife, deceased; son, JAMES BRAZIER, 32 years, Dawson, Ga.; daughter, SARAH BRAZIER, 20 years, resides with ODELL BRAZIER, employed as cook at Jugger Joint Cafe, Dawson, Ga.; daughter, CLARA BRAZIER, 22 years, resides with ODELL BRAZIER, Housekeeper.
Education	None and completely illiterate.
Occupation	Wood yard operator and small farmer, Dawson, Ga.
Arrest record	States about 1950 arrested by Sheriff, Terrell County, charge violation of State Liquor Laws (possession of beer in dry county), fined \$200.00; also admits arrest in 1920's by Sheriff, Terrell County, Ga. for cutting another with a knife, for which he was fined \$150.00; current arrest 4/20/58 by Police Department, Dawson, Ga. on charge Driving Under the Influence-Reckless Driving, fined \$115.00 on 4/21/58.

Photograph of ODELL BRAZIER taken April 23, 1958 to reflect damaged eye which ODELL BRAZIER claims resulted from beating received on April 20, 1958.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

Dr. JOHN G. DURDEN, JR. advised that on April 21, 1958 he examined victim, JAMES BRAZIER, at the medical Center, Columbus, Georgia. Dr. DURDEN stated that he found no marks on body, he found a small abrasion at the hair line right anterior, small abrasion, not through the skin at vertex of scalp, right side of vertex acromedic spots two centimeters in diameter, blow not severe enough to produce appreciable damage to scalp. Operation performed that same date at the Medical Center.

Dr. DURDEN stated that he removed 150-200 CC dark blood. He stated that the brain beneath showed some contusions but no lacerations. Dr. DURDEN stated that there was no way to determine the cause of the injury and he stated that the injury was not more than one week to ten days old. Dr. DURDEN stated that BRAZIER was still in the recovery room at the hospital; he has not regained consciousness since the operation.

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Interview with Dr. JOHN G. DURDEN File # AT 44-876
on 4/24/58 at Columbus, Georgia Dictated: 4/26/58
by Special Agent JAMES J. WARD and HENRY L. BURGETT/rej

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AT 44-876

The following investigation was conducted by
SA JAMES J. WARD and SA HENRY L. BURGETT.

AT DAWSON, GEORGIA:

Chief of Police, HOWARD L. LEE was advised of
allegation and that an investigation was being instituted.

Chief LEE advised that the two officers involved
in the arrest of ODELL BRAZIER and JAMES BRAZIER were
RANDOLPH ENNIS MC DONALD and WEYMAN BURCHLE CHERRY.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

Dr. CHARLES M. WARD, Dawson, Georgia advised that he examined JAMES BRAZIER at the Terrell County Jail, Dawson, Georgia at about 9:30 P.M. April 20, 1958. Dr. WARD stated that at the time of the examination he noted the odor of alcohol on BRAZIER'S breath. Dr. WARD stated that his examination at that time reflected that superficial reflexes were all normal, he found a small laceration on right forehead and on back of his head which did not require stitches. Dr. WARD stated that he found swelling above the left ear, no bleeding or cut. The pupils of his eyes reacted normally. He stated that he found a little blood on one side of his nose. He also found some free blood in his middle left ear. Dr. WARD stated that there was no probability of skull fracture noted due to his reflexes. He also stated that there was no evidence of hemorrhage, except that his speech was slurred.

Dr. WARD stated that he ordered BRAZIER moved to a cell where he could be alone, he was put to bed with orders that he be awakened every two hours to see if he responded properly. Dr. WARD stated that he was at the jail between 2:30 and 3:00 A.M., April 21, 1958, at which time he checked BRAZIER and noticed nothing unusual.

Dr. WARD stated that BRAZIER was brought to his office April 21, 1958, where an examination and x-rays were made. Dr. WARD stated that the x-rays reflected possible fracture on the left side of his head. He also noted an abnormality in the size of the pupils of his eyes. BRAZIER was ordered to Columbus, Georgia Medical Center for further treatment.

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Interview with Dr. CHARLES M. WARD File # AT 44-876
on 4/24/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent s JAMES J. WARD and HENRY L. BURGESS/rej

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (44-876)

DATE: 5/2/58

Dictated: 4/26/58

FROM : SA JAMES J. WARD and SA HENRY L. BURGETT

SUBJECT: RANDOLPH ENNIS MC DONALD, aka Randall;
WEXMAN BUNCHIE CHERRY, aka Hancock;
ODELL BRAZIER, JAMES CALVIN BRAZIER-VICTIMS
CIVIL RIGHTS

RANDOLPH ENNIS MC DONALD was interviewed by SA JAMES J. WARD and SA HENRY L. BURGETT, April 24, 1958 at Dawson, Georgia, at which time he furnished the following signed statements:

"April 24, 1958

"Dawson, Ga.

"I, Randolph Ennis McDonald, make the following free and voluntary statement to James J. Ward and Henry L. Burgett who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised of my rights to consult an Attorney. I have been advised that I do not have to make any statement and that any statement I make may be used in a Court of law against me. No threats or promises of reward have been made to cause me to make this statement.

"I was born October 22, 1910 Calhoun County, Ga. I reside 405 Stonewall St., Dawson, Ga.

"I am presently employed by the Police Department, Dawson, Ga. where I have five years service with the department.

"On Sunday, April 20, 1958 while on duty in the Police Squad Car I noticed a car weaving back and forth across the center white line in the street. I saw the car swerve across the center line and almost strike an on coming pick up truck driven by Mr. Elton Harrington. The car continued along the street and again swerved across the center line almost striking a car driven by Mr. Gene Ellington.

HLB/rej

AT 44-876

"I immediately proceeded after the car and stopped it with in a short distance. The car was driven by Odell Brazier, a Colored man that I have known five or six years in Dawson, Ga.

"I got out of the Patrol Car and walked up to the car driven by Odell Brazier. I told Odell to get out of his car. At that time he opened the car door and stepped out. He was unsteady on his feet and held onto the car for support.

"I ask him what was the matter. He said nothing was wrong with him. I told him that I would have to put him under arrest for driving under the Influence. He said he wasn't drunk. I proceeded to search him. I found two empty half pint bottles in his pockets. I also took his knife. I then proceed to put him in the Patrol Car. He said at that time he wasn't going. He said that he hadn't done anything to be arrested for.

"I pushed his arm up his back and proceeded to the car. When we reached the car I released pressure on his arm to open the car door, at that time he jerked loose and tried to push me out of the way. About that time Mr. Herrington came up to help me.

"Mr. Herrington and I took hold of him and pushed him into the back seat of the Patrol Car. He grabbed the door frames with both hands and tried to come back out. He said he wasn't going "No God damn where". He said that I was going to get hurt.

"Mr. Herrington pulled his hands from the frames of the car door as I reached to get his feet to place them in the car. As I was picking his feet up, he drew up one foot and kicked me in the stomach. He grabbed the frames of the car door to pull himself out of the car. At that time I struck him with by black jack. Then he got into the car and gave me no further trouble.

AT 44-876

"As I closed the car door his son, James Brazier drove up and parked across the street then got out and walked over to where I was.

"James Brazier told me "That's my Daddy, what you hit and you are going to get hurt."

"I told James Brazier to go ahead on, that his Daddy was drunk, resisted and would not get in the car and that was why I hit him.

"James Brazier told me that he was going to hurt me. He said that I was trying to make a damn name for myself.

"I told James Brazier to get going and that I would see him later. He got into his Daddy's car and drove away.

"I drove to the County Jail, Dawson, Ga. where I locked Odell Brazier up. I had no further trouble with him.

"I have read the above statement of this an three other pages. I have initialed each page and each correction. I am signing this statement because it is true and correct in every way.

/s/ Randolph Ennis McDonald

"Witnessed by: /s/ Henry L. Burgett, Special Agent, F.B.I. Atlanta, Ga. 4/24/58
/s/ James J. Ward, SA, FBI, Atlanta, Ga., 4/24/58."

" Dawson, Georgia
April 24, 1958

"I, Randolph Ennis McDonald, make the following free and voluntary statement to Henry L. Burgett and James J. Ward who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I realize I do not have to make a statement and that any statement I do make may be used

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against me in a court of law. I have been advised of my right to have an attorney. No threats or promises have been made to me in order to obtain this statement.

"I was born October 22, 1910 at Calhoun, Ga. I reside at 405 Stonewall St., Dawson, Ga. and am employed with the Dawson Police Department.

"On Sunday, April 20, 1958, I, accompanied by Officer Cherry, Dawson Police Department, went to the residence of James Brazier, Ash St., Dawson, to arrest him on the charge of threatening a Police officer. This charge was placed against James Brazier as a result of a threat he made to me while I was arresting Odel Brazier, James' father, earlier on the day of April 20, 1958.

"When we arrived at James Brazier's house, he was in the yard. We called him over to the car and I told him that he was under arrest for threatening an officer and interfering with an arrest. Mr. Cherry then searched James, and we proceeded to take him to the car.

"As we attempted to put James in the car he began struggling with us and started swearing and using profanity. He said we could shoot him or do anything to him, but he wasn't going with us. We tried to force James into the car, but he continued to struggle with us. He broke loose from our grasp a couple of times and attempted to strike us. Mr. Cherry finally pulled his slap-jack from his pocket and struck James about the head with the slap-jack three or four times. I did not strike James at any time.

"After Mr. Cherry struck James with the slap-jack, he continued to struggle with us. Mr. Cherry finally succeeded in placing a handcuff on one arm of James and we then dragged him to the Patrol car and placed him in the rear seat.

"Once we got James in the car he calmed down and gave us no further trouble. We proceeded to the County Jail, Dawson, where we lodged James.

"Shortly after we placed James in jail his boss, Mr. Arnold, came to the jail and asked that we call a doctor to examine James. We called Dr. Ward, Dawson, and he came to the jail and examined James.

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"I wish to state that James Brazier's family was present at the time Mr. Cherry and I went to his house to arrest him. They kept pleading with James to get in the car with us and not to struggle with us.

"I have read the above statement of this and two other pages. I have intetialed each page preceding this page and am signing this page as the statement is true in correct

/s/ R_ E_ McDonald

"Witnessed:

/s/ James J. Ward, SA, FBI, Atlanta, Ga., 4/24/58.
 /s/ Henry L. Burgett, Special Agent, FBI,
 Atlanta, Ga. 4/24/58 "

The following description was obtained by observation and questioning:

Name	RANDOLPH ENNIS MC DONALD
Alta	Mr. Randolph
Sex	Male
Race	White
Address	405 Stonewall Street, Dawson, Ga.
DOB	10/22/10, Calhoun County, Ga.
Height	5' 7"
Weight	135 lbs.
Eyes	Blue
Hair	Brown
Occupation	Policeman
Employed	Police Department, Dawson, Ga.
Scars and marks	3 1/2 inch scar below right ear, Tattoo left forearm "JOSE McD", Tattoo right forearm "REMOD and DLMD" through heart, wears glasses.
Marital Status	Married
Relatives	Wife-JOSIE MC DONALD, 405 Stonewall Street, Dawson, Ga. Daughter- DORIS LAVERNE MC DONALD MIMS, Albany, Ga. Daughter-JOSYLIN LYNETTE MC DONALD, 405 Stonewall St., Dawson, Ga. Son- ROY EVERETT MC DONALD, 405 Stonewall St., Dawson, Ga. Father-RANDALL ENNIS MC DONALD, deceased. Mother-ELLA MC DONALD, deceased. Brother-JIM MC DONALD, Calhoun County, Ga. Sister-ESTELL HARRIS, Dawson, Ga.

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Arrests

Sister-LURA ADAMS, Calhoun
County, Ga.
None admitted

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (44-876)

DATE: 5/2/58

FROM : SA JAMES J. WARD and SA HENRY L. BURGETT

Dictated: 4/26/58

SUBJECT: RANDOLPH ENNIS MC DONALD, aka Randall;
WEYMAN BURCHLE CHERRY, aka Hancock;
ODELL BRAZIER, JAMES CALVIN BRAZIER-VICTIMS
CIVIL RIGHTS

WEYMAN BURCHLE CHERRY was interviewed by SA JAMES J. WARD and SA HENRY L. BURGETT at Dawson, Georgia, April 24, 1958, at which time he furnished the following signed statement:

"April 24, 1958

"Dawson, Georgia

"I, Weyman Burchle Cherry, make the following free and voluntary statement to James J. Ward and Henry L. Burgett, who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised of my rights to consult an attorney. I have been advised that I do not have to make any statement and that any statement I make may be used in a court of law against me. No threats or promises of reward have been made to cause me to make this statement.

"I am thirty one years old, my birth date is July 21, 1926 Stewart County, Lumpkin, Ga.

"I am presently employed by the Police Department, Dawson, Ga. I began work with this department 10/1/1955.

"On Sunday, April 20, 1958 I was on duty when Mr. McDonald came up to me and said he wanted me to go with him to get James Brazier. Mr. McDonald told me that James Brazier had interfered and threatened him while he was arresting Odell Brazier, father of James Brazier.

"Mr. McDonald and I drove to the home of James Brazier, North Ash Street, Dawson, Ga.

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HLB/rej

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"When we arrived at Brazier's home he was standing in the back yard. I called to him "James come here. I want to see you a minute."

"James met me about half way between the Police Car and where he was standing when we arrived at his home. I told James that he was under arrest for threatening and interfering with the arrest of Odell Brazier by Mr. McDonald. I told James to turn around, he turned around and I searched him. After the search Mr. McDonald and I took James by the arms and led him to the Police Car.

"As I was searching James I noted that he had been drinking, I could smell alcohol. James was not in a staggering condition.

"When we reached the Police Car I opened the back door and told James to get in. He turned around with his back to the car and said that he wasn't going to be looked up.

"I tried to push James on into the car. James started fighting at us. He drew back with his right hand with fist clinched and swung at us.

"I pulled my slap jack from my pocket. James grabbed hold of the slap jack with his left hand. I snatched it out of his hand and hit him on the forehead.

"I could hear a woman, who I believe was his wife, tell him to get into the car and do like he was told.

"James said at that time that he was not going to be looked up. I could still hear the woman begging him to do as he was told.

"At that time I left Mr. McDonald holding on to James. I went to the car, reached in the glove compartment, took out my pistol grip

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one arm handcuff. When I turned around James was trying to run off down the street with Mr. McDonald hanging onto him.

"I caught up with them and applied the handcuff to his left arm and squeezed the handcuff tight enough so that James followed me to the car. We put him into the Police Car and brought him to the County jail, Dawson, Ga. I did not remove the hand cuff until after we had him in jail. He gave us no trouble while traveling to the jail or after he was locked up.

"After locking James in jail I saw Dr. Ward (Charles Ward) and asked him to go by the jail and see or examine James Brazier. Dr. Ward said that he would in a little while, that he had a call to make. Later Dr. Ward came back and went to the jail with me. I brought James Brazier into the jail office so that Dr. Ward could examine him. Dr. Ward told me to lock James in a cell by himself and to check James every two hours. He said that as far as he could tell there wasn't anything seriously wrong with James but to wake him every two hours.

"The only out was a small laceration on James' forehead. Dr. Ward applied a bandage to this laceration.

"Dr. Ward returned to the jail between two and three o'clock, the morning of April 21, 1958 to examine two white prisoners. At that time he examined James and stated that he was all right.

"James Brazier was wearing a light blue suit and white shirt when arrested. The clothing was not torn during the arrest. I did notice blood stains on his shirt. I noticed during the night that James had removed his dress shirt and his undershirt had several holes in it which looked like it was worn out.

"I have arrested James Brazier two or three times previously for beating his wife. I arrested him in November 1957 for driving under the Influence and speeding 110 miles per hour. I have never had any trouble

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arresting James except when he was drinking or under the influence of alcohol.

"At no time did James Brazier complain that he was hurt. Each time that he was called during the night (as per Dr. Ward's orders) he responded and made no complaint.

"I have read the above statement consisting of this an four other pages. I have initial each page & correction. I'm signing this statement since it is true & correct in every way.

/s/ Weyman Burchle Cherry

"Witnessed by: /s/ Henry L. Burgett, Special Agent, FBI., Atlanta, Ga. 4/24/58
/s/ James J. Ward, SA, FBI, Atlanta, Ga. 4/24/58."

The following description was obtained by observation and questioning.

Name	WEYMAN BURCHLE CHERRY
Sex	Male
Race	White
Address	Randolph Street, Dawson, Ga.
DOB	7/21/26, Lumpkin, Ga.
Height	5' 8 $\frac{1}{2}$ "
Weight	185
Eyes	Grey
Hair	Brown (light)
Occupation	Policeman
Employed	Police Department, Dawson, Ga.
Scars and marks	None
Complexion	Fair
Marital Status	Married
Relatives	Wife-JANIE L. CHERRY, Randolph Street, Dawson, Ga. Son-HOLLIS E. CHERRY, Randolph Street, Dawson, Ga. Daughter-LINDA J. CHERRY, Randolph Street, Dawson, Ga. Father-HOLLIS H. CHERRY, Lumpkin, Ga. Mother-CARMAN CHERRY, Lumpkin, Ga. Brother-JOHN G. CHERRY, Lumpkin, Ga. Brother-WHITT E. CHERRY, Birmingham, Ala. Brother-DEXTER CHERRY, USAIF, Spokane, Washington.

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Arrests

Sister-FAYE MORRISON, Savannah,
Ga.
Brother-ERSKIN CHERRY, Lumpkin, Ga.
None admitted.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

On April 25, 1958 LUCIUS HOLLOWAY was interviewed by SA JAMES J. WARD and SA HENRY L. BURGETT at Dawson, Georgia and furnished the following statement:

"April 24, 1958

"Dawson, Georgia

"I, Lucius Holloway, make the following free and voluntary statement to James J. Ward and Henry L. Burgett who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement I make may be used in a Court of Law. No threats or promises of reward have been made to me to cause me to make this statement.

"I reside at Apt. B., Parrott Rd., Dawson, Ga.

"On Sunday, April 20, 1958 my wife and I were visiting Mrs. Carrie Lewis, 327 N. Ash St., Dawson, Ga.

"I was on the front porch of Mrs. Lewis' home when the Dawson Police car stopped in front of James Brazier's home. Two policemen got out of the car and walked down the drive way alongside Brazier's home out of my sight. The next time I saw the two policemen they were walking out the drive way alongside Brazier's home. One policeman was on either side of James Brazier holding him by his arms. I did not see any struggle or sign of force being used at that time. When the three reached the police car I heard James Brazier "I aint done nothing." I did not see any resistance by James nor did I see any force being used by the policemen up to this time.

"When James made that remark I saw one policeman strike James. I could not say where he hit James. At that time I got up and helped my wife inside the house.

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Interview with LUCIUS HOLLOWAY File # AT 44-876
on 4/25/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent JAMES J. WARD and HENRY L. BURGETT /rej

AT 44-876

"I did not see any more licks passed. I did hear more than one lick or blow made but I do not know who made them.

"The next time I saw James and the policemen they were driving past the home of Carrie Lewis where I was visiting at that time.

"I have read the above statement of this an one other page. I have initialed each mistake an each corroto. I am signing this statement because it is true an corrett in every way.

/s/ Lucius Holloway

"Witnessed by: /s/ Henry L. Burgett, Special Agent,
FBI Atlanta, Ga. 4/25/58
/s/ James J. Ward, SA, FBI, Atlanta, Ga.
4/25/58 "

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

On April 25, 1958 ELTON T. HERRINGTON was interviewed by SA JAMES J. WARD and SA HENRY L. BURGETT at Dawson, Georgia and furnished the following signed statement:

"April 25, 1958

"Dawson, Georgia

"I, Elton T. Herrington, make the following free and voluntary statement to James J. Ward and Henry L. Burgett who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement I do make may be used in a Court of law. No threats or promises of reward have been made to cause me to make this statement.

"I reside at College St., Dawson, Ga.

"On April 20, 1958 as I was approaching Main St. near the Depot, Dawson, Ga. I saw a car coming down Main St. The car moved across the center line of the street as though he planned to turn off Main Street to a side street, instead the driver turned and continued along Main Street.

"I followed this car along Main street. The car continued weaving about from side to side as though the driver was unable to control the car. As the car continued down the street I saw a Police Car on the side of the street. I noticed that the driver of the police car was Mr. McDonald, he was all alone at the time.

"Mr. McDonald stopped the driver of the car. I parked and went to where Mr. McDonald was to see if I could be of any assistance. As I approached the car I saw that Mr. McDonald was talking to an old colored man. They were standing by the Police Car when I walked up to them.

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Interview with ELTON T. HERRINGTON File # AT 44-876
on 4/25/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent s JAMES J. WARD and HENRY L. BURGETT/rej

AT 44-876

"Mr. McDonald searched the old colored man and found two half pint whiskey bottles on his person.

"Mr. McDonald told the old man to get into the Police Car. The old man would not get into the car. He held onto the door when we would try to get him into the car. I took hold of him to help get him into the Police Car when it appeared that he would get loose from Mr. McDonald. Mr. McDonald struck the old man once with his black jack when he would not get into the car. The old man continued to hold onto the car door to keep from entering the car. When we did get his body into the car he kicked Mr. McDonald in the stomach.

"About the time the old man was in the car another colored man drove up and stopped. This colored man came up to the police car and said to Mr. McDonald that that was his Daddy. He told Mr. McDonald that he, Mr. McDonald was just trying to make a name for himself and he was going to get hurt.

"Mr. McDonald said to that colored person, go on and hush. At that time the man got into the old man's car and drove away at a high rate of speed.

"Mr. McDonald got into the Police Car and drove toward town. I left and did not see either man again that day.

"I hive Read the above statement off this and Two other Pages I have Intialed Each Page and each crection. I am Signing this statment beacause It is True and correct in Evry way.

/s/ Elton Herrington

"Witnessed by: /s/ Henry L. Burgett, Special Agent,
F. B. I., Atlanta, Ga. 4/25/58
/s/ James J. Ward, SA, FBI, Atlanta, Ga.
4/25/58 "

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

On April 25, 1958 H. E. ELLINGTON was interviewed by SA JAMES J. WARD and SA HENRY L. BURGETT, at Dawson, Georgia and furnished the following signed statement:

"Dawson, Georgia
April 25, 1958

"I, H. E. Ellington, make the following free and voluntary statement to Henry L. Burgett and James J. Ward who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I realize I do not have to make a statement and that any statement I do make may be used in a court of law. No threats or promises have been made to me in order to obtain this statement.

"I am 49 years of age, having been born April 28, 1908 at Wilkinson County, Georgia. I reside at Broonwood Road, Dawson, Ga.

"On Sunday, April 20, 1958 I, accompanied by my wife and daughter was driving my car South on Main Street, Dawson. As I neared the Cinderella Peanut Butter Plant I observed a car approaching me from the opposite direction. As this car drew near me the driver swerved across the center line of the street and headed directly at my car. I had to swerve off the highway into the parking lot of the Peanut butter plant to avoid being hit by this car.

"When I first saw the car heading toward me I thought that perhaps it was someone who I usually go fishing with and thought he was trying to scare me. After I swerved off the highway and the car drew even with me I saw that a negro was driving the car. I did not recognize him as anyone I knew.

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Interview with H. E. ELLINGTON File # AT 44-876
on 4/25/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent s JAMES J. WARD and HENRY L. BURGETT/rej

AT 44-876

"As I swung back on the highway from the peanut butter plant parking lot, I saw that the car that almost hit me was being pursued by a Dawson Police car.

"Approximately 20 minutes later I was at the Post office in Dawson when I saw the Dawson Police Car pull up to the jail. I walked over to the car, which was driven by Mr. McDonald. I saw that a negro was in the back of the police car. I said "Old nigger what are you trying to do to me. You almost ran into my wife and baby and me back there a little bit ago." The negro said, "Mr. Gene you know I wouldn't hurt you." I still did not recognize him as anyone I knew.

"As I was standing near the police car Mr. McDonald opened the rear door and told the negro to get out of the car. When the negro didn't get out of the car Mr. McDonald took him by the arm and pulled him out of the car. When Mr. McDonald attempted to put the negro inside the jail yard he held back a little and Mr. McDonald had to push him through the gate.

"I noticed, when Mr. McDonald removed him from the car, that the negro was unsteady on his feet; his eyes were glassy eyed, and he was thick lipped, which indicated to me that he was drunk.

"I have read the foregoing statement of three pages including this page and it is true and correct.

/s/ H. E. Ellington

"Witnessed: /s/ James J. Ward, Special Agent, FBI,
Atlanta, Ga. 4/25/58
/s/ Henry L. Burgett, Special Agent, FBI,
Atlanta, Ga. 4/25/58 "

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

On April 25, 1958 Mrs. HATTIE BELL BRAZIER was interviewed by SA JAMES J. WARD and HENRY L. BURGETT and furnished the following signed statement:

"April 25, 1958

"Dawson, Georgia

"I, Hattie Bell Brazier, make the following free and voluntary statement to James J. Ward and Henry L. Burgett who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement I make may be used in a court of law. No threats or promises of reward have been made to me to cause me to make this statement.

"I presently reside at 312 N. Ash St., Dawson, Ga. I am 28 years of age, my birth date is Dec. 25, 1929 Terrell Co., Ga. I am the wife of James Brazier.

"On Sunday, April 20, 1958 I was at my home when my husband, James Brazier drove into the yard in his father's car. I asked him where was he going in his father's car. He said, "I went out there and found Daddy in trouble." I said "What happened?" James said Mr. Randolph had done hit him in his eye. James said to me "Come on, lets go up there and see if they will let us have him."

"I told him that it would be best to wait until in the morning because they wouldn't let us have him that evening.

"At that time a Police Car pulled up in front of our home and stopped. Two officers got out of the car, Mr. Randolph and Mr. Cherry. They came up in the yard toward James. James got up off the back of the car and walked toward the officers.

"Mr. Randolph asked James "What dat you say you gonna do to me?"

"James said "I didn't say I was going to do nothing to you."

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Interview with Mrs. HATTIE BELL BRAZIER File # AT 44-876
on 4/25/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent s JAMES J. WARD and HENRY L. BURGETT/rej

AT 44-876

"Mr. Cherry searched James and shoved him toward the car.

"James said "I just said don't hit Daddy like that?"

"Mr. Randolph took hold of James' right arm. Mr. Cherry got hold of the other arm. James said "I ain't done nothing." "I'm at home bothering nobody_"

"Mr. Cherry pulled out his black jack and went to hitting James on his head. Mr. Cherry turned James loose, went to the car and opened the glove pocket of the car and got his handcuffs. He came back and put the cuffs on James. Mr. Randolph was still holding on to James. Mr. Cherry then pulled his gun, stuck it against James' stomach and said "I ought to kill you". then Mr. Cherry struck James in the face with his gun. Mr. Cherry kicked James twice as he was getting into the car. Just before James got his feet and legs into the car Mr. Cherry slammed the door on James' legs.

"I told James as they were trying to get him in the car "go ahead and get in the car, please, so they can stop beating you."

"I have Read the above statement or this and 2 other pages. I have initialed each page and each correction. I am singing this statement because it is true and correct in every way.

/s/ Hattie Bell Brazier

"Witnessed by: /s/ Henry L. Burgett, Special Agent, FBI, Atlanta, Ga. 4/25/58.
/s/ James J. Ward, Special Agent, FBI, Atlanta, Ga., 4/25/58 "

The following description of JAMES BRAZIER was furnished by his wife, HATTIE BELL BRAZIER during the course of an interview:

Name	JAMES CALVIN BRAZIER
Aka	James Brazier
Sex	Male
Race	Negro
Address	312 North Ash Street, Dawson, Ga.
DOB	11/27/26 Terrell County, Ga.
Height	5' 6"
Weight	150 lbs.
Eyes	Brown
Hair	Black
Complexion	Light
Scars and marks	2" cut scar inside left elbow
Occupation	Service Station Attendant

AT 44-876

Employed
Education
Marital Status
Relatives

Steven's Chevrolet Co., Dawson, Ga.
7th grade
Married
Wife-HATTIE BELL (BROWN) BRAZIER,
312 North Ash Street, Dawson, Ga.
Daughter-VERDIA MAE BRAZIER,
312 North Ash Street, Dawson, Ga.
Daughter-HATTIE MAE BRAZIER,
312 North Ash Street, Dawson, Ga.
Son-JAMES CALVIN BRAZIER, JR.,
312 North Ash Street, Dawson, Ga.
Son-WILLIE JAMES BRAZIER,
312 North Ash Street, Dawson, Ga.
Father-ODELL BRAZIER, Rt. 1, Box 152,
Terrell County, Ga., Dawson, Ga.
Mother-CEOLA BRAZIER, deceased.
Sister-KATHRYN MARSHALL, Hampton, Ohio
Sister-CLORA JEAN BRAZIER, Terrell County,
Dawson, Ga.
Sister-SARA LOUISE BRAZIER, Terrell County,
Dawson, Ga.
Sister-LUCILLE AMOS, 6th Avenue,
Dawson, Ga.
Arrests
Several times, Dawson, Ga. Police Dept.,
Dawson, Ga., family fights, paid fines.
11/57 Speeding and Driving Under the
Influence, Dawson Police Department,
Dawson, Georgia, paid fine.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

On April 25, 1958 JAMES LATIMER was interviewed by SA JAMES J. WARD and SA HENRY L. BURGETT at Dawson, Georgia at which time he furnished the following signed statement:

"Dawson, Georgia
April 25, 1958

"I, James Latimer, make the following free and voluntary statement to Henry L. Burgett and James J. Ward who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I realize I do not have to make a statement and that any statement I do make may be used in a court of law. No threats or promises have been made to me in order to obtain this statement.

"I am 39 years of age, having been born July 23, 1918 at Terrell County, Georgia. I reside at 232 N. Ash Street, Dawson, Georgia.

"On Sunday, April 20, 1958, I was in my home when I saw a Police car go past. I was curious as to where the police were going so I stepped out on my front porch. As I got out on the porch I saw that the police were stopping at the home of my brother-in-law, James Brazier.

"When the police car stopped at James' house, I walked out to my front lawn so that I could see better what was taking place. As I got to the lawn I heard voices coming from James' house so I crossed the street to a neighbors house where I could see better what was taking place. I was about 125 feet from James' house.

"As I was standing, looking toward James' house, I saw two policemen bring him out to the police car. As one of the policeman opened the rear door of the car I observed that James was given a little push. I heard James say "White folk you all come up here and drag me out of my house and I ain't done nothing." I then saw Mr. Cherry hit James

Interview with JAMES LATIMER File # AT 44-876
on 4/25/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent JAMES J. WARD and HENRY L. BURGETT/rej

AT 44-876

with what I believe was a black-jack. I heard James say "I ain't going to get in the car I ain't done nothing." I then saw Mr. Cherry strike James again, and they attempted to force James into the car.

"As the police were trying to put James in the car, the three of them moved toward the rear of the car. As they did, Mr. Cherry left them and got something from the car and came back to where James and Mr. Randolph, the other policeman, were and clamped it on James arm.

"After Mr. Cherry clamped the thing on James arm they led him to the car and put him in the rear seat. There were no further blows passed.

"I never saw either policeman pull a gun, but I did hear James tell them "go ahead and shoot me." I don't know why James made that statement.

"I don't know how many times James was hit but I would say it was at least five times. To the best of my recollection Mr. Cherry is the only one who struck James.

"I have read the foregoing statement of three page including this page and it is true and correct. I have initialed all corrections.

/s/ James Latimer

"Witnessed:

/s/ James J. Ward, Special Agent, FBI,
Atlanta, Ga., 4/25/58
/s/ Henry L. Burgett, Special Agent,
FBI, Atlanta, Ga 4/25/58"

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

Chief of Police, HOWARD L. LEE, Dawson, Georgia
made available the following arrest record for JAMES
BRAZIER:

3/14/54	Speeding	\$10.00 cash
3/16/54	Contempt	\$10.00
10/15/54	Disorderly	\$18.00 CB
8/28/55	Drunk and Disorderly	\$25.00 fine
4/13/57	Disorderly	\$15.00
8/23/57	Disorderly	\$15.00 CB
11/2/57	DUI and Speeding	\$150.00 CB
4/20/58	Threatening an Officer and resisting arrest	

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Interview with HOWARD L. LEE File # AT 44-876
on 4/24/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agents JAMES J. WARD and HENRY L. BURGETT/rej

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FD-302 (6-8-57)

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

Chief of Police, HOWARD L. LEE, Dawson, Georgia
made available records of the Police Department which
reflected the following arrest record for ODELL BRAZIER:

4/20/58 Driving Under the 4/21/58 PG, fined \$115.00
Influence and
Resisting arrest

- 34 -

Interview with HOWARD L. LEE File # AT 44-876
on 4/24/58 at Dawson, Georgia Dictated: 4/26/58
by Special Agent s JAMES J. WARD and HENRY L. BURGETT/rej

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FD-302 (6-8-57)

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

May 2, 1958

Miss MARION CRUTCHFIELD, Information Clerk,
Medical Center, Columbus, Georgia, advised that JAMES
BRAZIER died April 25, 1958 at 10:22 P.M.

- 35 -

Interview with Miss MARION CRUTCHFIELD File # AT 44-876
on 4/28/58 at Columbus, Georgia Dictated: 4/28/58
by Special Agent HENRY L. BURGETT/rej

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AT 44-876

On April 28, 1958 the facts in this case were discussed with Assistant U. S. Attorney JOSEPH H. DAVIS, Middle District of Georgia, Macon, Georgia at which time Mr. DAVIS stated that in his opinion sufficient investigation had been conducted in this matter and that the Department of Justice will be contacted for a final prosecutive opinion.

At 12 o'clock noon, May 1, 1958, JOHN WESLEY DOBBS, prominent Negro leader, Atlanta, Georgia, telephonically advised SA EDWARD T. KASSINGER that he had just received an anonymous long distance phone call from Dawson, Georgia advising Victim ODELL BRAZIER was re-arrested by Dawson Police Department last night on an unknown charge.

Mr. DOBBS advised he had no other information in this regard.

- C -

URGENT 6-7-58 10-35 PM EST JEL

TO DIRECTOR, FBI

Robert T. ... SHEDDOCK

FROM SAC, ATLANTA

FIRST NAME UNKNOWN

RESEN(FNU) END PAREN CHERRY, PAREN(FNU) END PAREN HANDCOX, PAREN

(BOTH OFFICERS DAWSON, GA., POLICE DEPARTMENT) END PAREN, WILLIE COUNTRYMON, BILLIE FLAG, JENE WINDFRO, TOBB LATIMORE - VICTIMS

Civil Rights

CR. FOR INFORMATION BUREAU. ASSOCIATED PRESS REPORTER CHASE

ATLANTA, MADE INQUIRY ATLANTA OFFICE THIS PM ADVISING CALL RE

WIRE HE HAD RECEIVED FROM AP WASHINGTON INDICATING WASHINGTON

POST CARRING STORY RE DEATH AND VIOLENCE TO NEGROES IN DAWSON,

GA. CHASE INDICATED IN CHECKING HIS FILES AND DISCUSSION WITH

CHIEF OF POLICE DAWSON, HE FELT STORY REFERRED TO CAPTIONED CASE

AND CASE ENTITLED "QUOTE" RANDOLPH ENNIS MC DONALD, AKA, ET AL,

ODELL BRAZIER, ET AL, - VICTIMS, CR. UNQUOTE. CHASE RECALLED

PREVIOUS INQUIRY ANSWERED BY THIS OFFICE CONFIRMING PRELIMINARY

INQUIRY IN BRAZIER CASE AND REQUESTED COMMENT AS TO WHETHER INQUIRY

BEING CONDUCTED IN CAPTIONED CASE. ONLY COMMENT MADE TO CHASE

WAS CONFIRMATION THAT INQUIRY PRESENTLY BEING CONDUCTED IN

CAPTIONED CASE. CHASE INDICATED HE WAS SURE WASHINGTON POST

STORY BASED ON THESE TWO CASES. - 13064 -

END ACK PLS

NOT RECORDED
140 JUN 13 1958

13 JUN 12 1958

11-41 PM OK FBI WA ELR

7 JUN 18 1958

Mr. Rosen

MR. ROSEN
AND SUPERVISOR
INVESTIGATIVE DIVISION

ORIGINAL COPY FILED IN

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
WASHINGTON, D. C.

JUN 8 1958

RE BUREAU

URGENT 6-8-58 2-57 PM EST JLB

TO DIRECTOR, FBI

FROM SAC, ATLANTA 7 P

CHANGED. WEYMAN MURCHIE CHERRY, ROBERT TERRELL HANDCOCK, HAROLD JONES, DAWSON, GEORGIA, POLICE DEPARTMENT, WILLIE COUNTRYMAN, AKA ~~QUOTE~~ WOOTIE ~~UNQUOTE~~, WILLIE D. LATIMER, AKA TOBE, WILLIE GERALD FLAGG, AKA BILLY, ANNIE LEE FLAGG, EUGENE RENFRO, VICTIMS, CR. ^{Civil Rights} REMYTEL JUNE SEVEN, FIFTYEIGHT, CAPTIONED ~~PAREN~~ (FNU) ~~PAREN~~ CHERRY, ~~PAREN~~ (FNU) ~~PAREN~~ HANDCOX, ~~PAREN~~ (BOTH OFFICERS DAWSON, GEORGIA, POLICE DAPARTMENT) ~~PAREN~~, WILLIE COUNTRYMON, BILLIE FLAGG, JENE WINDFRO, TOBE LATIMORE VICTIMS, CR. X TITLE CHANGED TO SHOW CORRECT NAMES AND SPELLING OF SUBJECTS AND VICTIMS. IN RESPONSE TO BUREAU TELEPHONE CALL THIS DATE, SITUATIONS MENTIONED IN WASHINGTON POST ARTICLE IDENTIFIED BY CASE AS FOLLOWS. ITEM ONE RE NEGRO BEATEN SEVERLY IN FRONT YARD - VICTIM IS JAMES CALVIN BRAZIER IN CASE ENTITLED ~~QUOTE~~ "RANDOLPH ENNIS MCDONALD, AKA, ET AL, ODELL BRAZIER, ET AL, VICTIMS, CR ~~UNQUOTE~~. SEE 140 JUN 13 1958 CLOSING REPORT SA HENRY L. BURGETT, ATLANTA, DATED MAY SECOND, FIFTYEIGHT. ITEM TWO RE NEGRO SHOT TO DEATH IN BACK YARD - VICTIM IS WILLIE COUNTRYMAN IN CAPTIONED CASE PRESENTLY UNDER INVESTIGATION. REPORT DELAYED BY FACT SUBJECT CHERRY ~~UNQUOTE~~ JUN 13 1958

END PAGE ONE

Mr. Tolson
Mr. Boardman
Mr. Nichols
Mr. Belmont
Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Hendon
Mr. Jones
Mr. Mumford
Mr. Quinn
Mr. Nease
Miss Gandy

WATKINS

ORIGINAL COPY FILED IN

13936-5

NOT RECORDED

140 JUN 13 1958

JUN 13 1958

PAGE TWO

EXPECTED TO RETURN JUNE ELEVEN NEXT. IF HE RETURNS REPORT WILL BE MAILED JUNE TWELVE NEXT. ITEM THREE RE NEGRO SHOT IN BUTTOCKS BY POLICE - VICTIM IS WILLIE D. LATIMER, AKA TOBE, IN CAPTIONED CASE - NOTE SHOT BY CHERRY. ITEM FOUR RE NEGRO MOTHER SLAPPED IN JAIL WHEN VISITED SON - VICTIM IS ANNIE LEE FLAGG, MOTHER OF WILLIE GERARD FLAGG, AKA, IN CAPTIONED CASE. NOTE ARREST OF ANNIE FLAGG MADE BY OFFICERS CHERRY AND HAROLD JONES. ITEM FIVE RE TWO ⁰DIZEN NEGROES REGISTERING IS CASE ENTITLED ~~QUOTE~~ "UNSUBS, EDDIE LOWE, ET AL, VICTIMS, CR, EL," ~~UNQUOTE~~. SEE CLOSING REPORT SA FRANK G. JOHNSTONE, ATLANTA, APRIL TWENTYFIVE, FIFTYEIGHT. WITH REFERENCE TO THREE ITEMS MENTIONED AS HAVING OCCURRED IN RECENT YEARS, ATLANTA UNABLE TO IDENTIFY SITUATION DESCRIBED AS THREE NEGROES BEATEN BECAUSE OF SWEARING AT WHITE PEOPLE, OR SITUATION OF NEGRO BEATEN FOR TOOTING HORN AT WHITE GIRL. HOWEVER SITUATION MENTIONED INVOLVING THREE NEGROES BEATEN BECAUSE OF SWEARING AT WHITE PEOPLE.

PAGE THREE

ALSO INVOLVED OFFICER CHERRY AND ORIGINATED WITH ARTICLE IN
~~QUOTE~~ "JET" ~~UNQUOTE~~ MAGAZINE. OTHER CASES BUREAU MAY DESIRE
TO CONSIDER IN OVERALL PICTURE ARE CASE ENTITLED ~~QUOTE~~ "UNSUBS
JOSHUA ALARNCE WILLIAMS, WAS, ET AL, CR, EL ~~UNQUOTE~~, WHICH
INVOLVED ACTS OF VIOLENCE ARISING OUT OF NEGROES EFFORTS TO
REGISTER TO VOTE IN BAKER COUNTY WHICH IS IN GENERAL AREA OF
TERRELL COUNTY IN WHICH DAWSON IS LOCATED. SEE CLOSING REPORT
SA CHARLES T. HAYNES DATED APRIL SIXTEEN, FIFTYEIGHT, ATLANTA.
ALSO CASE ENTITLED ~~QUOTE~~ "ALBERT CHESTER WESTON, B. J. THORNTON,
WAS, VICTIM, CR ~~UNQUOTE~~, WHICH INVOLVED SHOOTING OF NEGRO VICTIM
THORNTON BY SHERIFF OF CLAY COUNTY, WHICH IS IN GENERAL AREA
OF TERRELL COUNTY. SEE CLOSING REPORT SA JOHN J. LANGSFELD,
ATLANTA, DATED MAY FIRST, FIFTYEIGHT. BUREAU NOTE THAT JOHN
WESLEY DOBBS, RETIRED U. S. POSTAL EMPLOYEE, GRAND MASTER OF
ALL NEGRO MASONIC LODGES IN GEORGIA, AND ORGANIZER AND PRESIDENT
OF GEORGIA VOTERS LEAGUE, ATLANTA, WAS INSTRUMENTAL IN BRINGING
THE JAMES CALVIN BRAZIER, THE WILLIE COUNTRYMAN, AND UNSUBS
EDDIE LOWE CASES TO ATTENTION THIS OFFICE, SUGGESTING POSSIBLY
HE MAY BE SOURCE OF MATERIAL PUBLISHED IN WASHINGTON POST.

END PAGE THREE

PAGE FOUR

IF BUREAU DESIRES FURTHER EFFORTS TO IDENTIFY THE THREE SITUATIONS MENTIONED AS OCCURRING IN RECENT YEARS, DOBBS MIGHT BE ABLE TO IDENTIFY THEM, AND IF BUREAU SO DESIRES IT IS BELIEVED HE COULD BE CONTACTED WITHOUT EMBARRASSMENT, SUMMARY RE FACTS IN CAPTIONED CASE FOLLOWS -

INVESTIGATION DISCLOSES VICTIM COUNTRYMAN SHOT BY SUBJECT CHERRY AT APPROXIMATELY ONE THIRTY AM MAY TWENTYFIVE, FIFTYEIGHT, WHEN OFFICERS CHERRY AND HANDCOCK WERE PROCEEDING THROUGH COUNTRYMANS YARD TO INVESTIGATE NOISE COMING FROM YARD DIRECTLY BEHIND COUNTRYMANS HOME. VICTIM IN BACK YARD OF HOME, CHIEF OF POLICE, DAWSON, GEORGIA, ADVISED VICTIM ATTACKED SUBJECT CHERRY WITH KNIFE MAKING SMALL CUT IN GAF COVER.

CLAIMS CHERRY SHOT COUNTRYMAN IN SELF DEFENSE. STATES NO WITNESS TO INCIDENT OTHER THAN OFFICERS CHERRY AND HANDCOCK.

VICTIM TAKEN TO HOSPITAL, FOUND TO BE DEAD WHEN ARRIVED AT

PAGE FIVE

SAY ~~QUOTE~~ I AM SORRY, I DIDNT KNOW IT WAS YOU ALL ~~UNQUOTE~~.

ALSO HEARD NOISE LIKE SOMEONE FALLING AND A SHOT. SHE RAN FROM YARD. HER PRESENCE AT SCENE APPARENTLY UNKNOWN TO RESIDENTS OF DAWSON, GA. INVESTIGATION DISCLOSES DISCREPANCY AS TO WHO FOUND KNIFE, WHERE KNIFE WAS FOUND, COLOR, SHAPE, LENGHT AND SHARPNESS OF BLADE. WHEREABOUTS OF KNIFE UNKNOWN AT PRESENT.

ON MAY TWENTYTHIRD, FIFTYEIGHT, SUBJECT CHERRY WITH FELLOW OFFICER RAIDED PARTY AT RESIDENCE OF VICTIM LATIMER. INVESTIGATION REFLECTS THAT LATIMER HAD JUG OF WHISKY IN HAND WHEN SUBJECT CHERRY APPROACHED DOOR OF HIS HOME. VICTIM FLEW HOUSE WITH SUBJECT CHERRY IN PURSUIT. VICTIM FELL. STATES HE WAS ATTEMPTING TO BREAK JUG WHEN SUBJECT CHERRY SAID ~~QUOTE~~ TORE IT FOR BREAK JUG I WILL SHOOT YOU ~~UNQUOTE~~. VICTIM STATED HE

PAGE SIX

ENGAGED IN HORSEPLAY AT BALL DIAMOND ABOUT NINE AM MAY TWENTYFIVE, FIFTYEIGHT. SOMEONE MADE NOISE LIKE MACHINE GUN FIRING AS POLICE CAR PASSED. POLICE CAR TURNED AROUND, PULLED UP TO VICTIM FLAGG AT HIGH RATE OF SPEED. SUBJECT JONES GOT OUT OF CAR, ASKED VICTIM WHAT HE WAS DOING. WHEN VICTIM ANSWERED NOTHING OFFICER JONES CALLED HIM A LIAR AND STRUCK HIM. SUBJECT JONES SEARCHED VICTIM AGAIN, HIT HIM, THEN HANDCUFFED AND TOOK VICTIM TO JAIL.

VICTIM RELEASED AFTER POSTING EIGHTEEN DOLLARS CASH. ON MAY TWENTYFIVE, FIFTYEIGHT, VICTIM FLAGG LET FLAGG, MOTHER OF VICTIM FLAGG, STATED LATER THAT FLAGG WENT TO JAIL TO INQUIRE REGARDING SONS ARREST. STATES SUBJECT JONES PUSHED HER AND TOLD HER TO GO HOME. STATES SHE LEFT JAIL WALKING AND CRYING, WAS PROCEEDING HOME WHEN SUBJECTS JONES AND CHERRY PULLED ALONGSIDE HER IN POLICE CAR, OFFICER GOT OUT AND TOLD HER TO GET IN. STATES JONES PUSHED HER IN CAR. WHILE IN CAR SUBJECT CHERRY TOLD HER HE WOULD KNOCK HELL OUT OF HER, HOWEVER SHE WAS NOT STRUCK. SHE WAS LOCKED UP AND RELEASED AFTER POSTING EIGHTEEN DOLLARS CASH. CORR LINE 8 PLACE PERIOD AFTER WORD 7
END PAGE SIX

VICTIM NOT LISTED OF RECORD. VICTIM REMPHO
 ARRESTED MAY TWENTYSIX, FIFTYEIGHT, CHARGED DRUNK AND
 DISORDERLY. VICTIM STATES HE WAS IN ARGUMENT WITH SON IN
 HIS HOME AT DANSON, PA. SOMEONE CALLED POLICE, POSSIBLY
 VICTIM'S DAUGHTER. VICTIM REMPHO STATES HE LEFT HOME LOOKING
 FOR HIS DAUGHTER WHEN HE MET POLICEMEN. SUBJECT JONES GOT
 OUT OF CAR WITH DRAWN GUN. VICTIM TOLD SUBJECT JONES THAT
 TROUBLE WAS ONLY FAMILY AFFAIR AND THAT HE, JONES, DID NOT
 NEED GUN. VICTIM STATES HE WAS HANDCUFFED WITH HANDS AT HIS
 BACK, THEREAFTER HIT IN FACE COUPLE OF TIMES BY SUBJECT JONES
 AND TAKEN TO JAIL. APPEARED COURT MAY TWENTYSIX, FIFTYEIGHT,
 FINED FIFTY DOLLARS. STATES HE DID NOT ENTER PLEA. FURTHER
 STATED THAT WHILE IN JAIL POLICE RETURNED TO HIS HOME AND TOOK
 SHOTGUN FROM HIS TRUCK PARKED AT REAR OF HIS HOME. OFFICERS
 TOLD HIS FAMILY THEY NEEDED GUN. VICTIM STATES GUN HAS NOT
 BEEN RETURNED. ALL VICTIMS AND WITNESSES INTERVIEWED EXPRESSED
 FEAR OF REPRISAL. INVESTIGATION CONTINUING.

END AND ACK PLS

4-26 PM OK FBI WA JG

IN DISC

BY SA BROWN
 AND SUPERVISOR
 INVESTIGATIVE DIVISION

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *fr*

DATE: 6-8-58

FROM : F. L. Price *fr*

SUBJECT: (FNU) CHEERY;
 (FNU) HANDCOX;
 (Both Officers Dawson, Georgia,
 Police Department);
 WILLIE COUNTRYMON; BILLIE FLAG;
 JENE WINDFRO; TOBB LATIMORE -
 VICTIMS
 CIVIL RIGHTS

Tolson	_____
Boardman	_____
Belmont	_____
Mohr	_____
Nease	_____
Parsons	_____
Rosen	_____
Tamm	_____
Frotter	_____
Clayton	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

SAC N. R. Johnson, Jr., Atlanta Office, called by SA Jahn concerning page 1 article in "The Washington Post and Times Herald," June 8, 1958, entitled: "Death and Violence Terrorize Negroes of Georgia Town," and information requested concerning five items set forth in that article concerning activities in Dawson, Georgia, and information concerning any other civil rights matters in Atlanta territory, subject of discussion or publicity. SAC Johnson returned the call and identified the matters as follows:

1: Negro beaten severely in his front yard by police and died five days later - Bureau case entitled: RANDOLPH ENNIS MC DONALD; et al.; ODELL BRAZIER, JAMES CALVIN BRAZIER - VICTIMS, closing report submitted 5-2-58 and forwarded to the Department 5-8-58. James Calvin Brazier was the individual mentioned in the news article.

2: Negro shot to death in his back yard by police - Willie Countrymon.

3: Negro shot in buttocks by police - Willie D. Latimer, also known as Tobe. Latimer

4: Negro mother slapped in jail when visiting son - Annie Flagg, mother of Billie Flagg.

Two, three and four are identified with instant captioned case, opened 5-28-58 and pending.

44-13195

WHJ:cem

(7) *EE*

JUN 20 1958

5-2 JUN 10 1958

REC-77

MCT-12

JUN 10 1958

EX-101

ORIGINAL FILE IN

NOT RECORDED

JUN 19 1958

Price to Rosen

5: Two dozen Negroes denied vote registration - Bureau case entitled: "UNKNOWN SUBJECTS; EDDIE LOWE; ET AL. - VICTIMS; CIVIL RIGHTS; ELECTION LAWS." Closing report dated 4-25-58, forwarded to the Department 4-30-58.

SAC Johnson further stated that he was expediting a report in instant case and that he would obtain information and submit a teletype summary afternoon of 6-8-58, reflecting developments to date. SAC Johnson also asked re incidental comment in instant article, that in recent years three Negroes were beaten and "charged with swearing in front of a white woman," a curfew violator ended up with chunks of flesh ripped from his back and another Negro accused of tooting his horn at a white girl, escaped to another state. SAC Johnson stated that these incidents were not known to him and any information available will be submitted with instant teletype.

SAC Johnson identified case entitled: UNKNOWN SUBJECTS; JOSHUA ALARNCE WILLIAMS, wa., ET AL. - VICTIMS," Bureau file 44-12637, as a matter of possible discussion or publicity.

ACTION TAKEN:

Substantive supervisor Y.M. Willoughby called regarding instant matter and he advised he will prepare overall memorandum. Necessary files called.

Mr. Rosen

6/9/58

F. L. Price

CIVIL RIGHTS MATTERS
DAWSON, GEORGIA

6 P2
An article appeared on page one of the "Washington Post & Times Herald," June 8, 1958, entitled, "Death and Violence Terrorize Negroes of Georgia Town." The article identifies the town as Dawson, Georgia, and mentions six incidents which it claimed created an atmosphere of fear among the Negroes. These are:

1. "A Negro was beaten severely in his front yard by police. He was hauled senseless into court and died from a crushed skull five days later."
2. "Another Negro was shot to death in his back yard by police."
3. "A third Negro was shot in the buttocks by police when they investigated a disturbance call at a juke joint."
4. "A Negro mother was slapped in jail when she went to visit her son there."
5. "Two dozen Negroes tried to register to vote; many were teachers; all 'failed'. One teacher who had a four-year college degree 'failed' a test for illiterate voters and was fired from teaching."

This article stated the fear among Negroes has brought FBI Agents to Dawson twice in recent weeks to investigate deaths and make probable the filing of affidavits with the Federal Civil Rights Commission.

In regards to the statement that FBI Agents have been to Dawson twice in recent weeks to investigate deaths, it is to be noted the Bureau conducted a preliminary investigation here in April, 1958, involving allegations of police brutality which resulted in the death of one Negro. The results of that investigation were referred to the Department 5/8/58 with the request that it advise whether any further investigation was desired. To date no further request has been received.

At present there are four separate investigations being conducted at Dawson, Georgia, involving allegation of police brutality. Reports have not been submitted in these cases but should be received.

1 - 44-13105
1 - 44-13064
1 - 44-13195
1 - Mr. Nease

YMW:ews

* Complaints in these cases were received 5/28/58

170 JUN 11 1958

55 JUN 10 1958

INITIALS ON ORIGINAL

ORIGINAL COPY FILED IN 44-13105

Memorandum for Mr. Rosen

at the Bureau on 6/9/58. These will be reviewed when received and immediately referred to the Civil Rights Division. One of these current investigations involves the shooting to death of a Negro by the police.

Items 1 and 2 mentioned in the "Washington Post" relates to the case captioned, "Randolph Ennis McDonald,* Weyman Burchle Cherry; Odell Brazier, James Calvin Brazier - Victims, Civil Rights." This is the case which the Bureau investigated in April, 1958. Odell Brazier on 4/23/58 complained that he was stopped on 4/20/58 by "Randall" for reckless driving. Odell stated when he denied "Randall's" charges, "Randall" "yanked" the car door open and hit him over the left eye and behind the left ear with a blackjack. *Originally reported by victim as Randall."

Odell stated as "Randall" hit him, his son, James Calvin Brazier, drove up and got out of his car. The son said, "Don't hit my daddy." Odell stated he got into "Randall's" car and was taken to jail. He denied resisting arrest. Odell stated his son was not arrested at this time but about 7:00 p.m. on the same day his son was brought to jail by "Randall" and Officer Cherry. The son stated the officers had come to his home, beat him with a blackjack and brought him to jail.

Odell stated sometime during the night his son was taken to a hospital and the next morning, since his son could not walk, he and another prisoner had to "tote" him to the Mayor's court. When the son's case was called he could not speak and the case was adjourned. The son was later released and taken to the County Hospital where X-rays revealed a skull fracture. An operation was performed but the son died 4/25/58.

Officers McDonald and Cherry in signed statements admitted striking the son when he resisted arrest. Witnesses tend to verify the officers' story.

A report dated 5/2/58 reflecting the results of the preliminary investigation was referred to the Department 5/8/58 with the request it advise whether any further investigation was desired. To date no request has been received.

In regards to items 3 through 5, John Wesley Dobbs, Grand Master, Free & Accepted Masons, Atlanta, on 5/28/58 submitted a letter to our Atlanta Office signed by 6 persons in which they make four allegations of police brutality against Dawson, Georgia, police.

Memorandum for Mr. Rosen

Item #3 which refers to a Negro being shot to death by police while in his back yard relates to one of the incidents mentioned in the letter furnished by Dobbs. This matter which is entitled, "Weyman Burchle Cherry, Robert Terrell Hancock; Willie Countryman - Victim, Civil Rights," is currently being investigated.

The investigation has disclosed the police were proceeding through Countryman's yard about 1:30 a.m. on 5/25/58 to investigate a noise coming from the premises directly to the rear of Countryman's residence. Countryman was out in the yard at the time with his girl friend. Police say Countryman attacked them with a knife whereupon Countryman was shot in self defense. He was pronounced dead upon arrival at the hospital. The girl friend stated Countryman heard a noise and went to investigate. She claims she heard shot and ran.

Atlanta has advised a report reflecting the results of our preliminary investigation should be received 6-9-58. The report will be reviewed and immediately referred to the Civil Rights Division.

Item #4 which mentions a Negro being shot in the buttocks by the police refers to the case captioned, "Weyman Burchle Cherry, et al.; Willie D. Latimer - Victim, Civil Rights," which is also currently being investigated. The complaint in this case was also received from Dobbs on 5/28/58.

Investigation has disclosed the Dawson, Georgia, Police on 5-23-58 shot Latimer while arresting him. The police were raiding a party at Latimer's house. Latimer was seen with a jug of whiskey in his hand as Cherry approached the door of his house. Latimer fled with Cherry in pursuit. Latimer fell and he states that while attempting to break the jug Cherry said, "If you break the jug, I will shoot you." Latimer stated he did break the jug and while lying on the ground Cherry shot him in the left buttocks. Latimer was taken to the hospital, the bullet was removed and he is recovering.

Atlanta has advised a report reflecting the results of the preliminary investigation should be received 6-9-58. It will be reviewed and immediately referred to the Civil Rights Division.

Item #5 which refers to a mother being "slapped" in jail when she went to see her son who was there relates to the case captioned "Harold Jones, et al.; Willie Gerald Flagg, Annie Lee Flagg - Victims, Civil Rights," which is currently under investigation. The initial complaint which was also furnished to Atlanta by Dobbs alleges that "Billie Flagg" was "beaten awful" by Dawson, Georgia, Police.

Memorandum for Mr. Rosen

Investigation reflects Willie Gerald Flagg was engaged in "horseplay" at a ball diamond about 9:00 a.m., 5/25/58. As police were passing in their car someone made a noise like a machine gun firing. The police car stopped, subject Jones got out and asked Willie what he was doing. Willie said nothing whereupon Jones called him a liar and struck him. Jones then searched Willie and hit him again, handcuffed him and took him to jail.

Later the same morning, Annie Lee Flagg, mother of Willie, went to the jail to make inquiry about her son. She alleges Jones pushed her and told her to go home. She states she left the jail walking and crying. Later Jones and Cherry overtook her in police car and Jones pushed her into the car and took her to jail. She states although Jones threatened her he did not strike her. Both victims had to post \$18.00 bonds but were not advised of the charges.

Atlanta has advised a report reflecting the results of our preliminary investigation should be received 6/9/58. It will be reviewed when received and immediately referred to the Civil Rights Division.

Item #6, it is noted the news article mentions that two dozen Negroes who tried to register to vote had failed the tests and also that one Negro, a teacher, with a four-year college degree who failed the illiterate test was fired. The news article does not mention any investigation by the Bureau with respect to the alleged denial to Negroes of the right to register and vote; however, on 4/23/58 a group of Negro leaders appeared at the Atlanta Office and furnished complaints regarding the denial to Negroes in Terrell County of the right to register. Information concerning the attempts of 22 Negroes to register was furnished. Four of the Negro victims were reported to be both teachers and college graduates, two more are college graduates and one individual is presently attending college. No active investigation was conducted by the Bureau concerning these complaints; however, a report reflecting all of the information furnished was forwarded to the Civil Rights Division on 4/30/58 with the request that it advise whether any further investigation is desired. No reply has been received from the Civil Rights Division to date. (This case is captioned, "Unknown Subjects; Eddie Lowe, et al. - Victims, Civil Rights; Election Laws.")

Memorandum for Mr. Rosen

With regards to the statement in the Washington Post article that police at Dawson enforce an informal curfew against Negroes the Department in December, 1956, referred an article to the Bureau taken from "Jet" magazine concerning this phase, requesting a limited investigation. The requested investigation was conducted which indicated no curfew law, past or present, was on record at Dawson, Georgia. However, Negroes claimed a 11:00 p.m. curfew was imposed at times.

The results of the Bureau's investigation were contained in three reports, the last of which was sent to the Department on 1-11-57. The Department was advised the investigation requested had been completed and no further action was being taken unless specifically requested. The Department by memorandum dated 2-5-57 furnished a copy of its letter to USA advising him the Department's file was being closed.

RECOMMENDATION:

The above is submitted for your information.

Copies of reports in the current civil rights investigation will be promptly furnished to the Civil Rights Division when received.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *Rw*

DATE: 6/9/58

FROM : F. L. Price *flp*SUBJECT: X CIVIL RIGHTS MATTERS
DAWSON, GEORGIA

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____

On the morning of 6/9/58, Maceo W. Hubbard, head of the Due Process Unit, Civil Rights Division, telephonically contacted Supervisor Leo E. Conroy and mentioned that he had read the article which appeared in the "Washington Post & Times Herald" on 6/8/58 concerning civil rights matters in Dawson, Georgia. Mr. Hubbard inquired concerning the identities of the investigations referred to in the "Washington Post" article.

Hubbard was advised that the report in the case entitled, Randolph Ennis McDonald, et al.; Odell Brazier, et al. - Victims, Civil Rights, had been furnished to the Department on 5/8/58 with the request that it advise whether further investigation was desired. Hubbard was also advised that a report in the case entitled, "Unknown Subjects; Eddie Lowe, et al. - Victims, Civil Rights; Election Laws," had been furnished to the Department on 4/30/58 with the request that it advise whether further investigation was desired. Hubbard was also advised that complaints had been received in four other matters mentioned in the "Washington Post" article and that preliminary investigations had been conducted. He was told that copies of reports in the latter case would be furnished to the Civil Rights Division in the near future.

The above is for your information.

Sup
 LEC:ews
 (5)

Autostated
 RECORDED COPY FILED IN 44-13105-1

REC- 65

12 JUN 12 1958

70 JUN 18 1958

0-20

Mr. Tolson ☒
 Mr. Boardman ☒
 Mr. Belmont ☒
 Mr. Mohr ☒
 Mr. Nease ☒
 Mr. Parsons ☒
 Mr. Rosen ☒
 Mr. Tamm ☒
 Mr. Trotter ☒
 Mr. Clayton ☒
 Tele. Room ☒
 Mr. Holloman ☒
 Miss Gandy ☒

WEYMAN B. CHERRY
 WEYMAN BIRCHLE CHERRY

UPI-130

(NEGROES)

ATLANTA-THE FBI TODAY WAS INVESTIGATING THE SLAYINGS OF TWO NEGROES BY A DAWSON, GA., POLICEMAN WHO WAS OFFICIALLY EXONERATED IN BOTH CASES. DAWSON OFFICIALS HAVE DENIED A NEWSPAPER ACCOUNT THAT SAID NEGROES IN THE TOWN ARE LIVING IN AN "ATMOSPHERE OF FEAR" AS A RESULT.

OFFICER WEYMAN B. CHERRY, THE POLICEMAN INVOLVED, CLAIMED SELF DEFENSE IN EACH CASE AND THE SLAYINGS WERE TERMED JUSTIFIABLE.

AN FBI SPOKESMAN HERE SAID ONLY, "WE ARE MAKING AN INVESTIGATION FOR MR. WILSON WHITE." WHITE IS HEAD OF THE JUSTICE DEPARTMENT'S NEW CIVIL RIGHTS DIVISION.

JAMES BRAZIER, 31, DIED IN APRIL AFTER BEING ALLEGEDLY BEATEN BY CHERRY AND ANOTHER OFFICER. BRAZIER'S COUSIN, WILLIE COUNTRYMAN, WAS SHOT TO DEATH MAY 27 WHEN HE ALLEGEDLY ATTACKED CHERRY.

THE ATLANTA CONSTITUTION TODAY PUBLISHED CHARGES BY THE WASHINGTON POST AND TIMES-HERALD THAT NEGROES IN DAWSON HAD BEEN SUBJECTED TO BRUTALITIES AND INDIGNITIES BY POLICEMEN, AND ALSO PUBLISHED DENIALS OF LOCAL OFFICIALS.

6/9--EG347P

James D. Brazier

44-1571-A
 NOT RECORDED
 126/JUN 18 1958

50 JUN 20 1958

70 JUN 18 1958

WASHINGTON CITY NEWS SERVICE

ORIGINAL FILED IN 44-1571-A

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director,
Federal Bureau of Investigation

FROM : W. Wilson White, Assistant Attorney
General, Civil Rights Division

SUBJECT: Randolph Ennis McDonald and
Weyman Burchle Cherry;
Odell Brazier, et al. - Victims
Civil Rights

DATE: JUN 10 1958

WWW:FMD:dem 788
144-19M-313

Reference is made to your memorandum of May 8, 1958, enclosing the report of Special Agent Henry L. Burgett dated May 2, 1958.

Please conduct a full investigation of the above-entitled matter. We are particularly interested in ascertaining whether other persons witnessed the alleged beating of James Calvin Brazier and whether at the time of the arrest the subjects possessed a warrant for his arrest.

*Comm Memo Print Room
6-12-58
see by airtel to
Hq 6-13-58
memo AG, cc DAG
6-13-58
JWW/PM*

EXP. PROC.
JUN 11 1958

REC-42

44-13064-12
2 JUN 11 1958

50 JUN 24 1958

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *W*

DATE: 6-12-58

FROM : F. L. Price *JPB*

SUBJECT: RANDOLPH ENNIS McDONALD,
WEYMAN BURCHLE CHERRY;
ODELL BRAZIER, JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTS

Tolson *✓*
Nichols *✓*
Boardman *✓*
Belmont *✓*
Mohr *✓*
Parsons *✓*
Rosen *✓*
Tamm *✓*
Trotter *✓*
Nease *✓*
Tele. Room *✓*
Holloman *✓*
Gandy *✓*

The Civil Rights Division in the attached memorandum dated 6-10-58, requests a full investigation be conducted in this matter with special emphasis being placed upon ascertaining whether there are other witnesses to the beating of victim James Calvin Brazier and whether the subjects possess a warrant for his arrest.

This is one of the cases at Dawson, Georgia, mentioned in the "Washington Post and Times Herald" article 6-8-58. Odell Brazier advised 4-23-58 that when subject McDonald arrested him on 4-20-58 for reckless driving, McDonald "yanked" the car door open and hit him over the left eye and behind the left ear with a blackjack. Odell Brazier states as McDonald hit him his son, James Calvin Brazier, drove up in his car and allegedly said "don't hit my daddy." Odell Brazier stated he later accompanied McDonald to jail and no action was taken against the son at that time.

Odell Brazier stated later on 4-20-58 the son was brought to the jail. The son told Odell Brazier subjects McDonald and Cherry had come to his (the son's) home and beat him with a blackjack and brought him to jail. Odell Brazier stated when time came to go to court the son could not walk and he and another prisoner had to "tote" the son to the mayor's court. According to Odell Brazier, when the son's case was called it had to be adjourned as the son could not speak. The son was later taken to the county hospital where X rays revealed a skull fracture. An operation was performed; however, the son died 4-25-58.

The Bureau upon receipt of above information, immediately instituted a preliminary investigation. When subjects were interviewed, Cherry admitted striking the son after he resisted arrest. Statements from some of the witnesses tend to verify the officers' story. A report dated 5-2-58 reflecting the results of our investigation was sent to the Department on 5-8-58 with the request that it advise whether any further investigation was desired. No request for investigation was made until the attached memorandum was received requesting a full investigation.

REC-67

44-13064-13

Enclosures

52 JUN 25 1958

YMW:pms

(2)

SENT DIRECTOR

6-13-58

44-13064

17 JUN 20 1958

Memorandum for Mr. Rosen

RECOMMENDATIONS:

(1) That the attached memorandum be sent to the Attorney General with a copy to the Deputy Attorney General, advising them of the Civil Rights Division's request for a full investigation and that such investigation will be conducted and the results furnished to the Civil Rights Division when received.

(2) If the above is approved it is recommended the attached airtel be sent to Atlanta ordering a full investigation in this case as requested by the Civil Rights Division.

[Handwritten signatures and initials]
JH
T
RS
OK
H

June 13, 1958

Airtel

To: SAC, Atlanta (44-876)

From: Director, FBI (44-13064)

RANDOLPH ENNIS McDONALD, WEYMAN BURCHIE CHERRY; ODELL BRAZIER,
JAMES CALVIN BRAZIER - VICTIMS, CIVIL RIGHTS.

Reurairtel 5-8-58.

Enclosed are two copies of a self-explanatory memorandum dated 6-10-58 which the Bureau received from the Civil Rights Division.

The investigation requested by the Civil Rights Division as indicated in the attached memorandum should be expeditiously handled and a report reflecting the results be submitted to reach the Bureau by 6-24-58.

All persons interviewed should be informed this additional investigation is being conducted at the specific request of Assistant Attorney General White.

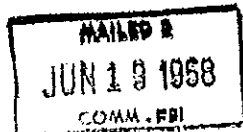
Enclosures (2)

YMW:pms
(4)

REC-78

JUN 16 1958

See memo Price to Rosen, same caption, 6-10-58 YMW:pms



Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

MAIL ROOM ☐

50 JUN 18 1958

REC'D-READING ROOM
JUN 13 1958
4 12 35 PM '58

The Attorney General

June 13, 1958

Director, FBI

RANDOLPH ENNIS McDONALD,
WEYMAN BURCHLE CHERRY;
ODELL BRAZIER, JAMES CALVIN
BRAZIER - VICTIMS
CIVIL RIGHTS

I want to advise you of a request for a full investigation in this case which has been received from the Civil Rights Division.

On April 23, 1958, Odell Brazier of Dawson, Georgia, advised that when arrested on April 20, 1958, by officer McDonald of the Dawson, Georgia, Police Department, McDonald, in the presence of his son, James Calvin Brazier, struck him with a blackjack. The son allegedly stated to McDonald, "Don't hit my daddy." No action was taken against the son at this time; however, Odell Brazier was taken to jail.

Odell Brazier stated later on April 20, 1958, his son was also brought to the jail. The son allegedly told Odell Brazier that officers McDonald and Cherry came to his home, beat him with a blackjack, and then arrested him. Odell Brazier advised when the time came to go to the mayor's court the next morning the son could not walk and he and another prisoner had to "tote" him. When the son's case was called it had to be adjourned as the son could not speak. According to Odell Brazier, his son was later taken to the county hospital where X rays revealed a skull fracture. An operation was performed; however, the son died on April 25, 1958.

A preliminary investigation was conducted immediately upon receipt of the above information and the results were furnished to the Civil Rights Division on May 8, 1958. The Civil Rights Division now requests a full investigation be conducted with particular emphasis being placed upon ascertaining whether there are other witnesses to the alleged beating of James Calvin Brazier and whether the officers possessed a warrant for his arrest.

YMW:pms
(5)

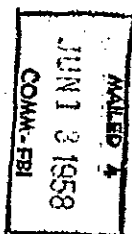
See memo Price to Rosen, same caption, 6-12-58, YMW:pms

JUN 16 1958

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

MAIL ROOM ☐

50 JUN 16 1958



EX-101 REC-99

RECEIVED ROOM 12 35 PM 58

The Attorney General

**The requested investigation will be conducted
and the results will be furnished to the Civil Rights
Division when received.**

**1 - Mr. Lawrence E. Walsh
Deputy Attorney General**

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 6-15-58

FROM : SAC, Atlanta

SUBJECT: RANDOLPH ENNIS McDONALD, Aka.;
WEYMAN BURCHLE CHERRY, Aka.;
ODELL BRAZIER,
JAMES CALVIN BRAZIER - VICTIMS
CR

Enclosed herewith are two copies of the report
of SA THOMAS H. DAVIS, Jr., dated 6-15-58 at Atlanta.

REFERENCES:

Report of SA HENRY L. BURGETT dated 5-2-58
at Atlanta.

ADMINISTRATIVE:

On 6-13-58, Mr. CHARLES H. GILLMAN, Regional
Director, AFL-CIO, Atlanta, Georgia, while being interviewed
in connection with the case entitled "WEYMAN BURCHLE CHERRY;
ROBERT TERRELL HANCOCK, Dawson, Georgia Police Department;
WILLIE COUNTRYMAN, Aka Wootie - VICTIM, CR.," and related
cases made mention of captioned victim JAMES CALVIN BRAZIER,
and because of this, instant supplemental report is being
submitted.

REC-44-14-13064-11

ENCLOSURE

2 - Bureau (Encls. - 2) (RMSD)
2 - Atlanta (44-876)

THD:mm1
(4)

63 JUN 20 1958

JUN 16 1958

63 JUN 16 1958

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE ATLANTA	OFFICE OF ORIGIN ATLANTA	DATE 6-15-58	INVESTIGATIVE PERIOD 5-29; 6-9, 12/15-58
TITLE OF CASE RANDOLPH ENNIS McDONALD, Aka; WEYMAN BURCHIE CHERRY, Aka; ODELL BRAZIER, JAMES CALVIN BRAZIER - VICTIMS		REPORT MADE BY THOMAS H. DAVIS, JR.	TYPED BY mm1
		CHARACTER OF CASE CIVIL RIGHTS	

SYNOPSIS:

Neither CHARLES H. GILLMAN, Regional Director, AFL-CIO, Atlanta, Ga., nor Rev. LUCIUS H. PITTS, Executive Secretary, Georgia Teachers and Education Association, possess any firsthand information pertaining to this investigation.

- C -

DETAILS: AT ATLANTA, GEORGIA

On June 13, 1958, Mr. CHARLES H. GILLMAN, Regional Director, American Federation of Labor - Congress of Industrial Organizations, 1026 Hurt Building, was interviewed by Special Agents THOMAS H. DAVIS, Jr., and FRANK G. JOHNSTONE.

Mr. GILLMAN advised that it is very seldom that his work takes him to Dawson, Georgia, and therefore, he has only very few limited acquaintances in that city. Mr. GILLMAN added he has no firsthand information pertaining to any of the incidents which have occurred during the recent past and which, according to newspaper releases, involve Negroes and some members of the Dawson, Georgia Police Department. Mr. GILLMAN did

APPROVED <i>NRJ</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: 2 - Bureau (AMSD) 1 - USA, Macon 2 - Atlanta (44-876)		44-13864-10	REC-44
		JUN 16 1958	

1cc: AAG Civil Rights Division
Form 6-94 6/17/58 *ymuff*

AT 44- 876

mention that he some two weeks ago spoke with one of his relatives who, from time to time, visits in Dawson, Georgia, and during this conversation, he got the impression that perhaps the Negroes in the Dawson area were being intimidated and mistreated by some members of the Dawson, Georgia Police Department. Mr. GILLMAN pointed out, however, that he had no direct specific information on which he could base this suspicion. He mentioned that from the press reports he suspected that the death of JAMES CALVIN BRAZIER in April of this year may have resulted from brutality on the part of one or more members of the Dawson Police Department.

Mr. GILLMAN mentioned that perhaps Mrs. RENA TROTMAN, who resides in Dawson and operates the Stevens Industries at Dawson, Georgia, and the Chevrolet dealer in that city, whose name is unknown to him but who was the employer of JAMES CALVIN BRAZIER at the time of BRAZIER's death, may possess information which would be of value to anyone investigating allegations of brutality by members of the Dawson Police Department.

In concluding, Mr. GILLMAN again pointed out that he has no firsthand knowledge pertaining to any of the recent incidents which have occurred and which involved members of the police department at Dawson, Georgia. He indicated that, in view of his lack of direct knowledge concerning any of these incidents, he did not desire to furnish a signed statement.

On June 14, 1958, Reverend LUCIUS H. PITTS, Executive Secretary, Georgia Teachers and Education Association, 201 Ashby Street, Northwest, was interviewed by Special Agents DAVID STEVENS BYERLY and THOMAS H. DAVIS, Jr.

Reverend PITTS advised that the Georgia Teachers and Education Association is a private organization made up of Negro school teachers within the State of Georgia. He stated that in his capacity as Executive Secretary of this association he travels throughout the State of Georgia, and during recent months, he has been in Dawson, Georgia, on one or two occasions. Reverend PITTS advised he has absolutely no direct or firsthand knowledge concerning the incidents reported in the local press as involving allegations of brutality by members of the Dawson, Georgia Police Department.

He indicated that, due to his lack of direct knowledge concerning any one of these incidents, he, of course, did not desire to furnish any written statement.

- C -

- 2 -

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 9

DOC ID: 31206356

COPIES: 1 PAGES: 2

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 06/18/1958

DOCUMENT TYPE: Teletype

FROM: SAC, Atlanta

TO: Director

SUBJECT: (44-13064-14)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUN 18 1958

TELETYPE

Mr. Tolson _____
Mr. Boardman _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Nease _____
Mr. Parsons _____
Mr. Rosen _____
Mr. Tamm _____
Mr. Trotter _____
Mr. W.C. Sullivan _____
Tele. Room _____
Mr. Holloman _____
Miss Gandy _____

URGENT 6-18-58 9-40 PM EST JEL

TO DIRECTOR, FBI

FOIA(b)6

FOIA(b)7 - (C)

FROM SAC, ATLANTA 2P

RANDOLPH ENNIS MC DONALD, WEYMAN BURCHLE CHERRY, ODELL
BRAZIER, JAMES CALVIN BRAZIER DASH VICTIMS, CR. REBUAIRTEL

TO ATLANTA SIX THIRTEEN FIFTYEIGHT. NETTIE CATE, COOK
TERRELL CO. JAIL, DAWSON, GA., ADVISED IN PRIVACY OF HER HOME
THAT FEMALE NEGRO IN CUSTODY [REDACTED] CHARGE TERRELL CO.,
GA., JAIL, ADVISED SHE SAW POLICE OFFICERS CARRYING VICTIM
JAMES BRAZIER WRAPPED IN BLANKET INTO CELL NEXT TO CELL
OCCUPIED BY HER IN WOMENS SECTION OF JAIL, ABOUT THREE AM
FOUR TWENTYONE FIFTYEIGHT. ONE OFFICER REMAINED WITH
VICTIM AND ATTEMPTED FROM TIME TO TIME TO REVIVE OR AWAKEN
VICTIM. EXAMINATION OF JAIL RECORDS TERRELL CO., REFLECT
FOUR PERSONS IN JAIL NIGHT FOUR TWENTY FIFTYEIGHT OTHER
THAN VICTIM. IN ALL PROBABILITY PERSON FURNISHING ABOVE
INFORMATION IDENTICAL WITH [REDACTED] IN JAIL
ON [REDACTED] AWAITING APPEAL TO GA. STATE SUPREME COURT
HEARING POSSIBLY SEVEN NINE FIFTYEIGHT. MARVIN GOSHAY,
DAWSON, GA. IN JAIL FOUR NINETEEN THROUGH TWENTYONE FIFTYEIGHT,
SAW BRAZIER ENTER JAIL WALKING, BRAZIER LATER RECEIVED MEDICAL

EN 57 JUNE 27 1958

Mr. Rosen

PAGE TWO

TREATMENT IN OFFICE OF JAIL. ABOUT TEN THIRTY PM FOUR
TWENTY FIFTYEIGHT, GOSHAY SAW ~~QUOTE~~ MR. CHERRY AND MR.
RANDOLPH ~~UNQUOTE~~ DAWSON, GA. POLICE OFFICERS COME TO CELL
BLOCK, ORDERED BRAZIER TO GO WITH THEM. BRAZIER LEFT WALKING.
GOSHAY STATED TRUSTEE ~~QUOTE~~ 'GENE' ~~UNQUOTE~~ PROBABLY IDENTICAL
WITH EUGENE MAGWOOD SERVING LIFE SENTENCE TERRELL CO., JAIL,
ADVISED THAT VICTIM TAKEN TO HOSPITAL BY OFFICERS TEN THIRTY
PM FOUR TWENTY FIFTYEIGHT AND STATED VICTIM RETURNED ABOUT
SIX AM FOUR TWENTYONE FIFTYEIGHT. GOSHAY NEXT OBSERVED
VICTIM ABOUT NINE AM FOUR TWENTYONE FIFTYEIGHT, VICTIM
UNABLE TO TALK OR WALK. EFFORTS WILL BE MADE TOMORROW TO INTERVIEW
ALL FOUR PERSONS WHO WERE INMATES TERRELL CO. JAIL ON APRIL
TWENTY LAST, THREE OF WHOM ARE STILL INMATES, INCLUDING
INMATES [] AND MAGWOOD. IN CONNECTION EFFORTS TO INTERVIEW
THE THREE CURRENT INMATES EFFORTS WILL BE MADE TO CONDUCT
THESE INTERVIEWS OUTSIDE PRESENCE OF SHERIFF OR HIS DEPUTIES.
IF SHERIFF OR DEPUTIES INSIST ON BEING PRESENT DURING INTERVIEWS
THEN INTERVIEWS WILL NOT BE CONDUCTED AND BUREAU WILL BE
IMMEDIATELY ADVISED. PROBABILITY EXISTS THAT INMATES [] AND
MAGWOOD WILL BE RELUCTANT TO TALK WHILE IN JAIL EVEN THOUGH
PRIVATELY INTERVIEWED AND IF NECESSARY AGENTS WILL CONFRONT THEM
WITH ABOVE INFORMATION THEY REPORTEDLY POSSESS.

END ACK PLS

10-47 PM OK FBI WA JG

TU DISCM

FOIA(b)6

FOIA(b)7 - (C)

RE: HILL ROSEN

AND SUPERVISOR

INVESTIGATIVE RECORDS

STANDARD FORM NO. 64

7/6

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (44-13064)

DATE: 6/26/58

FROM : SAC, Atlanta (44-876)

SUBJECT: RANDOLPH ENNIS McDONALD, ET AL;
ODELL BRAZIER, ET AL - VICTIMS;
CIVIL RIGHTS.

ReBulet 6/24/58. Closing report in captioned case was submitted by SA HENRY L. BURGETT under date of 6/24/58. It is noted that this report was mailed to the Bureau on 6/23/58, even though the report itself was dated 6/24/58.

NRJ:CM

2 - Bureau
1 - Atlanta

JUN 30 8 34 AM '58

INVESTIGATIVE DIV.
REC'D - FBI

EXP. PROC.

REC- A2

EX-117

44-13064-18

70 JUL 7 1958

JUN 30 8 34 AM '58

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876 FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637 FOLDER: 0001 TAB: 7 DOC ID: 31206344

COPIES: 1 PAGES: 2

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 06/24/1958 DOCUMENT TYPE: Memorandum

FROM: SAC, Atlanta

TO: Director

SUBJECT: (44-13064-17)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (44-13064)

DATE: 6/24/58

FROM : SAC, ATLANTA (44-876)

SUBJECT: RANDOLPH ENNIS McDONALD, Aka Randall;
 WEYMAN BURCHLE CHERRY, Aka Hancock;
 ODELL BRAZIER, JAMES CALVIN BRAZIER -
 VICTIMS
 CR
 (OO: Atlanta)

Submitted herewith is the report of SA
 HENRY L. BURGETT, Atlanta, dated 6/24/58.

REFERENCES

Bureau airtel to Atlanta, 6/13/58.
 Atlanta teletype to Bureau 6/18/58.

ADMINISTRATIVE

No effort has been made to contact prisoners
 IRENE GLADDIN and SAM HATTAWAY since both have been
 transferred from Terrell County, Ga. Jail and inasmuch
 as other prisoners have advised neither GLADDIN or
 HATTAWAY were in the cell block occupied by BRAZIER
 on 4/20/58.

FOIA(b) 6

Unsuccessful efforts to locate WARREN TELFAIR,
 who according to police records, was arrested Dawson,
 Ga. PD 4/20/58 and released same date. It was
 ascertained through interviews that WARREN TELFAIR
 was released before sundown on 4/20/58. 44-2613064-17

Two sets of photographs of victim JAMES BRAZIER
 are being furnished the Bureau as requested 6/24/58
 in the event the Bureau desires to furnish one set
 to the department.

- REC-85
 2- Bureau (Encl. 6)
 1- Atlanta

HLB/lca
 (3)

67 JUL 1-1958

AT 44-876

All persons interviewed during the course of this investigation were advised that the investigation is being conducted at the specific instruction of Assistant Attorney General W. WILSON WHITE of the Civil Rights Division, Department of Justice.

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 8

DOC ID: 31206355

COPIES: 1 PAGES: ~~44~~
43

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 06/24/1958 DOCUMENT TYPE: Report

FROM: Burgett

TO:

SUBJECT: (44-13064-16)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

Reporting Office ATLANTA	Office of Origin ATLANTA	Date 6/24/58	Investigative Period 6/16-20/58
TITLE OF CASE RANDOLPH ENNIS McDONALD, Aka Randall, WEYMAN BURCHLE CHERRY, Aka Hancock; ODELL BRAZIER, JAMES CALVIN BRAZIER - VICTIMS		Report made by HENRY L. BURGETT	Typed By: SG
		CHARACTER OF CASE CIVIL RIGHTS	

Exemples :

Chief of Police HOWARD L. LEE, Dawson, Ga., advised of investigation. Chief LEE stated warrant issued 4/20/58, for arrest of victim JAMES BRAZIER. Warrant and Justice of Peace Docket, Dawson, Ga., made available for review. Discrepancy noted in charges. Contents set forth. Witnesses in signed statements advised Subject CHERRY beat victim JAMES BRAZIER with blackjack while Subject "Mr. RANDOLPH" held him, further that victim offered no resistance and did not strike officers. NETTIE CATE, C66K, Terrell County Jail, Dawson, Ga., advised that female prisoner, subsequently identified as [redacted] stated she saw officers carry victim wrapped in blanket into cell next to hers, morning of 4/21/58. One officer remained with victim and from time to time attempted to revive or awaken him. In interview, [redacted] denied making statement. MARVIN GOSHAY, Dawson, Ga., stated that he was in jail 4/19-21/58, in signed statement advised he saw victim JAMES BRAZIER taken from cell block about 10:30 p.m., 4/20/58, by police officers, Dawson, Ga., further that Trustee "GENE"

FOIA(b) 6
FOIA(b) 7 - (C)

COOLIDGE

1

Approved <i>[Signature]</i>	Special Agent in Charge	Do not write in spaces below	
Copies made:		14-12-1-16	REC-85
② - Bureau (44-13064)		JUN 25 1988	EX-124
1 - USA, Macon, Georgia			
1 - Atlanta (44-876)			
SECURITY	44-124		
REC-85			

② - Bureau (44-13064)
1 - USA, Macon, Georgia
1 - Atlanta (44-876)

To: AAG Civil Rights Division

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67 JUL 1-1958

AT 44-876

subsequently identified as EUGENE MAGWOOD stated victim taken to hospital night of 4/20/58, and returned to jail early following morning. In interview MAGWOOD denied making statement. Other prisoners, Terrell County, Ga., Jail, Dawson, Ga., on 4/20/58 stated they did not see BRAZIER removed from jail during night. Victim observed in cell located in woman's section of jail morning of 4/21/58. Victim also observed walking from jail cell morning 4/21/58. Coroner's report set forth. AUSA JOSEPH H. DAVIS, MDGA, Macon, Ga., advised that sufficient investigation had been conducted and that the Department of Justice would be contacted for further advice in this matter.

-C-

DETAILS:

AT DAWSON, GEORGIA

The following is a joint investigation conducted by Special Agents HENRY D. BURGETT and MAURICE L. FOSHEE.

-2-

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

6/23/58

AT 44-876

On June 16, 1958, Chief of Police HOWARD L. LEE was advised that investigation was being conducted at the specific instruction of Assistant Attorney General W. WILSON WHITE of the Civil Rights Division, Department of Justice.

Chief LEE advised that a warrant of arrest for JAMES BRAZIER was issued April 20, 1958. He stated that the warrant was presently in his desk in the office of the Police Department, Dawson, Georgia. Chief LEE stated that he had no objection for agents to see the warrant and stated that since he was on vacation and distant from the office one of his officers would make the warrant available for review.

-3-

Interview with HOWARD L. LEE File # AT 44-876
on 6/16/58 at Dawson, Georgia Dictated 6/20/58
by Special Agent MAURICE L. FOSHEE
HENRY L. BURGETT : sg/em

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

6/23/58

AT 44-876

C. HOOPER, Radio Operator, Dawson, Georgia, Police Department, made available the warrant for JAMES BRAZIER's arrest. The warrant read in part "Criminal Warrant, the State versus JAMES BRAZIER, charged with threatening an officer and interfering with an arrest. State warrant, Georgia, Terrell County. Personally appeared before the undersigned officer in and for said county, authorized by law to issue criminal warrants, the prosecutor whose name is hereto subscribed, who on oath says that to the best of his knowledge and belief JAMES BRAZIER did commit the offense of threatening and interfering with an arrest in said county, on the twentieth day of April, 1958, and that deponent make this affidavit that a warrant may be issued for his arrest. Sworn to and subscribed before me this twentieth day of April, 1958.

D. F. ENGLISH, Officio, J.P.,
R. E. McDONALD, Affiant."

The warrant further read, "Georgia, Terrell County, to any sheriff or his deputy, Coroner, constable, or marshal, of said state greetings: For sufficient cause made known to me, you are hereby commanded to arrest the body of JAMES BRAZIER charged by the prosecutor, whose name is subscribed to the foregoing affidavit, with the offense of threatening, interfering with an officer making arrest in said county, on the twentieth day of April, 1958, against the laws of this state, and to bring said, the defendant, before me or some other judicial officer of this state to be dealt with as the law directs. You shall also levy on a sufficiency of the property of the defendant to pay the cost in the event of _____ final conviction.

D. F. ENGLISH, L S
JP"

Interview with C. HOOPER File # AT 44-876
on 6/16/58 at Dawson, Georgia Dictated 6/20/58
by Special Agent MAURICE L. FOSHEE
HENRY L. BURGETT:sg

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

6/23/58

AT 44-876

Mr. D. F. ENGLISH, Justice of Peace, Dawson, Georgia, advised the warrant for the arrest of JAMES BRAZIER, dated April 20, 1958, Dawson, Georgia, was made out by Dawson Police Officer CHERRY and signed by Dawson Police Chief LEE. ENGLISH stated since he issues so many warrants, he cannot recall just when he authorized the aforementioned warrant nor the details surrounding the authorization of same. He stated he was positive he did authorize the above mentioned warrant on April 20, 1958. ENGLISH said he usually has an officer make out the warrants since he, ENGLISH, has very poor vision and his penmanship is very bad.

Mr. ENGLISH, made available Criminal Docket, Justice Court 1154, District, GM., Terrell County, Georgia, which reflected warrant issued for arrest of JAMES BRAZIER, April 20, 1958. It was noted that the handwritten charge was illegible, however, Mr. ENGLISH stated that the charge was "interfering with officer and resisting arrest". It was noted that this warrant was recorded on Page 92 of the Justice of the Peace Criminal Docket. It was further noted that each page had space for two entries. The warrant for BRAZIER's arrest was recorded on Page 92, first entry. It was noted that Page 91 had no entries made. Page 90, last entry was dated June 15, 1958. BRAZIER's entry, dated April 20, 1958, and second entry on Page 92, was April 24, 1958. It was noted further that there were no skips in the entries from Page 51 through Page 90. Mr. ENGLISH stated that on occasion spaces were skipped through error in the docket; however, he could offer no explanation or reason for the blank Page 91, prior to the entry of the warrant for JAMES BRAZIER's arrest dated April 20, 1958, to be preceded by an entry on Page 90 for the date, June 15, 1958.

It was noted that the charge against BRAZIER was

Interview with D. F. ENGLISH File # AT 44-876
on 6/17, 18, 19/58 Dawson, Georgia Dictated 6/20/58
by Special Agent MAURICE L. FOSHEE
HENRY L. BURGETT:eg

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illegible. Mr. ENGLISH in explaining this, stated that it was due to his poor penmanship. It was noted that other entries in the Docket were all legible.

Mr. ENGLISH, after giving agents permission to review the Docket, suddenly became nervous, excited and stated that neither agents nor the Federal Court had any right to review the Docket, however, he stated that the docket was a public record.

On June 18, 1958, Mr. ENGLISH refused permission for Page 92, Warrant for JAMES BRAZIER's arrest, Criminal Docket, Justice Court 1154, Terrell County, Georgia, to be photographed. He stated that his attorney had advised him that the FBI and the Federal Court had no right to examine the docket further. Mr. ENGLISH demanded that agents destroy their notes other than for information pertaining to the JAMES BRAZIER warrant.

On June 19, 1958, Mr. ENGLISH approached agents and stated that he wished to apologize for his remarks the previous day stating that he had consulted the county attorney, Mr. W. L. FERGUSON, who advised him that the Docket was a public record and could be reviewed at will; however, he did not offer the Docket for photographing.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (44-876)

DATE: 6/23/58

FROM : SAs MAURICE L. FOSHEE and
HENRY L. BURGETT

Dictated 6/20/58

SUBJECT: RANDOLPH ENNIS McDONALD, Aka Randall,
WEYMAN BURCHLE CHERRY, Aka Hancock;
ODELL BRAZIER, JAMES CALVIN BRAZIER -
VICTIMS
CR
OO: AT

On June 18, 1958, Officer WEYMAN BURCHLE CHERRY, Police Department, Dawson, Georgia, made available the Police Jail Log for April 20, 1958. The log reflected the following persons in custody during April 20, 1958

Name	Date Entered	Charge	Date Discharged
MARVIN GOSHA, Negro Male	4/19/58	D&D	4/21/58
WARREN TELFAIR, Negro Male	4/20/58	Disorderly	4/20/58
L. F. FORTUNE, White Male	4/20/58	DUI	4/20/58
VERNICE BASS, Negro Female	4/20/58	Drunk	4/20/58
ODELL BRAZIER, Negro Male	4/20/58	DUI RES ARR	4/21/58
JAMES BRAZIER, Negro Male	4/20/58	Interfering with an arrest, threatening an officer and res arr	4/21/58

HLB:SG

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Sheriff Z. T. MATHEWS, Terrell County, Dawson, Georgia, furnished the following list of prisoners in the county jail on April 20, 1958.

EUGENE MAGWOOD, Negro Male,
Prisoner serving life sentence.

WALTER BANKS, Negro Male,
Prisoner serving state sentence.

WILLIE G. FULTON, Negro Male,
In jail awaiting trial.

FOIA(b) 6
FOIA(b) 7 - (C)

[REDACTED] Negro Female,
Awaiting appeal to state supreme court - [REDACTED]

IRENE GLADDIN,
Sentenced to serve time at Reidsville, Georgia.

SAM HATTAWAY, [REDACTED] FOIA(b) 6
Confined Atlanta, Georgia,
Institution unknown.

Sheriff MATHEWS stated that he was present evening of April 20, 1958, when Victim JAMES BRAZIER was brought to the county jail office where he received medical treatment. Sheriff MATHEWS stated that he suggested that BRAZIER be placed in the cell in the women's section of the jail to afford a quiet place, private and away from other prisoners in order that officers might visit BRAZIER periodically as they were instructed to do by the doctor. The sheriff declined to furnish any signed statement.

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Interview with Z. T. MATHEWS File # AT 44-876
on 6/18/58 at Dawson, Georgia Dictated 6/20/58
by Special Agent MAURICE L. FOSHEE
HENRY L. BURGETT:sg

AT 44-876

On June 17, 1958 HATTIE LATTIMER was interviewed by SA MAURICE L. FOSHEE and SA HENRY L. BURGETT and furnished the following signed statement:

"June 17, 1958

"Dawson, Georgia

"I, HATTIE LATTIMER, make the following free and voluntary statement to HENRY L. BURGETT and MAURICE L. FOSHEE who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. No threats or promises have been made me to induce me to make a statement and I know I do not have to make one. I know that any statement I make may be used in a Court of law.

"On the third Sunday of April, 1958 at between 3 PM and sun down I was sitting on my front porch when I saw a police car from Dawson, Ga. go past my house on Ash Street. This car had two white policemen in it. They were in uniform.

"Shortly after the police car went by my house I saw lots of people run out into the street and look toward the BRAZIER residence. I then walked across Ash Street from my house to where I could see the BRAZIER home. I saw a Dawson, Georgia police car parked on the street. The two uniformed police officers, both white men, were standing near their car and they had JAMES BRAZIER with them.

"The taller of the two policemen was holding JAMES BRAZIER's hands and the shorter of the two policemen was hitting JAMES BRAZIER on the head with a black jack.

"I heard JAMES BRAZIER say, "white folks I aint done nothing. You'll just beat me up for nothing".

"The policeman with the black jack hit JAMES BRAZIER lots of times with the black jack.

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"JAMES BRAZIER's wife told JAMES, "BUBBA, why don't you go on and get in the car". The two policemen then put handcuffs on BRAZIER and he got into the back seat of the police car. The two policemen got in the front seat of their car and drove off.

"I did not see JAMES BRAZIER try to hit either of the policemen. He did not look like he was trying to fight with the policemen. He did not look like he was trying to get away from the police.

"The policeman holding BRAZIER's arms while the other one beat him was standing in front of BRAZIER.

"I did not hear either of the two policemen say anything.

"I was standing about 1/2 block from where the policemen were with JAMES BRAZIER.

"The above statement was read to HATTIE LATTIMER as she states she is unable to read or write. She said the statement is true.

Witnessed by: "MAURICE L. FOSHEE, Special Agent FBI,
Atlanta, Georgia - 6/17/58

"HENRY L. BURGETT, Special Agent, FBI,
Atlanta, Ga. 6/17/58."

AT 44-876

On June 17, 1958 ANNIE DORIS MINTER was interviewed by SA MAURICE L. FOSHEE and SA HENRY L. BURGETT and furnished the following signed statement:

"Dawson, Ga.

"June 17, 1958

"I, ANNIE DORIS MINTER, make the following free and voluntary statement to MAURICE L. FOSHEE and HENRY L. BURGETT who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement I do make may be used in a court of law. No threats or promises of reward have been made to me to cause me to make this statement.

"I am twenty four years of age, my birth day is July 16, 1933, Randolph County, Ga. I reside at 212 N. Ash St., Dawson, Ga.

"About 5:00 PM the third Sunday in April, 1958 I was sitting on the porch when the Dawson, Ga. Police car passed my house. I saw the car with two policemen in uniform stop near JAMES BRAZIER's home. I saw the two officers get out of the police car, the driver got out first and went into the yard, the other one got out and followed, both went out of my sight.

"I saw the officers return toward the car with JAMES BRAZIER. The smaller officer was holding him by the hands, it looked as though his arms were crossed. The fat officer was beating BRAZIER over the head with what looked to be a black jack. He was beating BRAZIER when they first came into sight in BRAZIER's yard moving toward the car. He continued hitting BRAZIER until they got to the car.

"I could hear BRAZIER ask them "what are you beating me for I haven't did nothing"? He repeated this over and over.

"When they reached the car the fat man walked around the car, got something from the front part or front seat of the car, he returned to where BRAZIER was, he caught hold of him and it looked like he was hand cuffing him. I didn't see any more licks passed. The little officer opened the back door of the police car

AT 44-876

and the fat one pushed BRAZIER into the car. The little officer picked up BRAZIER's foot and put it in the car then closed the door.

"I could see BRAZIER in the back seat. The two officers got in the front seat of the police car and drove away.

"I did not hear the officers say anything to BRAZIER. I did hear BRAZIER's wife screaming. I also heard BRAZIER's little boy say "Daddy get in the car".

"I wish to say that at no time did I see BRAZIER hit or strike at the officers or try to get away from them.

"I have read the up above statement of this page and to other pages I have initialed each page and each correction, it is true and correct in every way, ANNIE DORIS MINTER.

"Witnessed: HENRY L. BURGETT, Special Agent, FBI, Atlanta, Ga. 6/17/58

MAURICE L. FOSHEE, Special Agentt
FBI, Atlanta, Ga. 6/17/58."

AT 44-876

On June 17, 1958 ADELL TURNER was interviewed by SA MAURICE L. FOSHEE and SA HENRY L. BURGETT and furnished the following signed statement:

"Dawson, Ga.

"June 17, 1958

"I, ADELL TURNER, make the following free and voluntary statement to MAURICE L. FOSHEE and HENRY L. BURGETT who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement that I do make may be used in a court of law. No threats or promises of reward have been made to me to cause me to make this statement.

"I live at 121 N. Ash St., Dawson, Ga. I am 58 years old. My birthdate is Nov. 30, 1899, Ivla, Fla.

"On Sunday afternoon, the third Sunday in April, 1958, I was sitting on my front porch at which time I saw the Dawson, Ga. police car stop almost in front of JAMES BRAZIER's home. I saw two officers get out of the car, both were in uniform. I saw the officers go to BRAZIER's house. I could not see what they were doing there since they were out of my sight. After a short time I saw the two officers with BRAZIER. Each officer was holding one of his arms. They walked across the yard from the house to near the car at which time I saw one of the officers hit BRAZIER with something he was holding in his hand. I could not say which of the officers hit him.

"I did not see BRAZIER hit or try to hit either of the officers. I did not see BRAZIER make any effort to get away from the officers.

"I saw the officer hit him several times. I could not say how many times.

"When they reached the car they pushed him on into the car.

"I did not hear the officers say anything while at BRAZIER's house.

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"I heard BRAZIER say "I hadn't did nothing". He said this several times. I could hear his family saying to him "go on BUBBA get in the car", While the officer was beating him.

"After he got in the car, I saw the two officers in the front seat of the police car and BRAZIER in the back seat of the car. They passed my house, as they passed I did not see either officer strike BRAZIER while he was in the car.

"This statement of this and to other pages was read to me it is true in every way.

"ADELL TURNER

Witnessed: "HENRY L. BURGETT, Special Agent, FBI,
Atlanta, Ga. 6/17/58

"MAURICE L. FOSHEE, Special Agent, FBI,
Atlanta, Ga., 6/17/58."

AT 44-876

On June 17, 1958 JOHNNIE WILL ROBERTS was interviewed by SA MAURICE L. FOSHEE and SA HENRY L. BURGETT and furnished the following signed statement:

"Dawson, Georgia "June 17, 1958

"I, JOHNNIE WILL ROBERTS, make the following free and voluntary statement to HENRY L. BURGETT and MAURICE L. FOSHEE who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised I do not have to make a statement. I have been told that any statement I make may be used in a court of law. No threats or promises have been made me to get me to make this statement.

"I, JOHNNIE WILL ROBERTS, live at 805 North Ash Street, Dawson, Georgia. I am thirty five years of age.

"On the third or fourth Sunday of April, 1958 at about 5:30 PM while I was at my home, I heard some people screaming and yelling down on north Ash street about a block from my house. I walked from my house out into the street. From the street I saw a Dawson, Georgia police car parked on north Ash Street in front of JAMES BRAZIER's house. JAMES BRAZIER's house is about a block from where I live.

"I saw Dawson, Georgia City policemen Mr. CHERRY and Mr. RANDOLPH in JAMES BRAZIER's yard near their car. Both officers were holding JAMES BRAZIER and I saw officer CHERRY swing his hand two times as if he was hitting JAMES BRAZIER. I could not tell if officer CHERRY was hitting BRAZIER.

"The officers then took BRAZIER behind their car and out of my view for a short time. They then brought BRAZIER to the right side of their car and it looked as if the officers shoved him into the back seat of their car.

"I did not see JAMES BRAZIER strike or attempt to strike the police officers nor did he appear to be trying to get away from them.

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"The screaming and yelling was being done by JAMES BRAZIER's family.

"After the police officers put BRAZIER in their car they got into the car and drove off toward town.

"I did not hear JAMES BRAZIER or the police officers talking.

"The above statement has been read to me since I can not read. It is true and correct.

"JOHNNIE WILL ROBERTS

Witnessed: by: "MAURICE L. FOSHEE, Special Agent, FBI,
Atlanta, Ga., 6/17/58.

"HENRY L. BURGESS, Special Agent, FBI,
Atlanta, Ga., 6/17/58.

AT 44-876

On June 18, 1958 MARVIN GOSHAY, was interviewed by SA HENRY L. BURGETT and SA MAURICE L. FOSHEE and furnished the following signed statement.

"Rt. 3, Box 84
Dawson, Ga.

"June 18, 1958

"I, MARVIN GOSHAY, make the following free and voluntary statement to MAURICE L. FOSHEE and HENRY L. BURGETT who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement that I do make may be used in a court of law. No threats or promises of reward have been made to me to cause me to make this statement.

"I am 21 years old. My birth date is Nov. 5, 1936 Terrell County, Ga.

"About 5:00 PM the third Saturday of April, 1958 I was arrested by the Dawson, Ga. Police, Dawson, Ga. for disorderly conduct. I was locked in the Terrell County Jail that afternoon. I was in jail until after court the following Monday morning.

"About 6:30 PM Sunday afternoon while I was in jail I saw Mr. CHERRY and Mr. RANDOLPH bring JAMES BRAZIER into the jail. BRAZIER was handcuffed when he came to the jail. They put BRAZIER in the same cell block where I was locked up.

"BRAZIER walked into the jail without any help. He was talking and told me that they, Mr. CHERRY and Mr. RANDOLPH, had beat him at his home because Mr. RANDOLPH hit his daddy and he told Mr. RANDOLPH not to hit his daddy any more that he would put him in the car and he could carry him to jail.

"JAMES BRAZIER was bloody when he came into the cell block. He had four holes in his head when he came into the cell block.

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"About 9:30 PM Mr. RANDOLPH came to the cell block and called JAMES BRAZIER. He said come on and go over there in the office. BRAZIER left the cell block walking without any help.

"BRAZIER asked Mr. RANDOLPH where he was going. Mr. RANDOLPH said he was carrying him over to the office where the doctor was to bandage up his head.

"BRAZIER was gone for about thirty minutes. When he came back he had 4 band aids on his head. He walked to the cell block without any help. Mr. RANDOLPH brought him to the cell and locked him in.

"BRAZIER was on a bunk in the jail, he said his head hurt. He walked around a little bit time to time.

"About 10:30 PM Sunday night I saw Mr. CHERRY and Mr. RANDOLPH come to the cell block door. They opened the door and walked to the cell #1 where BRAZIER was. I heard Mr. CHERRY tell BRAZIER to come on and go with them. BRAZIER said wait until I get my shoes and coat. Mr. CHERRY told him that he wouldn't need them.

"Mr. CHERRY walked in front, BRAZIER followed him with Mr. RANDOLPH behind BRAZIER. No one helped BRAZIER, he walked by himself. They left the cell block area. I could see BRAZIER, Mr. CHERRY and Mr. RANDOLPH until they were by the office. From that time on until Monday morning about 9:00 AM I did not see BRAZIER.

"Monday morning about 9:00 AM I saw BRAZIER in the hall which goes from the men's jail to the women's jail. He was leaning against the wall. Mr. CHAPMAN was with BRAZIER.

"Mr. CHAPMAN told me to catch hold of his arm and walk him to the car. I took hold of one arm, his daddy took the other arm and we helped him walk to the car. His head hung downward, he didn't talk. He didn't appear to hear his daddy when he asked what was the matter with him and where had he been.

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"When BRAZIER left the jail about 10:30 PM Sunday he was wearing a shirt. When I saw him Monday morning he did not have on a shirt. I noticed that his underwear shirt was torn in several places. I noticed whelps all across his back, sides and stomach. I saw some blood on his back.

"About 11:00 PM Sunday night GENE, a trustee at the Terrell County Jail came back to the cell where I was locked in. GENE said that Mr. CHERRY and Mr. RANDOLPH had taken BRAZIER to the hospital.

"Monday morning about 8:00 AM GENE was in the cell block area where he told me that they, Mr. CHERRY and Mr. RANDOLPH brought BRAZIER back about 6:00 AM that morning. GENE said he was getting along fine. GENE said BRAZIER walked into the jail when BRAZIER's daddy ask about him.

"I have read the auobe statement of this and four other pages I have initialed each page and each corection is true and correct.

"MARVIN JOSHAY

Witnessed: "HENRY L. BURGETT, Special Agent, FBI,
Atlanta, Ga. 6/18/58.
"MAURICE L. FOSHEE, Special Agent, FBI,
Atlanta, Ga. 6/18/58."

AT 44-876

On June 17, 1958 JOHNNIE WILL ROBERTS was interviewed by SA MAURICE L. FOSHEE and SA HENRY L. BURGETT and furnished the following signed statement:

"Dawson, Ga.

"June 17, 1958

"I, JOHNNIE WILL ROBERTS, make the following free and voluntary statement to MAURICE L. FOSHEE and HENRY L. BURGETT who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement that I do make may be used in a court of law. No threats or promises of reward have been made to me to cause me to make this statement.

"I live at 805 N. Ash St., Dawson, Ga. I am 35 years of age. My birth date is Oct. 22, 1922 Terrell County, Ga.

"On Sunday, the third or fourth Sunday, April, 1958 about 5:00 PM JAMES BRAZIER stopped at my house and asked me to go with him to take his sister's children home. I went with him to his sister's home.

"We were returning home from BRAZIER's sister's house. We pulled out into Main St. JAMES BRAZIER said "That is daddy's car. I wonder what is wrong."

"JAMES BRAZIER drove on up to where his daddy's car was parked. He stopped his car on the opposite side of Main St. where his daddy was parked. JAMES BRAZIER got out of his car and walked over to the police car which was parked behind his daddy's car.

"I saw JAMES BRAZIER's daddy who was in the back seat of the police car. I saw Mr. RANDOLPH, a Dawson, Ga. policeman, and another white man whose name I do not know, this man was not a policeman.

"I heard JAMES BRAZIER ask "what is wrong daddy?"

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"Then Mr. RANDOLPH told JAMES to get on away from the car.

"JAMES said to Mr. RANDOLPH "I thought I could ask my daddy what was wrong with him".

"Mr. RANDOLPH said "I don't care whose daddy it was, go on and get away from the car".

"JAMES then told his daddy to get his hand in the car.

"At that time Mr. RANDOLPH closed the door, got in the car, turned around and drove toward town.

"JAMES told me to drive his car. He drove his daddy's car home and I drove JAMES' car to his home also.

"I did not see Mr. RANDOLPH hit JAMES BRAZIER's daddy, however, I did notice his left eye was swollen.

"The above statement has been read to me since I cannot read. It is true and correct in every way.

"JOHNNIE WILL ROBERTS

"Witnessed: "HENRY L. BURGETT, Special Agent, FBI, Atlanta, Ga. 6/17/58.

"MAURICE L. FOSHEE, Special Agent, FBI, Atlanta, Ga. 6/17/58."

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (44-876)

DATE: 4/23/58

FROM : SAs MAURICE L. FOSHEE
and HENRY L. BURGETT

Dictated 4/20/58

SUBJECT: RANDOLPH ENNIS McDONALD, Aka Randall,
WEYMAN BURCHLE CHERRY, Aka Hancock;
ODELL BRAZIER, JAMES CALVIN BRAZIER -
VICTIMS
CR
OO: AT

On June 17, JACOB MINTER furnished the following information; however, he declined to sign the statement for fear of his personal safety:

"Dawson, Ga.,

June 17, 1958

"I, JACOB MINTER, make the following free and voluntary statement to MAURICE L. FOSHEE and HENRY L. BURGETT who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I do not have to make any statement and that any statement that I do make may be used in a Court of law. No threats or promises of reward have been made to me to cause me to make this statement.

"I live at 603 N. Ash St., Dawson, Ga., I am 29 years old.

"On Sunday afternoon, the third Sunday in April, 1958, about 5:00 or 6:00 pm I was sitting on my front porch when a Dawson, Ga., police car pulled up and stopped in front of JAMES BRAZIER's home. BRAZIER lives next door to me.

"I saw two police officers in the car, both were in uniform. I recognized the officers as Mr. CHERRY and Mr. RANDOLPH.

"The officers got out of the police car

HLB/sg

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and walked down the drive way of BRAZIER's yard which is between our homes.

"I left my front porch and walked into the house so that I could see where the officers were going. I could see the officers from my windows. I was looking out of my bedroom window.

"I saw the two officers with JAMES BRAZIER going out the drive way almost out to the police car. BRAZIER was walking with his hands above his head. Neither of the officers had hold of BRAZIER at that time.

"I left the bedroom window and went back out on my front porch. When I got to the front porch I saw Mr. CHERRY beating BRAZIER over the head with his black-jack. Mr. RANDOLPH was holding BRAZIER by the belt and one arm. They were about the back fender of the police car at that time. I would say Mr. CHERRY hit BRAZIER about five or six times.

"I saw Mr. CHERRY kick BRAZIER with his knee in the lower part of his stomach or groin. When he kicked him BRAZIER bent forward at which time Mr. CHERRY hit him on the back of his head with his blackjack. The blow staggered BRAZIER. Mr. RANDOLPH was still holding on to BRAZIER.

"About that time Mr. CHERRY pulled his gun, held it in both hands for about a second then put the gun back in his holster.

"After Mr. CHERRY hit and kicked BRAZIER, he, Mr. CHERRY handcuffed BRAZIER. Then they led him to the right rear door of the police car. Mr. CHERRY kicked BRAZIER with his knee. BRAZIER stumbled and then drug his feet on into the car. Then the officers closed the door. Both officers got into the front seat of the police car. They drove away and I didn't see them any more that day.

"At no time did I see BRAZIER hit, try to hit

AT 44-876

or get away from the officers.

"I could not hear what the officers or BRAZIER were saying due to the noise, crying and yelling by BRAZIER's wife and children.

"The above statement was read by JACOB MINTER and was read to him. He stated the statement was true and correct. However, he said he would not sign it for fear of his personal safety.

"Witnessed by: MAURICE L. FOSHEE, Special Agent FBI,
Atlanta, Georgia, 6/17/58.
HENRY L. BURGETT, Special Agent, FBI,
Atlanta, Ga., 6/17/58"

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

NETTIE CATE, 414 North Ash Street, Dawson, Georgia, advised that at about 5:00 PM the third Sunday, April, 1958, she heard someone hollering and crying in the next block. She stated that she went to the street to see what was taking place. She stated that she saw two uniformed policemen near the home of JAMES BRAZIER, victim. She stated that she recognized the two officers to be "Mr. CHERRY and Mr. RANDOLPH". She stated that she saw the two officers walking with BRAZIER, holding him by his arm as they approached the police car which was parked in the street near BRAZIER's home. She stated that as they neared the car, she saw Mr. CHERRY hit BRAZIER several licks over the head. She stated that he had something in his hand, however, she added that she thought it was a blackjack or gun.

NETTIE CATE further stated that she did not see Mr. RANDOLPH strike BRAZIER, however, he had hold of BRAZIER while Mr. CHERRY was hitting him. She stated that she did not hear the officers or BRAZIER make any statement. FOIA(b)6
FOIA(b)7 - (C)

NETTIE CATE stated that the following morning, April 21, 1958, while at work at the Terrell County Jail where she is employed as cook, she stated that she saw two men carrying BRAZIER from the jail, holding him up by his arms. She stated that BRAZIER's head was drooped and that he was slobbering at the mouth. She further stated that BRAZIER was placed in the car and left the jail, and that she did not see him anymore.

NATTIE CATE further stated that a colored female prisoner, believed to be [redacted] Terrell County Jail, Dawson, Georgia in jail on [redacted] charge awaiting an appeal to the State Supreme Court, advised her Monday that she was awake during the night of April 20, 1958 and noticed two police officers in uniform go to the cell block where the men are confined and took victim BRAZIER from the cell block and left the jail. As best she could fix this time, it was about midnight.

Interview with NETTIE CATE File # AT 44-876
on 6/17/58 at Dawson, Georgia
by Special Agent HENRY L. BURGESS and MAURICE L. FOSHEE /lca
DICTATED: 6/20/58

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AT 44-876

FOIA(b)6
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NETTIE CATE stated that [REDACTED] further advised that Monday morning about 3:00 AM April 21, 1958 she saw three uniformed policemen bring BRAZIER into the women's cell block of the jail. She advised that he was wrapped in a blanket and they were "toting" him. She stated that they placed BRAZIER in the cell next to hers. She further stated that one officer remained in the cell with BRAZIER for the rest of the night and from time to time tried to revive or awaken the victim. She stated that inasmuch as she is employed by Sheriff Z. T. MATHEWS as cook at the Terrell County, Georgia Jail, she would decline to furnish a signed statement for fear of losing her position or suffering bodily harm.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

On June 17, 1958 JAMES LEO LEWIS, 327 North Ash Street, advised that he was at home April 20, 1958, however, he stated that he was sleeping and did not see the officers arrive at BRAZIER's home. Further, that he did not see the officers arrest BRAZIER. He stated that he was awakened by children hollering and noticed the police car passing his home with two uniformed officers in the front seat and JAMES BRAZIER in the back seat. He stated that he could furnish no further information concerning the incident and declined to furnish a signed statement.

Interview with JAMES LEO LEWIS File # AT 44-876
on 6/17/58 at Dawson, Georgia DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /lca

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

Mr. RAGAN ARNOLD, Chevrolet Dealer, Dawson, Georgia, advised that he was in Columbus, Georgia April 20, 1958, at the time BRAZIER was arrested. He stated that he could not furnish any details concerning the incident. He stated that BRAZIER was employed by that company and was a steady worker. He stated that he had no trouble personally with BRAZIER, however, he stated that BRAZIER had missed some time from work due to drinking.

Mr. ARNOLD further stated that on one occasion BRAZIER had "a little trouble with a customer concerning mounting a tire on the customer's automobile". Mr. ARNOLD declined to elaborate concerning that incident and would not give the name of the customer involved. He stated that he contacted the customer and made amends for BRAZIER's behavior. He was reluctant to discuss the matter further and declined to furnish a statement.

Interview with Mr. RAGAN ARNOLD File # AT 44-876
on 6/18/58 at Dawson, Georgia DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /lca

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

Miss RENA TROTMAN, Stevens Industries, Dawson, Georgia, advised that she could furnish no information concerning the arrest of JAMES BRAZIER on April 20, 1958.

She stated that she was acquainted with BRAZIER since he was employed at the Chevrolet Motor Company where she occasionally purchased gas and has her car serviced. She also stated that BRAZIER, his wife and her mother are employed to clean up the office at Stevens Industries. She stated at no time has she engaged in conversation with BRAZIER and added that she could furnish no information concerning any trouble that might have lead to this incident. She stated that she could furnish no information concerning BRAZIER's reputation, however, she stated that she had heard nothing against him. Miss TROTMAN stated that in view of her not having any information concerning this incident, she declined furnishing any signed statement.

Interview with Miss RENA TROTMAN File # AT 44-876
on 6/17/58 at Dawson, Georgia DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /lca

-29-

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

EUGENE MAGWOOD, prisoner, serving life sentence at the Terrell County Jail, presently trustee, advised that he was sleeping at the time BRAZIER was brought to the jail Sunday afternoon April 20, 1958. He stated that he did not see nor hear that BRAZIER was in jail until the next morning at which time he, MAGWOOD, observed BRAZIER in a cell on the bunk located in the women's section of the jail. He stated that he did not talk with BRAZIER at any time. He stated that he noticed BRAZIER's shirt on the floor by the bunk. He stated that the shirt was wet with urine. He stated that he took the shirt, washed it and had it returned by the cook to BRAZIER's wife. He further stated at no time did he notice any blood stains on the shirt.

MAGWOOD advised that about 8:00 or 9:00 AM Monday morning, Mr. CHAPMAN, a Dawson, Georgia police officer, came to the cell block and called JAMES BRAZIER. He stated that BRAZIER got up, walked to the gate of the jail yard and got in the car unassisted.

MAGWOOD stated that there were only three people including himself in the cell block with BRAZIER that night. He stated that one was WALTON, the other a female prisoner. MAGWOOD stated at no time had he made the statement that he saw officers come to the jail and take BRAZIER from the jail to the hospital. He stated that at no time did he make the statement that BRAZIER was returned to the jail about 3:00 AM Monday April 21, 1958.

MAGWOOD declined to furnish a signed statement inasmuch as he had no information concerning the incident.

Interview with EUGENE MAGWOOD File # AT 44-876
on 6/19/58 at Terrell County, Georgia Jail DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /lcs

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

FOIA(b)6
FOIA(b)7 - (C)

Jail on [redacted] prisoner, Terrell County Court, advised that she was in jail April 20, 1958, however, she stated she did not see JAMES BRAZIER enter the jail nor did she see BRAZIER enter the cell block where she was locked up. She stated that the first time she saw BRAZIER, he was leaving the jail to go to council. She stated that police officer, that she believed to be Mr. LEE, took BRAZIER from the jail to council. She stated that when she saw BRAZIER, he was walking unassisted. She further stated that at the time she saw him leave the cell block, he was wearing a shirt, trousers and shoes.

[redacted] stated that at no time had she advised anyone that she saw police officers "toting" BRAZIER into the cell block and placing him into the cell next to her. [redacted] declined to furnish any signed statement since she stated that she had no pertinent information concerning BRAZIER.

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Interview with MARY CAROLYN CLYDE File # AT 44-876
on 6/19/58 at Terrell County, Georgia Jail DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /lca

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

EULUS LASTER, 417 North Ash Street, Dawson, advised that he was at his home the afternoon of April 20, 1958 when he heard someone hollering down the street from his home. He stated that he went to the street where he could see what was going on. He stated that he could see officers in uniform with BRAZIER. He stated that he could not identify the officers. He further stated that he saw an officer waving his hand as though he were hitting BRAZIER, however, he stated that he could not say definitely that he was striking BRAZIER. He stated that he heard a woman, believed to be Mrs. BRAZIER, tell BRAZIER to get in the car. He stated that he could furnish no further information concerning the incident and declined to furnish a signed statement since he felt that the information he had was not important.

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Interview with EULUS LASTER File # AT 44-876
on 6/18/58 at Dawson, Georgia DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /1ca

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

June 23, 1958

B. W. COOPER, Cooper Funeral Home, advised that he handled funeral arrangements for victim JAMES BRAZIER. He stated that the body was released to him by Coroner DAVIS, Columbus, Georgia. He stated that he took the body from the Medical Center, Columbus, Georgia to the Funeral Home, Dawson, Georgia where he prepared the body for burial. He stated that he noticed abrasions on the victim's head and noticed that something had caused the fluid to flow slowly into the arm. He stated that the arteries seemed tight which indicated that pressure had been applied to the arm.

4/25/58
6/17/58
COOPER made available records reflecting the place of death of BRAZIER as the Medical Center, Columbus, Georgia April 25, 1958. ~~COOPER~~ stated that he did not wish to furnish a signed statement since he had no information concerning BRAZIER's arrest.

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Interview with B. W. COOPER File # AT 44-876
on 6/17/58 at Dawson, Georgia DICTATED: 6/20/58
by Special Agent HENRY L. BURGETT and MAURICE L. FOSHEE /lca

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AT 44-876

On June 17, 1958 FLOSSIE GARDNER MAYE, 305 North Ash Street, advised that she was not at home the afternoon of April 20, 1958 when the police officers arrested JAMES BRAZIER, therefore, she could furnish no information concerning this incident.

On June 17, 1958 HATTIE FORD, 118-14th Avenue, advised that she was not at home during the afternoon or evening of April 20, 1958, therefore, she could furnish no information concerning this incident.

On June 17, 1958 STRAW LEE WATSON, Flint Street, advised that she was at her home during the afternoon of April 20, 1958 and further stated that she did not see the police officers at BRAZIER's home, therefore, she could furnish no information concerning his arrest.

On June 17, 1958 JAMIE LEE CARTER, 212 North Ash Street, advised that she was away from her home visiting Sunday afternoon April 20, 1958, therefore, she could furnish no information concerning this incident.

On June 17, 1958 SALLY MAE SMITH, 408 North Ash Street, advised that she was visiting her mother and sister who reside on a farm out of Dawson, Georgia, therefore, she stated she could furnish no information concerning this incident.

On June 18, 1958 HORACE JORDAN, Center Street, advised that on April 20, 1958 he was still in Military Service, therefore, he could furnish no information concerning BRAZIER's arrest.

On June 19, 1958 L. F. FORTUNE, Stonewall Avenue, advised that he was arrested by officers of the Dawson Police Department about 3:00 AM April 20, 1958. He stated that he was released about 9:30 or 10:00 AM the same date. He stated that since he was not in jail at the time BRAZIER was brought to the jail, he could furnish no information concerning BRAZIER.

AT 44-876

Mr. FORTUNE further stated that VERNICE BASS was also arrested at the same time and was released at the same time. He stated that contrary to the records BASS is a white male and resides in Alabama.

On June 19, 1958 WALTON BANKS, JR., prisoner awaiting sentence, Terrell County Jail, advised that he was in jail the night of April 20, 1958, however, he stated that he went to bed early, therefore, he did not see BRAZIER when he was brought into the jail. He further stated that he did not see BRAZIER in jail nor did he see BRAZIER leave the jail. BANKS stated that there were only three prisoners in the cell block area where he sleeps. He stated that he, GENE and a female prisoner were the only ones in that cell block.

On June 19, 1958 F. B. CARTER, 9th Street, advised that he recalled that on April 20, 1958 WARREN TELFAIR, who resides in the same house with him, was arrested by the Dawson, Georgia Police Department and was released same date of his arrest. He said TELFAIR came home before sundown.

On June 19, 1958 Mrs. EUGENE TELFAIR, 7th Street, sister-in-law of WARREN TELFAIR, stated that she recalled WARREN being arrested April 20, 1958 by the Dawson, Georgia Police. She further stated that he was released during the afternoon same date.

On June 19, 1958 WILLIE G. FULTON, prisoner, Terrell County Jail, advised that he could furnish no information concerning BRAZIER's arrest or his being placed in the county jail. FULTON stated that he was not at the jail April 20, 1958. He stated that he was permitted to leave the jail about 5:30 or 6:00 PM, April 19, 1958 to visit a girl friend of his and further he did not return to the jail until about 11:00 AM April 21, 1958.

AT 44-876

The following is the coroner's report
as furnished by Dr. C. F. DAVIS, Muscogee County,
Columbus, Georgia June 19, 1958:

THE JOURNAL OF THE
AMERICAN MEDICAL ASSOCIATION
PUBLISHED WEEKLY
CHICAGO, ILL. 60611
APRIL 20, 1958

Dr. C. F. Davis, Coroner
P. O. Box 4005 Bealwood Station
Columbus, Ga.

Dear Doctor Davis:

Enclosed are the initial gross impressions
gained from necropsy on James Brantley.

We will forward a complete autopsy protocol
of the gross and microscopic diagnoses when these
have been completed.

Please feel free to call upon us if we may
be of further assistance to you.

Very truly yours,


J. W. Winters, M. D.
Associate Pathologist

encl.

THE MEDICAL CENTER
COLUMBUS, GEORGIA

NAME: Franklin, James AUTOPSY NO.: C-19-58
 AGE: 31 DATE: 4-26-58 TIME: _____
 SEX: Male ADMITTED: 4-21-58 1:00 P.M.
 RACE: Colored EXPIRED: 4-25-58 - 10:22 P.M.
 REQUESTED BY: Coroner C. F. Davis HOSPITAL NO.: 83718-A
 OR
 ATTENDING PHYSICIAN: Dr. Louis Hazouri, Dr. John Durden
 PROSECUTED BY: Dr. Joe M. Webber

INITIAL GROSS AUTOPSY FINDINGS:

1. Post Surgical craniectomy for evacuation of subdural hematoma
2. Skull fracture, basilar extending through left parietal bone to vertex of skull.
3. Extensive epicranial hemorrhage
4. Bilateral cerebral contusion with massive intracerebral hemorrhage and necrosis
5. Extensive sub and epidural hemorrhage
6. Multiple contusions of scalp

CAUSE OF DEATH:

Cerebral necrosis and hemorrhage secondary to severe contra-coup trauma.

Joe M. Webber
 (Prosecutor)

M.D.

NAME: **Wester, James**AGE: **11**SEX: **Male**RACE: **Colored**REQUISITE BY: **Commander G. F. Davis**PATHOLOGIST BY: **Joe M. Webster, M. D.**DATE: **4-24-58**ADMITTED: **4-21-58 1:00 P.M.**EXPIRED: **4-25-58 - 10:22 P.M.**HOSPITAL NO.: **03718-A**ADDRESS: **Dawson, Georgia****MICROSCOPIC FINDINGS AND FINAL DIAGNOSIS:**

1. Post surgical craniectomy for evacuation of subdural hematoma.
2. Skull fracture, basilar extending through left parietal bone to vertex of skull.
3. Extensive epidural hemorrhage.
4. Bilateral cerebral contusion with massive intracerebral hemorrhage and necrosis.
5. Extensive sub and epidural hemorrhage
6. Multiple contusions of scalp
7. Early lobar pneumonia, right lower lobe

CAUSE OF DEATH:

Cerebral necrosis and hemorrhage secondary to severe contra-coup trauma.

Joe M. Webster
 Joe M. Webster, M. D.
 Associate Pathologist
 The Medical Center

4-17-58

The subject was admitted to The Medical Center on April 21, 1958 with the admission complaint and diagnosis of Fractured Skull. The patient was unconscious at the time of the admission and a history of multiple blows to the head approximately 24 hours prior to admission was obtained. Bilateral craniectomy was performed immediately following his admission for evacuation of subdural hematoma. The patient, however, did not do well in the days subsequent to his admission and emergency surgery and expired on April 25, 1958 at 10:22 P.M.

EXTERNAL EXAMINATION

This is the body of a rather thin, young colored male measuring 5'3" tall, weighing approximately 135 to 140 lbs. The skin is slightly dry, shows good elasticity. There are two incisions on the scalp, each lies slightly anterior to the ear on it's respective side and approximately 4.0 cm. lateral to the midline. The incisions run in the anterior posterior direction and measure 5.0 cm. long. They are closed by black suture material.

Scalp: Has been shaven of all hair, there are multiple contusions and abrasions over the entire surface of the scalp in the hair bearing portions. These contusions range from 1.0 to 3.0 cm. in diameter, there is no lacerations of the scalp visible other than the surgical incisions described above.

Eyes: Fixed in midposition, the pupils are slightly dilated, but are equal bilaterally.

Mouth and Ears: Normal

Neck Nodes: Non palpable

Chest: Symmetrical

Abdomen: Soft and scaphoid

Hernias: None

External Genitalia: Normal adult male

INTERNAL EXAMINATION

HEAD:

Skull: Examination of the skull reveals a fracture extending from the left lateral margin of the brain magnum laterally through the parietal temporal bones extending to the vertex on the left side. The entire length of the fracture is approximately 21.0 to 23.0 cm.

Sinuses: Middle Ears; Mastoids: Grossly within normal limits.

The scalp strips with some difficulty revealing extensive epieranial hemorrhage and organized hematomata which correspond to the feel of contusion described on the external surface of the scalp. The skull also displays two large craniectomy openings each measuring 3.0 cm. in diameter immediately beneath the surgical incisions described under incisions.

Brain: Examination reveals extensive subdural and epidural hemorrhage with marked encephalomalacia of the right temporal and left parietal lobes. On section the contused brain has become necrotic. There is extensive hemorrhage formation and with sloughing of these portions of the brain. There is no evidence of neoplasm or suppuration in any portion of the cranial contents.

Pituitary & Pineal: Grossly normal.

C-19-58

THROAT AND NECK: Viscera of the throat and neck are grossly normal.

THORAX:

Ribs and Sternum: Reflect with ease revealing no evidence of tumor or infection.

Right and Left Pleurae: Right and left pleural spaces contain no abnormal gas or fluid.

Right Lung: Displays a small nodule in the periphery of the lower lobe. This nodule measures 2.5 to 3.0 cm. in diameter, is firm and presents a gray-yellow cut surface. The remainder of the lung is red-gray, shows considerable congestion and mild edema.

Left Lung: On section and gross examination is similar to the right. Each of the lungs weighs 400 grams.

Pulmonary Circulation: Grossly normal. There is no evidence of thrombus or embolus in the pulmonary circulation.

Thymus: No gross remnants present.

Pericardium: Smooth and glistening. The sac contains 40 cc of clear amber fluid.

Heart: Weighs 375 grams. The epicardial surface is grossly normal.

The following measurements are obtained. A.V. Wall 4.0 mm.; I.V. Wall 5.0 mm.; L.V. Wall 14.0 mm.; A.V. 6.0 cm.; M.V. 8.0 cm.; P.V. 7.0 cm.; T.V. 9.0 cm.

Epicardium; Myocardium; Endocardium; Ventricles; Valves; Auricles: Grossly normal.

Right & Left Coronary Arteries: Show early minimal atherosclerosis with suggestion of compromise of the coronary circulation.

Aorta: Normal throughout

Diaphragm: Arches to the fifth intercostal interspace bilaterally.

ABDOMEN:

Peritoneum: Smooth and shiny.

Liver: Weighs 2000 grams, the capsule is purple-gray and the margins of the organ are sharp. On section there is considerable parenchymal congestion.

Gallbladder and Ducts: Grossly normal.

Spleen: Weighs 150 grams, the capsule is purple-gray and somewhat wrinkled. On section the pulp is firm and deep red.

Pancreas: Normal size and shape.

Right & Left Adrenal Glands: Grossly normal.

Right and Left Kidneys: Each weigh 175 grams. The capsules strip with ease revealing a smooth cortical surface. On section the normal cortex and medulla is observed, the calices and pelvis of each kidney are grossly normal.

Ureters: Normal diameter and run normally to the urinary bladder.

Male Pelvis: Normal to inspection and Palpation

GASTRO-INTESTINAL TRACT: Normal throughout

INTERNAL LYMPH NODES: None enlarged

SUBCUTANEOUS TISSUE: Adequate

BONES AND JOINTS: Normal

BACTERIOLOGIC - CHEMICAL EXAMINATION: Samples of blood are forwarded to the crime laboratory in Atlanta, Georgia for blood alcohol determination.



STATE OF GEORGIA
DEPARTMENT OF PUBLIC SAFETY
CRIME LABORATORY
OFFICIAL REPORT

17834

CASE NUMBER

DATE May 21, 1958

19

NAME	CITY	COUNTY	STATE
VICTIM: James Brasier			
SUSPECT:			
OFFICERS: Coroner C. F. Davis Dr. Joe M. Webber	Columbus	Muscogee	Georgia

On April 29, 1958, we received in the Laboratory through the U. S. Mail a specimen of blood in test tube, red rubber stopper sealed with paraffin, packed in cardboard box sealed with brown paper tape. Note regarding case.

Services requested: Test for blood alcohol.

Results: Negative for ethyl alcohol, methyl alcohol and formaldehyde.

Respectfully submitted,

Harry B. Howard
Harry B. Howard, Ph. D.
Assistant Director
Crime Laboratory

H. E. Pyles
H. E. Pyles, B. S.
Toxicologist

H/P/3

AT 44-876

Dr. DAVIS also made available photographs of the victim which were made after the autopsy had been performed. Copies of these photographs are being furnished the Bureau.

On June 20, 1958 the facts of this case were discussed with Assistant U. S. Attorney JOSEPH H. DAVIS, Middle District of Georgia, Macon, Georgia, at which time Mr. DAVIS stated that sufficient investigation had been conducted and that the Department of Justice will be contacted for further advise in this matter.

- C -

- 43 -

SAC, Atlanta (44-876)

6-24-58

Director, FBI (44-13064)

pk
**RANDOLPH ENNIS McDONALD,
 WEYMAN BURCHLUM CHERRY;
 ODELL BRAZIER, ET AL. - VICTIMS
 CIVIL RIGHTS**

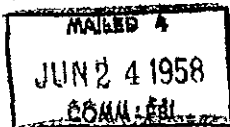
ReBuairtel 6-13-58.

Advise date report submitted and name of
 reporting Agent. If report not yet submitted furnish
 reasons for delay.

YMW:pms
 (4)

EX-102

Tolson _____
 Nichols _____
 Boardman _____
 Belmont _____
 Mohr _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 Nease _____
 Tele. Room _____
 Holloman _____
 Gandy _____



REC-95

44-13064-15

12 JUN 25 1958

57 JUN 27 1958
 MAIL ROOM ☒ *HP/chw*

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876 FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637 FOLDER: 0001 TAB: 6 DOC ID: 31206343

COPIES: 1 PAGES: 35

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 07/29/1958 DOCUMENT TYPE: Report

FROM: Haynes

TO:

SUBJECT: (44-13064-19)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 1

DOC ID: 31206338

COPIES: 1 PAGES: 4

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The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 07/29/1958 DOCUMENT TYPE: Teletype

FROM: SAC, Atlanta

TO: Director

SUBJECT: (44-13064-27)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 29 1958

TELETYPE

Mr. Tolson	
Mr. Belmont	
Mr. Mohr	
Mr. DeLoach	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Trotter	
Mr. W.C. Sullivan	
Tele. Room	
Mr. Holloman	
Miss Gandy	

URGENT 7-29-58 6-54 PM EST JHT

TO DIRECTOR, FBI

FROM SAC, ATLANTA 3P

RANDOLPH ENNIS^① MC DONALD, WEYMAN BURCHLE^② CHERRY, ODELL
BRAZIER, ET AL, VICTIMS, CR^③ RE AT TEL JUNE EIGHTEEN LAST

AND REPORT SA HENRY L. BURGETT, AT, JUNE TWENTYFOUR LAST.

ON THIS DATE AMOS O. HOLMES, FIELD SECRETARY, NAACP, ATLANTA, NATIONAL ASSOCIATION FOR ADVANCEMENT OF Colored People

CALLLED AT ATLANTA OFFICE AND IN SUBSTANCE ADVISED AS FOLLOWS.

AS RESULT OF LETTER RECEIVED BY NETTIE CATE, COOK AT TERRELL

COUNTY JAIL, DAWSON, GA. FROM [REDACTED] INMATE,

TERRELL COUNTY JAIL, WHICH WAS RELAYED THROUGH REVEREND JOHN B.

HILLSMAN, HOLMES WENT TO AMERICUS, GA. JULY THIRD LAST AND

TALKED WITH HILLSMAN ET AL RE THIS LETTER. CONTENTS OF

[REDACTED] LETTER IN SUBSTANCE INDICATE WHEN SHE WAS INTERVIEWED

BY AGENTS SHE DID NOT FEEL FREE TO TALK BECAUSE WAS AFRAID

TO DO SO, THAT OFFICERS CHERRY AND MATHEWS THREATENED HER

SAYING SHE HAD BETTER NOT TELL WHAT SHE KNEW ABOUT BEATING

OF JAMES BRAZIER. FURTHER GENE, PRISONER TRUSTY, WAS STATIONED

END PAGE ONE

Mr. Rosen

53 AUG 8 1958

FOIA(b)6
FOIA(b)7 - (C)

PAGE TWO

ON PORCH IN FRONT OF OFFICE OF SHERIFF TO LISTEN AND THAT
EAVESDROPPERS HAD BEEN PUT IN CELL NEXT TO HERS TO HEAR ANYTHING
SHE TOLD ANYBODY, AND SPEAKER WAS ALSO IN JAIL TO PICK UP
ANYTHING SHE SAID. HOLMES ALSO ALLEGES HE HAD RECEIVED
INFORMATION THAT ONE FRANK HUNTER, EMPLOYED AS NIGHT WATCHMAN
AT COTTON GIN WHERE ACCORDING TO HOLMES VICTIM JAMES CALVIN
BRAZIER WAS REPORTEDLY TAKEN AND BEATEN, WAS AN EYEWITNESS TO
BEATING. HOLMES STATES HE WENT TO DAWSON AND INTERVIEWED HUNTER
AND HUNTER DENIED KNOWING ANYTHING ABOUT BEATING. COMPLETE
DETAILS OF INFO FURNISHED BY HOLMES RECORDED IN SIGNED STATE-
MENT FORM AND WILL BE SUBMITTED IN REPORT FORM JULY THIRTY
NEXT FOR IMMEDIATE DISSEMINATION TO DEPARTMENT AND USA^{U.S. Attorney} MACON,
IT BEING NOTED CAPTIONED CASE TO BE PRESENTED FGJ^{Federal Grand Jury} MACON WHICH
CONVENES AUGUST FOUR NEXT. NOTE ALSO REPORT SA HENRY L.
BURGETT DATED JUNE TWENTYFOUR, FIFTYEIGHT, REFLECTS INTERVIEWS
WITH NETTIE CATE AND [REDACTED] AND INVESTIGATING
AGENTS ADVISE ME [REDACTED] WAS INTERVIEWED IN PRIVATE BY THEM IN
OFFICE OF SHERIFF, WHICH IS PART OF HIS LIVING QUARTERS
ADJOINING JAIL ITSELF. HOLMES ALSO MENTIONED BEING IN WASHING-
END PAGE TWO

FOIA(b)6
FOIA(b)7 - (C)

FOIA(b)6
FOIA(b)7 - (C)

PAGE THREE

TON FRIDAY, JULY TWENTYFIVE LAST, AND ~~QUOTE~~ COMPARING NOTES
UNQUOTE WITH MACY O. HUBBARD, CIVIL RIGHTS DIVISION, JUSTICE
DEPARTMENT. WITH PARTICULAR REFERENCE TO HOW [REDACTED]
[REDACTED] COULD BE INTERVIEWED IN PLACE WHERE SHE WOULD FEEL FREE
TO TALK, HUBBARD ACCORDING TO HOLMES SUGGESTED HE DISCUSS
THIS PROBLEM WITH FBI LOCALLY. IN THIS CONNECTION HOLMES
MENTIONED THAT [REDACTED] HAD BEEN IN TERRELL COUNTY JAIL SINCE
OCTOBER, FIFTYSEVEN, AND HAD BEEN CONVICTED AND SENTENCED AND
HE COULD NOT UNDERSTAND WHY THEY CONTINUED TO HOLD HER IN
COUNTY JAIL. IT WAS POINTED OUT TO HOLMES THAT FBI HAD NO
JURISDICTION OR CONTROL OVER STATE PRISONERS, THAT IF HE WERE
SUGGESTING [REDACTED] BE REMOVED FROM COUNTY JAIL SO SHE WOULD FEEL
FREE TO TALK THIS WAS LEGAL PROBLEM OUTSIDE OF FBI PREROGATIVE
AND THAT HIS OBSERVATIONS IN THIS REGARD WOULD BE BROUGHT TO
DEPARTMENTS ATTENTION. IN THIS CONNECTION NOTE AT TEL JUNE
EIGHTEEN LAST POINTING OUT [REDACTED] WAS IN JAIL ON MURDER CHARGE
AWAITING APPEAL TO GEORGIA STATE SUPREME COURT WITH HEARING
POSSIBLY SET FOR JULY NINE, FIFTYEIGHT. THIS INFO FURNISHED
INVESTIGATING AGENTS BY SHERIFF Z. T. MATTHEWS, TERRELL COUNTY.

END ACK PLS

8-03 PM OK FBI WA JG

TU DISC

MR. ROSEN
AND-CHIEF OF
INVESTIGATIVE DIVISION

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 5

DOC ID: 31206342

COPIES: 1 PAGES: 3

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 07/30/1958 DOCUMENT TYPE: Memorandum

FROM: SAC, Atlanta

TO: Director

SUBJECT: (44-13064-20)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (44-13064)

DATE: 7/30/58

FROM : SAC, Atlanta (44-876)

SUBJECT: RANDOLPH ENNIS McDONALD, Aka. Randall;
 WEYMAN BURCHLE CHERRY, Aka. Hancock;
 ODELL BRAZIER,
 JAMES CALVIN BRAZIER - VICTIMS
 CIVIL RIGHTS

Transmitted herewith is report of SA CHARLES T. HAYNES,
 Atlanta, dated 7/30/58.

REFERENCE: Atlanta teletype to Director 7/29/58;
 report of SA HENRY L. BURGETT, 6/24/58, at Atlanta;
 Atlanta airtel to Director 7/28/58, entitled
 WEYMAN BURCHLE CHERRY; ROBERT TERRELL HANCOCK,
 Dawson, Georgia Police Department; WILLIE
 COUNTRYMAN, Aka. "Wootie" - VICTIM, Civil Rights.

ADMINISTRATIVE:

Attention is directed to Atlanta airtel to Bureau dated
 7/28/58, captioned WEYMAN BURCHLE CHERRY; ROBERT TERRELL
 HANCOCK, Dawson, Georgia Police Department; WILLIE
 COUNTRYMAN, Aka. "Wootie" - VICTIM, Civil Rights; reflecting
 that on 7/28/58, Assistant U. S. Attorney JOSEPH H. DAVIS,
 Middle District of Georgia, Macon, Georgia, advised this
 office that Mr. W. WILSON WHITE, Assistant Attorney General,
 Civil Rights Division, Department of Justice, Washington,
 D. C., had instructed him to present the WILLIE COUNTRYMAN
 case and four other Civil Rights cases, including the
 BRAZIER case to the Federal Grand Jury at an early date.
 It is noted that the Grand Jury is scheduled to convene
 at Macon, Georgia, on the week beginning 8/4/58. Assistant
 U. S. Attorney DAVIS did not specify the date these cases
 would be presented, but indicated he desired to confer with
 SA HENRY L. BURGETT while he will be in Macon beginning
 the week of 8/4/58.

It is noted that at the beginning of the interview with
 AMOS O. HOLMES, Field Secretary, NAACP, who appeared at
 the Atlanta Office on 7/29/58, he remarked that he wanted
 to "compare notes" on the Dawson case. At this time

2 - Bureau (Encl. 2) (AMSD)
 1 - Atlanta
 CTH:jjd
 (3)

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IV ENCLOSURE
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 5-1-58

7-9-166
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 10/1/58

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AT 44-876

HOLMES was advised that the files of the FBI were confidential therefore, the information developed during our investigations could not be discussed with him; however, we would be glad to accept any information he desired to furnish this office regarding this matter.

HOLMES then stated that Mr. MACY O. HUBBARD, Civil Rights Division, Department of Justice, suggested that he, HOLMES, discuss the matter with the FBI locally regarding interviewing [redacted] in a place where she would feel free to talk. It was pointed out to HOLMES that the FBI has no jurisdiction or control over State prisoners, that if he was suggesting that [redacted] be removed from the Terrell County Jail in order that she may feel free to talk, this matter was a legal problem outside of FBI prerogative and his observation in this regard would be brought to the Department's attention. It is noted that Atlanta teletype to Director 6/18/58 called attention to the fact that [redacted] was being held on a [redacted] charge awaiting appeal to the Georgia State Supreme Court with a hearing possibly set for 7/9/58.

It is noted regarding individuals referred to in the enclosed report that interviews with the following were reflected in the report of SA HENRY L. BURGETT, Atlanta, dated 5/2/58, on the page indicated:

RANDOLPH ENNIS McDONALD, Page 11;
WEYMAN BURCHLE CHERRY, Page 17;
HATTIE BELL BRAZIER, Page 28.

Interviews with the following individuals were reflected in the report of SA HENRY L. BURGETT at Atlanta, dated 6/24/58 on the page indicated:

Z. T. MATHEWS, Sheriff, Terrell County, Dawson, Georgia, Page 8;
NETTIE CATE, Page 25;
EUGENE MAGWOOD, Page 30 (apparently identical with "GENE" a trusty at the Terrell County Jail, Dawson, Georgia.)
[redacted] Page 31.

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The following individuals, whose names appear in the enclosed report, have not been interviewed in connection with this investigation:

Mrs. HATTIE B. WILLIAMS, 209 Center Street, Dawson, Georgia;
Rev. JOHN B. HILLSMAN, 311 West 6th Avenue, Dawson, Georgia;
FRANK HUNTER, Dawson, Georgia;
J. H. REYNOLDS, Dawson, Georgia;
Deputy Sheriff MANSFIELD, Dawson, Georgia;
Officer AL CLARK, Dawson, Georgia;
Rev. H. HOLLIS HOOKS, formerly of Dawson, Georgia;
Officer CHATMAN (apparently Officer J. SHIRAH CHAPMAN of the Dawson, Georgia Police Department.)

Regarding the IRA LEE GLADDEN mentioned in the enclosed report, it is noted this individual is apparently identical with IRENE GLADDIN mentioned in my letter 6/24/58, stating that no effort was made to contact prisoners IRENE GLADDIN and SAM HATTAWAY, since both had been transferred from the Terrell County Jail and inasmuch as other prisoners had advised that neither GLADDIN nor HATTAWAY were in the cell block occupied by BRAZIER on 4/20/58. HATTAWAY

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Report Form
FD-202 (5-12-55)

FEDERAL BUREAU OF INVESTIGATION

Reporting Office Atlanta	Office of Origin ATLANTA	Date 7/30/58	Investigative Period 7/29, 30/58
TITLE OF CASE RANDOLPH ENNIS McDONALD, aka Randall; WEYMAN BURCHLE CHERRY, aka Hancock; ODELL BRAZIER; JAMES CALVIN BRAZIER - VICTIMS.		Report made by CHARLES T. HAYNES	Typed By: CM
		CHARACTER OF CASE CIVIL RIGHTS	

Synopsis:

On 7/29/58 AMOS O. HOLMES, Field Secretary for State of Georgia, National Association for Advancement of Colored People, appeared at Atlanta Office of FBI, stating he was in Washington, D. C. on 7/25/58 and "compared notes" with MACY O. HUBBARD, Civil Rights Division, Department of Justice. HOLMES stated he asked HUBBARD how [redacted] a state prisoner in Terrell County Jail, Dawson, Georgia, could be interviewed in a place where she would feel free to talk and HUBBARD suggested he discuss the problem with FBI locally. HOLMES explained that a letter received by NETTIE CATE, cook at Terrell County Jail, from [redacted] and relayed through Rev. JOHN B. HILLSMAN to Mrs. RUBY HURLEY of NAACP in Atlanta, reflects that [redacted] states when interviewed by Agents she did not feel free to talk because "Officers Cherry and Matthews" threatened her saying she had better not tell what she knew about beating of JAMES BRAZIER; that "GENE," a prisoner trusty, was stationed on porch in front of office of Sheriff to listen; that eavesdroppers had been put in cell next to [redacted] and "speaker" was also in jail to "pick up" anything [redacted] said. HOLMES stated he received information that FRANK HUNTER of Dawson, Georgia,

EXP. PROC.

Approved: <i>[Signature]</i>	Special Agent in Charge	Do not write in spaces below	
Copies made: ② - Bureau (44-13064) - (Encls. 10) 1 - USA Macon (Encls. 5) 1 - Atlanta (44-876)		44-13064-19	REC-14
ENCLOSURE REC-14 AAG Civil Rights Division Form 6-94 E 8/1/58		24 JUL 31 1958	

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AT 44-876

had stated he was eyewitness to beating given to JAMES CALVIN BRAZIER at a cotton gin in Dawson early morning of 4/21/58. HOLMES stated he interviewed HUNTER at Dawson, Georgia, 7/28/58 and HUNTER denied knowing anything about beating. HOLMES furnished signed statement in connection with above, a copy of his investigative report, a handwritten letter reportedly from [REDACTED] a handwritten "interpretation" of [REDACTED] letter, a letter reportedly from Rev. JOHN B. HILLSMAN, and a typewritten memorandum regarding his, HOLMES', efforts to interview FRANK HUNTER. HOLMES acknowledged the report that JAMES BRAZIER beaten at cotton gin, Dawson, Georgia, 4/21/58 based on rumor and he was unable to develop evidence to substantiate. Only interview by Agents with [REDACTED] conducted privately in Sheriff's Office located in his living quarters in Terrell County Jail, at which time no one was on porch.

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-2-

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORTDate July 30, 1958

On the basis of a telephonic request for an appointment to see the Special Agent in Charge of the Atlanta FBI Office, Mr. AMOS O. HOLMES, Field Secretary for the State of Georgia for the National Association for the Advancement of Colored People, appeared at the Atlanta FBI Office on the afternoon of July 29, 1958, and furnished the following signed statement, which he dictated personally:

"Atlanta, Georgia
July 20, 1958

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"I, Amos O. Holmes, hereby furnish the following voluntary statement to M. R. Johnson and Charles T. Haynes, who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I am not required to furnish a statement and I am aware that this statement is being made in connection with an official investigation.

"I am Field Secretary for the National Association for the Advancement of Colored People, with offices at 859 1/2 Hunter Street, N.W., Atlanta, Georgia.

"On July 3, 1958, I went to Americus, Georgia, to talk with Mrs. Hattie Bell Brazier, widow of James Brazier, Mrs. Nettie Cate, cook at the Dawson, Georgia, county jail, Mr. J. H. Reynolds of Dawson, and Reverend John B. Hillman. This interview was set up after we received a letter through Reverend Hillman from Mrs. Nettie Cate, who received this letter from [redacted] who was in jail at Dawson. At this meeting we discussed the information that was contained in the letter, which in substance said this: That FBI Agents had come to the jail to talk with her about the death of James Brazier some time after April 20th. At that time, the letter states, [redacted] did not give all the information she knew because she was afraid to do so. The officers, Cherry and Matthews, Dawson police, had threatened her, saying that she had better not tell what she knew about the beating of James Brazier. Further, Gene, a prisoner trusty, was stationed on the porch in front of the office of the Sheriff to listen to what was being said, and that eavesdroppers had been put in the cell next to hers to hear

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Interview with AMOS O. HOLMES File # AT 44-876

on 7/29/58 at Atlanta, Georgia Date dictated 7/30/58
7/30/58

by Special Agent in Charge N. R. JOHNSON and
Special Agent CHARLES T. HAYNES : CM

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"anything that she told anybody, and there was a speaker also in the jail to pick up anything that she had said. But she was willing to tell now what she knew because she was tired

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"In this interview also it was stated that

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"On one occasion Officer Cherry gave her \$2.00 to keep her mouth shut on what she knew about James Brazier's beating.

"The story [redacted] tells is that at about midnight, on the morning of April 20th, she saw Officer Cherry and Officer Randolph McDonald of Dawson take James Brazier out of jail. James Brazier was blindfolded, crying and begging the officers not to take him out. The head of James Brazier was bruised and bleeding. About 3:00 A.M. on April 21, 1958, Officers Chatman and Al Clark, were together when they brought James Brazier back to the cell in the women's quarter. James Brazier was brought back wrapped in an Army blanket and laid on the floor of the cell in an unconscious state. No doctor was gotten for James Brazier and he never regained full consciousness.

"Gene, a Negro prisoner who is a trusty, who holds the keys of the cells, does some of the dirty work of whipping and coercion for the officers, was told by Sheriff Matthews to take the truck and go get the clothing of James Brazier. James Brazier had been stripped of his clothing and had been brought back to the cell naked wrapped in an Army blanket. He had been beaten apparently naked. During the time that Gene, the trusty prisoner, had gone for the clothing stripped from

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"James Brazier, Sheriff Matthews was called by the officers previously named to come downstairs. When Sheriff Matthews came down he asked the officers, 'How did you come out? Did you do a good job?' She does not report what he answered. Later Gene, the prisoner trusty, returned with the clothing of James Brazier and threw the clothing in the cell where James Brazier lay, and said to the officers laughingly, 'He is all right.'

"The officers had poured several buckets of water on James Brazier but had failed to rouse him up to this time. James Brazier never did become fully conscious.

"Mrs. Nettie Gate reports that [redacted] stated to her that she could not give the above information when the FBI came to see her because eavesdroppers had been put in the cell next to hers, and Gene, as I formerly stated the prisoner trusty, was stationed on the front porch.

"According to reports [redacted] was arrested October 11, 1957, on a charge of [redacted] for the [redacted] and sentenced to 5 to 10 years. She has been held in the jail since October 11, 1957.

"On July 6, 1958, at another meeting at Dawson Mrs. Hattie B. Williams, 209 Center Street, Dawson, Georgia, reported to me that a Mr. Frank Hunter, night watchman of a gin house where James Brazier was alleged to have been taken and beaten, was an eyewitness to the beating, and that he is willing to testify to what he knows in court. James Brazier had often helped Mr. Hunter by working in his stead.

"On Monday, July 28, 1958, I, Amos O. Holmes, talked with Mr. Frank Hunter about providing a sworn statement on what he knew about the beating of James Brazier. Mr. Hunter denied knowing anything about the beating of James Brazier, though Mrs. Hattie B. Brazier, whom he had also told that he knew something about it, was there with me when I talked with him. Mr. Hunter said that he was off work from 1:30 A.M. on April 21 through the rest of the night, and that he did not know anything at all about the

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"beating of James Brazier and had not heard anything about it until two days later, but if we thought what he had said would be important he would be willing to tell what he knew, but he did not feel he knew anything of importance.

"I have read this statement of five (5) typewritten pages, having dictated it personally, and it is true to the best of my knowledge and belief.

Signed: Amos O. Holmes

"Witnessed:

N. R. Johnson, Special Agent in Charge
FBI, Atlanta, Georgia

Charles T. Haynes, Special Agent
FBI, Atlanta, Georgia."

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* * * * *

In addition to the comments appearing in his statement set forth above, Mr. HOLMES indicated that on July 25, 1958, he had called at the Justice Department, Washington, D. C. and had there talked to Mr. MACY O. HUBBARD of the Civil Rights Division and had "compared notes" with him. He specifically stated that he had informed Mr. HUBBARD of the information concerning the letter written by [redacted] and of the problem of having [redacted] interviewed at a place where she would feel free to furnish the information she reportedly possesses. He stated that Mr. HUBBARD, with respect to this problem, suggested that he discuss it with the FBI locally. He commented that it was his understanding that [redacted] had been in the Terrell County jail since October, 1957, and had been convicted and sentenced for [redacted] and that he could not understand why they continued to hold her in the county jail.

He also stated that he had informed Mr. HUBBARD of the information allegedly possessed by FRANK HUNTER, but at that time he, HOLMES, had not yet interviewed HUNTER. He indicated that Mr. HUBBARD had suggested that if he, HOLMES, interviewed HUNTER, he should try to obtain from him a sworn statement. Mr. HOLMES explained that he had gone to Dawson, Georgia, on July 28, 1958, to talk to Mr. FRANK HUNTER and had talked to Mr. HUNTER, and that HUNTER had denied knowing anything about the beating of JAMES C. BRAZIER. Mr. HOLMES also stated that he had in his office the letter purportedly written by [redacted] as well as a report that he, HOLMES, had prepared, and that he would be glad to furnish them on the morning of July 30, 1958.

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On the morning of July 30, 1958, Mr. HOLMES brought to the Atlanta Office the following described documents:

- (1) A one-page hand-written letter bearing the date stamp June 27, 1958, beginning "Dear Front I am - - -" and ending "r - - Don you all cold my neme."

Mr. HOLMES stated that this letter was given to him by Mrs. RUBY HURLEY, Regional Director, National Association for the Advancement of Colored People, Atlanta, who had in turn received it from Reverend JOHN B. HILLSMAN, 311 West 6th Avenue, Dawson, Georgia; that the letter had been delivered to Reverend HILLSMAN by NETTIE GATE, Dawson, Georgia, and had been given to NETTIE GATE by [redacted] Mr. HOLMES stated that while the letter is unsigned the handwriting had been identified to him as being the handwriting of [redacted] by both Reverend HILLSMAN and NETTIE GATE.

- (2) A two-page hand-written letter bearing the date stamp June 27, 1958, and beginning "Dear Friend, I am writing to let you...." ending "....don't you all call my name." Signed [redacted]

Mr. HOLMES stated that this letter is an interpretation of the above described letter reportedly written by [redacted] He stated that he did not specifically know who wrote this interpretation but that he was under the impression it was written by a woman clerk of Reverend HILLSMAN's Baptist Church in Americus, Georgia. Although he did not know this woman's name he stated her address was 804 Lee Street, Americus, Georgia.

- (3) A 2½-page hand-written letter dated at Dawson, Georgia, June 27, 1958, beginning "To Mrs. Rubbie I am sending this Letter that the girl wrote in Jail...." and ending "...." so she could turn it on, your try J.B.H." together with an accompanying envelope postmarked Americus, Georgia, and addressed to "Mrs. Robbie Hurley, 859½ Hunter St. room 107, Atlanta, Ga."

Mr. HOLMES stated that this was a letter addressed to Mrs. RUBY HURLEY, Regional Director, NAACP, Atlanta, Georgia, by Reverend JOHN B. HILLSMAN, Dawson, Georgia, referring to the

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letter purportedly written by [redacted] Mr. HOLMES stated he assumed that the letter of [redacted] and the interpretation thereof mentioned above were both transmitted with Reverend HILLSMAN's letter of June 27, 1958.

- (4) A typewritten report consisting of 3-1/3 pages bearing the date July 17, 1958, beginning, "NOTE: In a meeting at Americus, Georgia on Thursday, July 3, 1958, the following information was reported to Amos O. Holmes by:..." and ending "...The F.B.I., according to Pullum, has investigated voter-registration complaints and had signed statements from 30 persons refused by the Board of Registrars."

Mr. HOLMES indicated that this was a report prepared by him reflecting the results of his investigation. Mr. HOLMES stated that most of the applicable contents of this report were included in his signed statement.

- (5) A one-page typewritten memorandum entitled, "Mr. Frank Hunter, 217 - 12th Street, Dawson, Ga." which begins "On Sunday, July 6" and ends "...Whether Mr. Frank Hunter is willing to give this information to an F.B.I. agent or not, or testify in court willingly or not, could not the court subpoena him for testimony?" Signed, "Amos O. Holmes, Field Secretary NAACP."

Mr. HOLMES stated that on the evening of July 29, 1958, he had typed up a copy of his report concerning his efforts to interview Mr. FRANK HUNTER, and wished to furnish this supporting document also.

With reference to the signed statement furnished by AMOS O. HOLMES he advised that the individual identified therein as HATTIE B. WILLIAMS, 209 Center Street, Dawson, Georgia, is the mother of HATTIE BELL BRAZIER, who in turn is the widow of JAMES CALVIN BRAZIER. He also stated that he does not know the full name or identity of the individual referred to therein as GENE, a Negro prisoner who is a trusty. He also stated that the information contained in his signed statement to the effect that

AT 44-876

James Brazier was alleged to have been taken to a gin house in Dawson and beaten was based on rumor. He stated he has uncovered no specific evidence of any kind to verify that James Brazier was taken to a cotton gin in Dawson and beaten, that the only specific information possibly relating to such a situation is the information reportedly possessed by Mr. FRANK HUNTER. HOLMES stated that this rumor, however, has been repeated to him by Reverend JOHN B. HILLSMAN, Mrs. NETTIE CATE, Mrs. HATTIE B. BRAZIER, widow of JAMES CALVIN BRAZIER, Mrs. HATTIE B. WILLIAMS, mother-in-law of JAMES CALVIN BRAZIER, and Reverend H. HOLLIS HOOKS, who was formerly the minister of the AME Church at Dawson, Georgia. He stated Reverend HOOKS is presently pastor of a church somewhere in Florida, exact location unknown to HOLMES, but that his family still lives on South Jefferson Street in Dublin, Georgia.

HOLMES stated that the rumor he has heard from these individuals is to the effect that JAMES BRAZIER was taken out of the Terrell County jail, taken to a cotton gin located on 12th Street in Dawson, and there beaten "again." He also stated that he had been informed by Mrs. Mattie B. Brazier, widow of JAMES CALVIN BRAZIER, that she had gone to the Terrell County jail on the morning of Monday, April 21, 1958, to see her husband and was informed by some official, identity unknown to HOLMES, that JAMES BRAZIER had been taken to the Terrell County Hospital. HOLMES stated that Mrs. BRAZIER informed him that she thereafter went to the Terrell County Hospital that same morning and was told by someone at the hospital, identity unknown, that JAMES BRAZIER had not been brought to the hospital any time during the night. She thereafter returned to the Terrell County jail, arriving there at about "court time" on the morning of April 21, 1958, and saw her husband being carried to court unconscious, whereupon she started screaming and was put out of the courtroom.

With reference to the report of investigation prepared by HOLMES dated July 17, 1958, HOLMES advised he still has not determined the identity of the individual referred to therein as a cousin of [REDACTED]. He also advised that to the best of his knowledge IRA LEE GLADDEN, mentioned in his, HOLMES', report, and also mentioned in the document described as an "interpretation" of [REDACTED] letter, has not been interviewed by NAACP representatives.

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With reference to Reverend JOHN B. HILLSMAN's letter dated June 27, 1958, Mr. HOLMES acknowledged that the wording of Reverend HILLSMAN's letter indicated that the letter written by [redacted] was intended for the FBI, and explained that it had not previously been brought to the FBI's attention because it was his, HOLMES', impression that early in June, 1958, believed by HOLMES to have been during the first week in June, 1958, a telegram had been sent to the Department of Justice by Mrs. RUBY HURLEY, Regional Director, NAACP, Atlanta, which in substance advised the Department of Justice that all information the NAACP had on the "Dawson situation" was available to the Department of Justice. HOLMES stated he did not know what, if any, specific information in the possession of the NAACP was actually mentioned in the telegram. After telephonically contacting Miss BARBARA HAWKINS, office secretary, NAACP, Atlanta, HOLMES stated that he was mistaken in his impression that such a telegram had been sent by Mrs. HURLEY, but that such a telegram had been sent by Mr. ROY WILKINS, National Executive Secretary, NAACP, New York City. He advised that the Atlanta Office of the NAACP did not have a copy of this telegram on file. He acknowledged that if a telegram were sent it was prior to the information concerning [redacted] letter coming into the possession of the NAACP office in Atlanta, but stated that in view of the fact that a telegram had been sent to the Department of Justice along the lines mentioned above, the NAACP in Atlanta had just held this information expecting to be contacted by the Department of Justice. He indicated that to the best of his knowledge the first time that any Department of Justice representatives were made aware of [redacted] letter and its contents was when he, HOLMES, brought it to the attention of Mr. MACY O. HUBBARD of the Department of Justice in connection with his discussions with Mr. HUBBARD on July 25, 1958.

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The originals of the documents described in the interview with Mr. AMOS O. HOLMES were furnished by him, and are retained in the files of the Atlanta Office. Autostatic copies of (1) handwritten letter purportedly written by [REDACTED] (2) handwritten "interpretation" of [REDACTED] letter, and (3) handwritten letter addressed to Mrs. RUBY HURLEY by Reverend JOHN B. HILLSMAN dated June 27, 1958, were furnished to Mr. HOLMES at his request.

Autostatic copies of each of the five documents mentioned are attached as exhibits to this report, numbered Exhibit #1 through #5.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, ATLANTA (44-876) DATE: July 30, 1958

FROM : SA MAURICE L. FOSHEE
SA HENRY L. BURGETT DICTATED: July 30, 1958

SUBJECT: RANDOLPH ENNIS MC DONALD,
Aka Randall
WEYMAN BURCHLE CHERRY, aka Hancock;
ODELL BRAZIER
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTS

FOIA(b)6
FOIA(b)7 - (C)

During the morning of June 19, 1958, Mr. Z. T. MATHEWS, Sheriff, Terrell County, Dawson, Georgia, was contacted and requested to make prisoners EUGENE MAGWOOD, WILLIE G. FULTON, WALTON BANKS, JR., and [REDACTED] available for interview.

Sheriff MATHEWS stated that MAGWOOD, FULTON, and BANKS were at that time out of the city working on a farm and would not return until noon that day. Sheriff MATHEWS stated that all prisoners would be available for interview during the afternoon of June 19, 1958.

During the afternoon of June 19, 1958, Sheriff MATHEWS was recontacted and stated that MAGWOOD, FULTON and BANKS were available at his Office located in the Terrell County Court House, Dawson, Georgia for interview.

Sheriff MATHEWS stated that Agents could interview prisoners in either his Office located in the Terrell County Court House or in his Office located in his home adjoining the County Jail. The Office, a part of the Sheriff's home is separated from the Jail yard and cell blocks by an enclosed hallway. There are two doors in the Office, one opening to the hallway, the other door opening to an outside porch. Both doors were kept opened during the interviews in order that the hallway and porch could be observed by interviewing Agents. At no time during the interviews was there anyone in the hallway or on the porch. The interviews were conducted privately with only one prisoner at the Office during the interview. The others remained at the Sheriff's Office in the County Court House until they were requested to come to the Office located in the Sheriff's home for interview. As each interview was completed, the prisoner was instructed to return to the Sheriff's

HLB:ct

FOIA(b)6
FOIA(b)7 - (C)

AT 44-876

Office in the Court House and send another prisoner for interview. At the conclusion of the interviews with male prisoners, the last prisoner was accompanied from the Sheriff's Office in his home to the Office located in the County Court House.

The Sheriff was again contacted in the driveway between the Terrell County Court House and the Terrell County Jail. At this time he was requested to have [redacted] brought from the cell block to the Office for interview. The Sheriff went to the cell block and accompanied [redacted] to his Office in his home for interview. The Sheriff left the Office and went to the cell block area across the hallway from the Office and did not return until he was informed by Agents that the interview had been completed. At that time, Sheriff MATHEWS came to the Office and returned [redacted] to the cell block area.

AT 44-876

FOIA(b) 6
FOIA(b) 7 - (C)APPENDIX - EXHIBITSExhibit #1

A one-page handwritten letter, bearing the date stamp June 27, 1958, beginning "Dear Front I am" and ending "....Don you all old my name."

Exhibit #2

A two-page handwritten letter bearing the date stamp June 27, 1958, and beginning "Dear Friend, I am writing to let you...." and ending "....don't you all call my name." Signed [redacted]

Exhibit #3

A 2½-page handwritten letter dated at Dawson, Georgia, June 27, 1958, beginning "To Mrs. Rubbie I am sending this letter that the girl wrote in Jail...." and ending "....so she could turn it on. your try J.B.H." together with an accompanying envelope post-marked Americus, Georgia, and addressed to "Mrs. Robbie Hurley, 859½ Hunter St. room 107, Atlanta, Ga."

Exhibit #4

A typewritten report consisting of 3-1/3 pages bearing the date July 17, 1958, beginning, "NOTE: In a meeting at Americus, Georgia, on Thursday, July 3, 1958, the following information was reported to Amos O. Holmes by:...." and ending "...The F.B.I., according to Pullum, has investigated voter-registration complaints and had signed statements from 30 persons refused by the Board of Registrars."

Exhibit #5

A one-page typewritten memorandum entitled, "Mr. Frank Hunter, 217 - 12th Street, Dawson, Ga." which begins "On Sunday, July 6...." and ends "....Whether Mr. Frank Hunter is willing to give this information to an F.B.I. agent or not, or testify in court willingly or not, could not the court subpoena him for testimony?" Signed, "Amos O. Holmes, Field Secretary NAACP."

NOTE: All Exhibits are autostatic copies of original documents maintained in the files of the Atlanta Office of the FBI.

AT 44-876

ENCLOSURES:

To Bureau

Two (2) autostatic copies each of
Exhibits #1 through #5.

To USA, MACON

One (1) autostatic copy each of
Exhibits #1 through #5.

-C-

-15-

ENCLOSURE FOR BUREAU:

One photostat each of Exhibits 1 through 5, enclosed with report of SA CHARLES T. HAYNES, Atlanta, dated 7/30/58, entitled RANDOLPH ENNIS McDONALD, Aka. Randall, WEYMAN BURCHLE CHERRY, Aka. Hancock; ODELL BRAZIER, JAMES CALVIN BRAZIER - VICTIMS, CIVIL RIGHTS

Atlanta File 44-876
Bureau File 44-13064

EXHIBIT # 1

00854
JUN 24 1958

Dear Zouk i am.
right to let you all here. A By
Borch and type him out on
left at night and Day bring him
Back to Jett and i see Dem went
Day bring him in. Please ride him
in to the Jett house two or three days
bring him back to Jett at night
and he had a Baced and one of
the Capt ride him Day mon Day
it hate a girl Jett with me and
please Don you all Cold my name.
and i want you all to help me. I
you all Cap and please you all Don
Stake made on me Cold. I Did tell
you all a By Dice went. you read
Down here. every thing is the
Ariche and please you all to not
make my name every thing i
saide. If the Ariche and i send it
me and a girl send every thing
at home and see me Dam went.
Day bring him back to Jett.
grich him in a Bled and Capt.
made in Jett full. him and Day
Capt him and he Did said in wild
him and please Don you all Cold my name

This is Hand Writing

July 24, 1958
Lot 1

CTH-30-58

EXHIBIT # 2

JUN 27 1958

Our friend, I am writing to let you
 all know what happened and then
 took him out of jail that night
 and they brought him back to jail
 and I went up and they brought
 him in. They blindfolded him in the
 jail house and of the cops brought
 him back to jail that night and
 he was a bleeding and ~~and~~ of the
 cops beat him. Cherry and
 Randolph McDonald and Mansfield.
 It was a girl in jail with me
 her name is Ika Lee. They have
 sent her to the State Reformatory
 now. Please don't you all call
 my name and I want you all
 to help me if you all can, as
 please you all don't think hard
 of me cause I didn't tell you
 all about this when you were
 down here. Everything is the
 truth and please you all don't
 mention my name. Everything
 I am saying is the truth. I
 saw it me and Ika Lee. We
 saw everything happen and we
 saw them when they brought

him back to jail wrapped him
in a blanket and ~~Kop~~ stayed
in jail with him Mr. Chapman
is the cop that stayed with
him in jail and he called
him and he didn't say anything
and if you all need me I
will tell the truth on the stand
and if you all come back I
will tell the truth and please
don't you all call me names.

FOIA(b) 6
FOIA(b) 7 - (C)

July 30, 1958

~~over 1.8~~

C7/6

7-30-58

This is

17

EXHIBIT # 3

SPECIAL DELIVERY

JUN 27 1958

00834

Dawson, Ga.
6/27/58

To Mrs. Rubbie I am
 sending this letter that
 the girl wrote in jail
 she could not talk to
 the F.B.I. when they
 were there. because the
 sheriff had told her
 what he would do to
 her. she stay in the
 cell with her every night
 she say if some don't
 soon be done she will

FOIA(b)6

in jail
 they wont let her out
 because she know to much

(2)

something must be done,
to protect her when a
undercover man or two
Down here. she say she
have worried so much
about James Brajer
Death and the way
were Beging until she
cant sleep. so she sent
this letter so I could
get it to the F.B.I. she
slipped this letter out of
jail. I am sending both
letters one is a recopy one
sheet of paper is her hand
writing. please see to it
that the F.B.I. get this.

(3)

try to have some to
get to her. or it may
need a tape Recorder in
there some so she could
turn it on, your try
G.B.H.

804 - 76 - 1st St.
Americus, Ga.



Mrs. Robbie Purkey
859 1/2 - Hunter St. room 107
Atlanta, Ga.

85-00-1
HLS

107-1-1
8-10-58



EXHIBIT # 4

JUL 17 1958

NOTE: In a meeting at Americus, Georgia on Thursday, July 3, 1958, the following information was reported to Amos O. Holmes by:

Mrs. Hattie Bell Brazier
209 Center Street (Mother's address)
Dawson, Georgia

Mrs. Nettie Cate
Dawson, Georgia

Mr. J. H. Reynolds
Dawson, Georgia

Reverend John B. Hillsman
311 W. 6th Avenue
Dawson, Georgia

FOIA(b)6
FOIA(b)7 - (C)

Call by telephone at the home of Mr. Earnest Turner, 571-W for contact.

According to Mrs. Nettie Cate, [redacted] age 19, [redacted] and was charged with [redacted]

It is reported that an argument started between [redacted] and her husband on a street down-town in Dawson, Georgia, over information that [redacted] had gotten on her husband, that he had bought a bag of apples for a woman who had been [redacted] rival with Mr. Clyde. The heated argument developed into a fight between Mr. & Mrs. [redacted]

[redacted] was arrested, tried in Superior Court in December, 1957 at Dawson, was convicted of [redacted] and sentenced 5 to 10 years.

F. T. King of a Lee Street office address, Dawson, Georgia, was Mark Evelyn's attorney.

Relatives of [redacted] - mother: Mrs. Naomi Bell; father: [redacted] Bell, Address of parents: R. F. D., Bronwood, Ga.

Relatives Outside Dawson - (Information to be sent to me by [redacted] by Mrs. Hattie Bell Brazier, Dawson, Georgia). The specific [redacted] was not available at the time of inquiry.

[redacted] has been kept at the jail in Dawson since [redacted] was sentenced. James Brazier was thrown in a cell in the [redacted] quarters of the officer of the law. An account of what [redacted] follows.

SEE REPORTS OF MRS. NETTIE CATE, COOK AT DAWSON JAIL, AS RE-
PORTED BY MR. JAMES CLYDE.

At [redacted] 11 o'clock on the morning of April 21, [redacted] [redacted] Cherry of Dawson, Georgia and Officer [redacted]

July 30, 1958
Amos O. Holmes

JUL 17 1958

FOIA(b)6
FOIA(b)7 - (C)

Randolph McDonald take James Brazier out of jail, James Brazier was blindfolded, crying and begging the officers not to take him out. The head of James Brazier was bruised and bleeding.

About 3 P. M., Officers Cherry, McDonald, Deputy Sheriff Mansfield, Officers Chatman and Al Clark were together when they brought James Brazier back to the cell in the women's quarters. James Brazier was brought back wrapped in an army blanket and laid on the floor of the cell in an unconscious state. No doctor was gotten for James Brazier and he never regained full consciousness.

Gene, a Negro prisoner, who is a trusty, who holds the keys of the cells and does some of the dirty work, whippings and coercion for the officers, was told by Sheriff Matthews to take the truck and go get the clothing of James Brazier. (James Brazier had been stripped of his clothing and had been brought back to the cell naked, wrapped in an army blanket. He had been beaten, apparently naked.)

During the time that Gene, the trusty prisoner, had gone for the clothing stripped from James Brazier, Sheriff Matthews, who had been called by the officers down stairs, asked the officers, "How did you come out?" "Did you do a good job?"

Later, Gene, the prisoner trusty, returned with the clothing of James Brazier and threw them in the cell where James Brazier lay and said to the officers laughingly, "He's all right." The officers had poured several buckets of water on James Brazier but had failed to arouse him up to this time. James Brazier never did become fully conscious.

Mrs. Nettie Cate reports that [redacted] could not give the above information when the F. B. I. came to see her because eavesdroppers had been put in the cell next to [redacted]. Gene, the prisoner trusty, was stationed on the front porch. The questioning took place in the office of the sheriff. The F.B.I. came that A. M. but did not get to see [redacted] until 1:30 P.M. Seems that the sheriff purposely delayed the interview with [redacted] to get the blood washed away on the cell floor where James Brazier had lain.

[redacted] told a cousin (name to be supplied) that [redacted] This cousin told Reverend J. B. Hillsman of Dawson, Georgia. Reverend J. B. Hillsman communicated this information to Mrs. Ruby Hurley, and the matter was referred to Amos O. Holmes for an investigation. Three visits have been made to acquire this information, two visits to Americus, Georgia on June 28 and July 3, and a visit was made to Dawson, Georgia on July 6, 1958.

During an investigation on July 6, Mrs. Hattie B. Williams, 209 Center Street, Dawson, Georgia, mother of Mrs. Hattie B. Brazier (widow of James Brazier) supplied some information that Mrs. Hattie B. Brazier is supposed to mail to Amos O. Holmes.

July 30, 1958
Amos O. Holmes

JUL 17 1958

FOIA(b)6
FOIA(b)7 - (C)

[redacted] was imprisoned in October, 1957. Though Ira Lee Gladden, arrested on a liquor charge about the same time, and sentenced to eighteen months was sent to the state farm at Reidsville, Georgia to work out her sentence. [redacted] has been kept at the jail.

[redacted] has sent word by a cousin (name to be supplied) to Mrs. Nettie Cate and Mrs. Hattie B. Brazier that she is willing to testify to the above facts before a court. She wishes to be freed or removed from the Dawson jail because she fears that her life is not safe. She has been given money to keep her mouth closed and told that she would be killed if she didn't.

FOIA(b)6

[redacted] Again, she is to have her baby in August.

Mrs. Hattie B. Brazier, who provided some of this information has promised to get the names of other relatives outside Dawson, including the name of the cousin through whom some of the information came to Reverend J. B. Hillman.

The information is not to be divulged until such time that the parties can get out of the way of possible harm or death at the hands of the officers of Dawson, Georgia. Any premature announcement would imperil their lives.

Mrs. Hattie B. Williams reported to Amos O. Holmes on July 6 that a certain party, night-watchman of a gin house, was an eye witness to the beating of James Brazier and is willing to testify to what he knows in court. James Brazier had often helped the party by working in his stead.

According to Mr. George Whittaker of Dawson, Officer Cherry has been promoted to assistant chief and is highly commended by many of the whites of Dawson, saying "We need more officers like Officer Cherry."

STATEMENT OF MRS. HATTIE B. BRAZIER, CORROBORATED BY MR. J. H. REYNOLDS JULY 3, 1958

Ira Lee Gladden, who was also in the cell of [redacted] saw the happenings reported above, when James Brazier was put in a cell for women, removed and brought back.

Ira Lee who is about 30 or 35 years of age, was arrested on a charge of selling untaxed whiskey. She was tried and sentenced to 18 months on the charge. On April 27, just after the death of James Brazier, she was sent to the state farm at Reidsville, Ga. She is still there, as far as we know.

In a conversation with Mr. D. U. Pullum, president of the

July 30, 1958
from [redacted]

July 30, 1958
Garrison, Soling

JUL 1 1958

Dawson, Terrell County Branch of the NAACP, he related that one of the members of the Board of Registrars has pledged to see that eligible Negroes be permitted to register without difficulty. The registrar favors the registration of D. U. Pullum's son now, though Pullum's son was rejected earlier. The registrar still decries the dumbness and disqualifications of some of the teachers that had appeared before him earlier.

Mr. Pullum wants the NAACP to leave off an radical moves in the area of voter-registration, feeling that the registrar and the people of Dawson can solve the problem.

The F.B.I., according to Pullum, has investigated voter-registration complaints and had signed statements from 30 persons refused by the Board of Registrars.



EXHIBIT # 2

Mr. Frank Hunter
217 - 12th Street
Dawson, Ga.

On Sunday, July 6, Mrs. Hattie B. Williams of Dawson, mother of Mrs. Hattie B. Brazier, told me and signed statement, that Mr. Frank Hunter, night watchman of the gin house, where James Brazier is alleged to have been taken and beaten on the night of April 20, or early morning of the 21, 1958, told Mrs. Williams that he saw the beating and would testify in court that he saw it, that he would have to leave town and probably would be killed if the information leaked out before the time of the trial and that Mrs. Williams's life would not be safe either.

On Monday, July 28, Amos O. Holmes, Field Secretary of the NAACP, went to Dawson, Georgia, to talk with Mr. Frank Hunter, to arrange for him to relate information to an F.B.I. agent.

Mrs. Hattie B. Brazier went to see Mr. Hunter first to see if it were all right for me to come to him or if I should meet with him somewhere else. Mr. Hunter said that he would talk with me at his home in Dawson.

Mrs. Hattie B. Brazier, a small son of Mrs. Brazier and I went to see Mr. Hunter. Mr. Hunter, tremblingly denied any knowledge of the beating of James Brazier at the gin and wanted nothing to do with the matter but that he was not afraid to tell what he knew about it.

Mr. Hunter denied, even knowing James Brazier, though Mrs. Brazier said that James Brazier had worked in Mr. Hunter's place for his many times.

Mr. Hunter said that he was off work from 1:30 A. M. that day in the early morning April 21 and did not learn about the beating of James Brazier until two days later.

The Field Secretary of the NAACP got the impression that Mr. Frank Hunter was afraid to tell what he knew.

Both Mrs. Brazier and Mrs. Williams will testify that Mr. Frank Hunter did know James Brazier and that Mr. Hunter had said to them that he saw the beating of James Brazier at the gin house.

Even so, the statement that Mr. Hunter was off work at 1:30 A. M. is important, since the beating of James Brazier must have taken place between 12:00 midnight and 3 A. M.

Whether Mr. Frank Hunter is willing to give this information to an F.B. I. agent or not, or testify in court willingly or not, could not the court subpoena him for testimony?

Amos O. Holmes
Field Secretary NAACP

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, Federal Bureau of Investigation DATE: JUL 31 1958

FROM : W. Wilson White, Assistant Attorney General, WWW:SJB:arg 788
Civil Rights Division

SUBJECT: Randolph Emis McDonald and Weyman Burchle Cherry; 144-194-113
Odell Brzzler et al - Victims.
Civil Rights

HP

On July 25, 1958, Reverend Amos Holmes, of Dublin, Georgia, called at the offices of this Division. Reverend Holmes stated that he had certain information regarding the above case which he wished to supply to the Department. After a conference with Reverend Holmes it was suggested to him that he call at the office of your Bureau in Atlanta, Georgia, and give a statement.

It is requested that such leads regarding the above matter as the Reverend Holmes furnishes your Bureau be investigated as expeditiously as possible, in view of the fact that the United States Attorney in Macon, Georgia, intends to present the case to a grand jury on August 4. Please consult the United States Attorney regarding the following out of the investigative leads provided by Reverend Holmes.

8-4-58
Specific requests made by U.S.A. are being handled per instr. issued Bufile 144-194-113
7-31-58 - That necessary to send copy of this memo to Atlanta.

MCT - 42

REC - 4

44-13064-24
15 AUG 4 1958

EX - 135

30 AUG 6 1958

EXP. PROC.
AUG 1 1958

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 3

DOC ID: 31206340

COPIES: 1 PAGES: 2

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 07/31/1958 DOCUMENT TYPE: Teletype

FROM: Director

TO: SAC, Atlanta

SUBJECT: (44-13064-23)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

7-31-58

PLAIN TEXT

TELETYPE

URGENT

FOIA(b) 6

FOIA(b) 7 - (C)

TO: SAC, ATLANTA

FROM: DIRECTOR, FBI

RANDOLPH ENNIS MC DONALD, AKA, WELMAN BURCHLE CHERRY,
 AKA, ODELL BRAZIER, ET AL, VICTIMS, CR. REURTEL THIS DATE.

CONDUCT INTERVIEWS WITH CATE, [] AND HUNTER AS

REQUESTED BY AUSA DAVIS. CONTACT JUSTICE OF PEACE ENGLISH

AS REQUESTED BY AUSA HOWEVER DO NOT INDICATE TO HIM THAT

IF HE DOES NOT VOLUNTARILY FURNISH PERTINENT PAGES OF

CRIMINAL DOCKET HE WILL BE SUBPOENAED. ADVISE ALL INDIVIDUALS

THAT INVESTIGATION BEING CONDUCTED AT SPECIFIC REQUEST

OF AAG WHITE, CIVIL RIGHTS DIVISION. ADVISE AUSA OF RESULTS

AND SUREP IMMEDIATELY IN ORDER THAT REPORT WILL BE IN

POSSESSION OF USA PRIOR TO AUGUST FOUR NEXT 44-13064-23

LEC/jdm
 (3)

REC-4

23 AUG 5 1958

FEDERAL BUREAU OF INVESTIGATION
 U. S. DEPARTMENT OF JUSTICE
 COMMUNICATIONS SECTION

EX-108

JUL 31 1958

TELETYPE

8-14 Pm Ca

63 AUG 11 1958

Tolson _____
 Boardman _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

MAIL ROOM ☐ TELETYPE UNIT ☐

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 31 1958

TELETYPE

URGENT 7-31-58 8-14 PM CS

TO SAC, ATLANTA

FOIA(b)6
FOIA(b)7 - (C)

FROM DIRECTOR 1P

RANDOLPH ENNIS MC DONALD, AKA, WEYMAN BURCHLE CHERRY,
AKA, ODELL BRAZIER, ET AL, VICTIMS, CR. REURTEL THIS DATE.
CONDUCT INTERVIEWS WITH CATE, [REDACTED] AND HUNTER AS
REQUESTED BY AUSA DAVIS. CONTACT JUSTICE OF PEACE ENGLISH
AS REQUESTED BY AUSA HOWEVER DO NOT INDICATE TO HIM THAT
IF HE DOES NOT VOLUNTARILY FURNISH PERTINENT PAGES OF
CRIMINAL DOCKET HE WILL BE SUBPOENAED. ADVISE ALL INDIVIDUALS
THAT INVESTIGATION BEING CONDUCTED AT SPECIFIC REQUEST
OF AAG WHITE, CIVIL RIGHTS DIVISION. ADVISE AUSA OF RESULTS
AND SUREP IMMEDIATELY IN ORDER THAT REPORT WILL BE IN
POSSESSION OF USA PRIOR TO AUGUST FOUR NEXT.

END ACK PLS

OK FBI AT OHT

DISC

0

Wymu

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Rosen *R*

FROM : W. B. Welte *W*

SUBJECT: RANDOLPH ENNIS MC DONALD, ET AL.;
ODELL BRAZIER, ET AL. - VICTIMS
CIVIL RIGHTS

DATE: 7/31/58

Tolson _____
Boardman _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Clayton _____
Tele. Room _____
Holloman _____
Gandy _____

At 6:00 p.m., 7/30/58, Mr. St. John Barrett, Acting Executive Assistant, Civil Rights Division, telephonically contacted Supervisor Leo E. Conroy concerning captioned matter.

Mr. Barrett mentioned that he had just discussed this matter, which is scheduled to be presented to a Federal Grand Jury in Georgia on 8/4/58, with the U. S. Attorney (USA). He stated that he expected that the USA would request certain additional interviews in connection with this case and he asked that if such requests were made by the USA they be given expeditious attention in view of the grand jury action scheduled for 8/4/58. Mr. Barrett was requested by Supervisor Conroy to forward a memorandum to the Bureau if the Civil Rights Division desired any further investigation in this case. Mr. Barrett said he would do so.

This is one of five cases at Dawson, Georgia, mentioned in "Washington Post and Times Herald" article 6/8/58. During arrest of Odell Brazier on 4/20/58 for reckless driving, his son, James Calvin Brazier, appeared on scene and asked officers "Don't hit my daddy." Odell Brazier claims he was hit over the left eye and ear with a blackjack. The son was not arrested at this time but subjects later went to his home and allegedly beat him with a blackjack and brought him to jail. Odell Brazier stated following morning his son was unable to walk or talk and later when taken to hospital X-rays revealed skull fracture. An operation was performed but the son died 4/25/58. Department by memorandum 6/10/58 requested full investigation which was conducted and a report reflecting the final results of our investigation was furnished to the Department by memorandum dated 6/25/58, at which time the Department was told no further investigation would be conducted unless specifically requested. Bureau had received no additional request prior to the above-mentioned contact by Mr. Barrett.

ACTION:

REC-4

SAC Johnson, Atlanta, was telephonically contacted on the evening of 7/30/58 and instructed that if the USA requested any additional investigation in this matter he, Johnson, should immediately contact the Bureau for clearance prior to the institution of any investigation.

LEC:ews

(5)

52 AUG 7 1958

44-13064

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 4

DOC ID: 31206341

COPIES: 1 PAGES: 2

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 07/31/1958

DOCUMENT TYPE: Teletype

FROM: SAC, Atlanta

TO: Director

SUBJECT: (44-13064-21)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

By teletype 7-31-58, Atlanta was instructed to: (1) Conduct interviews with Cate, [redacted] and Hunter as requested by AUSA Davis; (2) Contact Justice of Peace English as requested by AUSA, however, do not indicate to him that if he does not voluntarily furnish pertinent pages of criminal docket he will be subpoenaed; (3) Advise all individuals that investigation being conducted at specific request of Assistant Attorney General White, Civil Rights Division; and (4) Advise AUSA of results and submit report immediately in order that report will be in possession of United States Attorney prior to 8-4-58.

FOIA(b) 6
FOIA(b) 7 -
(C)

FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 31 1958

TELETYPE

Mr. Tolson	_____
Mr. Belmont	_____
Mr. Mohr	_____
Mr. Nease	_____
Mr. Parsons	_____
Mr. Rosen	_____
Mr. Tamm	_____
Mr. Trotter	_____
Mr. W.C. Sullivan	_____
Tele. Room	_____
Mr. Holloman	_____
Miss Gandy	_____

URGENT 7-31-58 5-24PM EST ESC

TO DIRECTOR FBI

FOIA(b)6
FOIA(b)7 - (C)

FROM SAC, ATLANTA 2P

RANDOLPH ENNIS MC DONALD, AKA, WEYMAN BURCHLE CHERRY, AKA,
ODELL BRAZIER, ET AL, VICTIMS, CR. RE BUREAU TELEPHONE CALL
YESTERDAY ADVISING BUREAU SHOULD BE IMMEDIATELY ADVISED BY
TELETYPE OF ANY REQUEST FOR ADDITIONAL INVESTIGATION CAPTIONED
CASE FROM OFFICE USA, MDG. AT FOUR THIRTY PM EST THIS DATE
AUSA JOSEPH H. DAVIS TELEPHONICALLY CONTACTED ME AND REQUESTED
FOLLOWING INVESTIGATION BE CONDUCTED AS EXPEDITIOUSLY AS POSSIBLE.
ONE - REINTERVIEW NETTIE CATE, COOK, TERRELL COUNTY JAIL, DAWSON.
TWO - REINTERVIEW [REDACTED] INMATE, TERRELL COUNTY JAIL.
THREE - INTERVIEW FRANK HUNTER, NIGHT WATCHMAN AT COTTON GIN, DAWSON.
FOUR - CONTACT JUSTICE OF PEACE D. F. ENGLISH, DAWSON, TO ASCER-
TAIN IF HE WILL VOLUNTARILY FURNISH PAGES NINETY, NINETYONE AND
NINETYTWO OF CRIMINAL DOCKET, JUSTICE COURT, ONE ONE FIVE FOUR,
DISTRICT 6M, TERRELL COUNTY, GA. FOR PHOTOSTATING, IT BEING NOTED
THAT WARRANT RELATING TO ARREST OF VICTIM BRAZIER SUPPOSEDLY
END PAGE ONE

Mr. Rosen

50 AUG 11 1958

REC-3

EX-101

44-13064-21

FOIA(b)6
FOIA(b)7 - (C)

PAGE TWO

ISSUED APRIL TWENTY, FIFTYEIGHT, IS DOCKETED IN JUSTICE OF
PEACE RECORDS ALONG WITH JUNE ENTRIES. AUSA DAVIS INDICATED
IF JUSTICE OF PEACE ENGLISH WOULD NOT VOLUNTARILY FURNISH
THESE PAGES FOR PHOTOSTATING HE DESIRED TO BE NOTIFIED
IMMEDIATELY THEREAFTER SO HE COULD PREPARE TO ISSUE SUBPOENA
DUCES TECUM FOR PRODUCTION THESE PAGES. AUSA DAVIS ADVISED
IN CONNECTION WITH REINTERVIEW OF [REDACTED] INMATE,
TERRELL COUNTY JAIL, THIS INTERVIEW SHOULD BE CONDUCTED
PRIVATELY AT THE JAIL WITH WHATEVER FACILITIES SHERIFF WAS ABLE
TO PROVIDE. BUREAU REQUESTED TO SUTEL IMMEDIATELY ADVISE AS TO
WHETHER ABOVE OUTLINED INVESTIGATION REQUESTED BY AUSA DAVIS
SHOULD BE CONDUCTED. IN CONNECTION WITH REQUESTED INVESTIGATION
BUREAU REFERRED TO REPORT SA CHARLES T. HAYNES DATED JULY THIRTY
LAST WITH REFERENCE TO NETTIE CATE, [REDACTED] AND FRANK
HUNTER. REFER TO REPORT SA HENRY L. BURGETT DATED JUNE TWENTY
FOUR LAST, PAGE FIVE, FOR BACKGROUND INFO RE REQUEST TO ENDEAVOR
TO OBTAIN PHOTOSTATIC COPIES OF PAGES OF JUSTICE COURT DOCKET.

END ACK

6-28 PM OK FBI WA JFS

WU DSIC

cc: MR. SOREN
[REDACTED]
INVESTIGATIVE DIVISION

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 8/2/58

FROM : *NRJ*
SAC, Atlanta

SUBJECT: RANDOLPH ENNIS McDONALD,
aka Randall;
WEYMAN BURCHLE CHERRY,
aka Hancock;
ODELL BRAZIER;
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTS

Enclosed is the report of SA CHARLES T. HAYNES
at Atlanta, Ga., dated 8/2/58, captioned as
above.

Reference

Report of SA CHARLES T. HAYNES at Atlanta dated 7/30/58
Atlanta teletype to Director, 7/31/58
Bureau teletype to Atlanta, 7/31/58

All individuals interviewed were advised investigation
being conducted at specific request of Assistant Attorney
General W. WILSON WHITE, Civil Rights Division, U. S.
Department of Justice.

2 - Bureau (2 encls.) AMSD (44-13064)

2 - Atlanta (44-876)

CTH:mel
(4)

EX-101

REC-22

44-13064-26
Z AUG 4 1958

EX-101

REC-22

52 AUG 11 1958

FEDERAL BUREAU OF INVESTIGATION

Reporting Office ATLANTA	Office of Origin ATLANTA	Date 8/2/58	Investigative Period 7/31; 8/1, 2/58
TITLE OF CASE RANDOLPH ENNIS McDONALD, aka Randall; WEYMAN BURCHLE CHERRY, aka Hancock; ODELL BRAZIER; JAMES CALVIN BRAZIER - VICTIMS		Report made by CHARLES T. HAYNES	Typed By: MEL
		CHARACTER OF CASE CIVIL RIGHTS	

FOIA(b) 6
FOIA(b) 7 - (C)

Synopsis:

[redacted] female inmate, Terrell County Jail, Dawson, Ga., on 8/1/58 stated that on a Sunday several months ago she saw Officers CHERRY and McDONALD of Dawson, Ga. PD bring colored man, later identified to her as JAMES BRAZIER, aka, "BUBBER" into Terrell County Jail, and place him in colored male section of jail, at time he was handcuffed and walking without assistance. Shortly thereafter, [redacted] heard Officer CHERRY tell EUGENE MAGWOOD, aka, "GENE", a prisoner trustee, to bring "BUBBER" over and place him in cell in wing where she and IRA LEE GLADDIN were located. [redacted] advised that a few minutes later "BUBBER" came walking into wing behind "GENE" and was placed in cell next to [redacted] and IRA LEE GLADDIN. According to [redacted] IRA LEE GLADDIN spoke to "BUBBER", and he stated officers arrested his father, and then came to his home, arrested and beat him. [redacted] stated a few minutes later Officer CHERRY had "GENE" bring "BUBBER" back out of wing, and about 1-1/2 hours later Officer CHERRY, Officer McDONALD, and "GENE" brought "BUBBER" back to cell carrying him in blanket, and leaving him in cell.

Approved <i>W. R. [signature]</i>	Special Agent in Charge	Do not write in spaces below	
Copies made: 2 - Bureau (44-13064) AMSR d 10-08-58 1 - USA, Macon 2 - Atlanta (44-876)		44-13064-25	REC-22
1cc: AAG Civil Rights Division Form 6-94		AUG 4 1958	EX-101

52 AUG 11 1958

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AT 44-876

FOIA(b)6
FOIA(b)7 - (C)

[] advised that IRA LEE GLADDIN called to "BUBBER" but he did not answer. [] stated that three times thereafter, at about twenty minute intervals, Officer MCDONALD came back again and said "JAMES", but she did not hear "BUBBER" answer. [] aware of no other activity in "BUBBER'S" cell after she went to sleep about 2:00 a.m. until about 9:00 a.m. Monday morning when Chief LEE of Dawson PD, came to "BUBBER'S" cell. [] stated "GENE" pulled "BUBBER" out of bed while Chief LEE hit "BUBBER" on back with leather strap on end of his blackjack. [] advised "GENE" and Chief LEE led "BUBBER" out of cell, and she saw blood around waist of undershirt and also on mattress cover of bed. [] did not hear "BUBBER" speak at all before he left cell. NETTIE CATE, Cook at Terrell County Jail, stated on 8/1/58 that on 4/20/58 she saw BRAZIER being beaten by Officer CHERRY in front of BRAZIER's house while being held by CHERRY, and Mr. RANDOLPH of Dawson PD, who put "BUBBER" in police car and left. CATE stated that on 4/21/58 about 9:00 a.m., she saw "BUBBER" being assisted from Terrell County Jail to Police car by Officer CHAPMAN of Dawson PD and two prisoners. D. F. ENGLISH, Justice of Peace, Dawson, Ga., not willing to allow agents to photostat or photograph Justice Court Criminal Docket. FRANK B. HUNTER, Night Watchman, Dawson Compress and Storage Co., Dawson, Ga., stated he has no knowledge regarding any Negro man being beaten at Compress or anywhere else. Investigation conducted was requested by USA, Macon.

- C -

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC (44-876)

DATE: August 2, 1958

FROM : Special Agents CHARLES T.
HAYNES and MAURICE L. FOSHEE

Dictated: August 2, 1958

SUBJECT: RANDOLPH ENNIS McDONALD,
aka Randall;
WEYMAN BURCHLE CHERRY,
aka Hancock;
ODELL BRAZIER;
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTSFOIA(b) 6
FOIA(b) 7 - (C)

At approximately 11:28 a.m., on August 1, 1958, Special Agents CHARLES T. HAYNES and MAURICE L. FOSHEE contacted Sheriff E. T. MATHEWS, Sheriff of Terrell County, Georgia, at his office in the Terrell County Courthouse Building at Dawson, Georgia, requesting that he make available for interview [] a prisoner in the Terrell County Jail. Sheriff MATHEWS stated, "Why sure, I'll be glad to make her available for interview as long as you want to talk to her, come on, let's go over to the jail, and I'll bring her into my office".

At this time the agents accompanied Sheriff MATHEWS, walking out of the Terrell County Courthouse, through the Courthouse parking lot, through the Terrell County Jail yard, and into the Sheriff's Office. At this time, Sheriff MATHEWS removed [] from her cell, brought her into his office, and left her with the agents.

The interview with [] started at approximately 11:32 a.m. During the time of the interview, Sheriff MATHEWS came into the office three times for the purpose of obtaining the key ring to the prison cells, which ring was kept in a locked metal safe in the office.

[] was requested to relate to the agents her observations at the time JAMES BRAZIER was in the Terrell County Jail. After [] related her knowledge of the activities in the Terrell County Jail at the time JAMES BRAZIER was in the jail, the agents began preparing a written statement based on the information furnished by []

CTH:mel

AT 44-876

FOIA(b)6
FOIA(b)7 - (C)

At approximately 1:45 p.m., at which time the statement, which was being written by Special Agent CHARLES T. HAYNES, as the events were related by [redacted] Sheriff MATHEWS entered the office stating, "Are you about finished, I've got to go on a call, and don't have anyone to help me in the jail. I can put her in the cell, and you can finish in there, or you can come back in about an hour and finish".

At this time the Sheriff was informed by the agents that they were practically through with the interview, and they would be glad to return in approximately one hour to complete the interview. At this time Sheriff MATHEWS stated, "Well, boys, Judge GEER says I can't keep her out of the cell, and you will have to finish the interview in the cell". The Sheriff acknowledged that other prisoners were in cells in the immediate area to [redacted] cell, and was apologetic, but stated, "The Judge is my boss, and I have nothing to say about it".

The agents thanked the Sheriff, and told him they would return later in the afternoon.

At 3:22 p.m. on August 1, 1958, Sheriff MATHEWS was contacted telephonically, and advised that the agents would not return to continue the interview with [redacted] under the circumstances, in view of the fact that interviewing her in her cell would not afford privacy.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

August 2, 1958

FOIA(b) 6
FOIA(b) 7 - (C)

[redacted] was interviewed in the office of Sheriff Z. T. MATHEWS located at the Terrell County Jail, Dawson, Georgia. On the basis of the interview with [redacted] the following unsigned statement was prepared:

"August 1, 1958
Dawson, Georgia

"I, [redacted] wish to furnish the following statement voluntarily to MAURICE L. FOSHEE and CHARLES T. HAYNES, who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised by them that I am not required to make this statement.

"I was born June 24, 1938 in Pike County, Alabama. I completed the fifth grade in school. I have been in the Terrell County Jail at Dawson, Georgia since October 12, 1957. I was convicted in December 1957 for [redacted] and sentenced to serve from five to ten years. My case is being appealed at the present time.

"IRA LEE GLADDIN and I were in the same cell in jail for about one and one half months.

"I cannot remember the date, but one Sunday afternoon several months ago just about sundown IRA LEE GLADDIN and I were looking out the window of our cell when we saw officer CHERRY and officer McDONALD of the Dawson, Georgia Police Department bring a colored man into the jail yard and take him into the wing of the jail where the colored men are locked up. I did not know this colored man, but he was about fifty years old. IRA LEE said she knew the man but she did not call him name.

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Interview with MARY CAROLYN CLYDE File # AT 44-876
on 8/1/58 at Terrell County Jail, Dictated: 8/2/58
Dawson, Georgia
by Special Agent CHARLES T. HAYNES and
MAURICE L. FOSHEE/mel

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AT 44-876

"While these officers were bringing the colored man in Sheriff Z. T. MATHEWS was in the wing of the jail where I was looking out of the window and he was talking to a white man in another cell which they call 'the run-around'. A few minutes after they came in with the colored man I saw Officer McDONALD come into the wing where I was located and talk to Sheriff MATHEWS.

"I heard Officer McDONALD say 'I arrested his Daddy and put him over there, and I arrested him too but he didn't want to come'. The Sheriff said 'Well, you go back and get him, take your blackjack and beat hell out of him if he doesn't want to come. Bring him back anyway, live or dead'. Officer CHERRY was not there while the Sheriff and McDONALD were talking. I saw Officer McDONALD go on out the jail yard gate alone after that.

"Just before dark on the same Sunday, IRA LEE and I were looking out the cell window when Officer CHERRY and Officer McDONALD brought a colored man into the jail yard that looked about thirtynine years old. IRA LEE said that's JAMES 'BUBBER' BRAZIER. JAMES had handcuffs on when he came in the gate and Officer CHERRY was holding on to his arm so he could not run. I did not see any blood on JAMES at this time. I saw them put JAMES in the wing where they kept the colored men,

"A few minutes later Officer CHERRY came over to the wing of the jail where we were and told EUGENE MAGWOOD, a prisoner trustee who stays in a cell in the wing where IRA LEE and I stay, to 'go over and get him and put him in one of these cells'. We call EUGENE MAGWOOD 'GENE'. A few minutes later 'GENE' came back to the wing we were in, with 'BUBBER' walking behind him. 'GENE' had the keys and he put 'BUBBER' in the cell next to the cell IRA LEE and I were in.

"A few minutes later Officer CHERRY came to the door and told 'GENE' to bring 'BUBBER' back 'out here'. After that Officer McDONALD came to the door of the wing and told 'BUBBER' to come on out so 'BUBBER' came out of the cell with 'GENE' and they went in the direction of the office of Sheriff MATHEWS, but I could not see in the office and did not see or hear the Sheriff.

"About one and one half hours later Officer CHERRY, Officer McDONALD and 'GENE' came back into

AT 44-876

"the wing carrying 'BUBBER' in a blanket. They put him on the floor and then they called the Sheriff. When the Sheriff came he told them to put 'BUBBER' on the bed so they did, and then left. At the time they brought 'BUBBER' back he had the blanket around him so I couldn't see his face or any part of his body. After they left 'BUBBER' in the cell IRA LEE called to him but he did not answer her.

"About twenty minutes later Officer McDONALD came back and said 'JAMES' several times, but I did not hear JAMES answer. About that time, 'GENE' came into 'BUBBER's' cell and said 'Oh, he's all right'. At that time they both left the cell. About twenty minutes later Officer McDONALD came back again and said 'JAMES' several times but I didn't hear 'BUBBER' answer. Officer McDONALD left the cell, but he came back again in about twenty minutes and said 'JAMES' several times but I did not hear 'BUBBER' answer him.

"After this, Officer McDONALD left and I did not see or hear anyone else come into 'BUBBER's' cell the rest of the night. 'BUBBER' was in a cell by himself while he was in the wing where IRA LEE and I were located. I went to sleep about two o'clock in the morning which was a Monday.

"At about nine o'clock on Monday morning Chief LEE of the Dawson, Georgia Police Department came to 'BUBBER's' cell with 'GENE' and 'GENE' said 'come on JAMES they are fixing to carry you up to council this morning and have your trial'. 'BUBBER' didn't get up so 'GENE' pulled him out of bed, while Chief LEE hit him on the back seven or eight times with the leather strap on the end of his blackjack. When they left the cell 'BUBBER' was walking and 'GENE' and Chief LEE were leading him along by his arms. I did not hear 'BUBBER' say anything. I could see some blood around his waist on his undershirt when 'BUBBER' left the cell. I also saw some blood on the mattress cover on 'BUBBER's' bed after he left the cell. 'BUBBER' had a small bandage on his forehead.

AT 44-876

FOIA(b)6

FOIA(b)7 - (C)

As the above statement was being written, [] [] acknowledged that the information she was furnishing orally was true and correct.

In addition to the above statement, [] stated that Chief LEE of the Dawson, Georgia Police Department, and EUGENE MAGWOOD, a Trustee at the Terrell County Jail, assisted JAMES BRAZIER when he walked from the Terrell County Jail through the jail yard to a police car.

[] pointed out that EUGENE MAGWOOD, escorted JAMES BRAZIER to a cell next to the cell she and IRA LEE GLADDIN occupied in the women's wing of the jail. Soon after JAMES BRAZIER was placed in the jail. [] stated further that at this time IRA LEE GLADDIN spoke to JAMES BRAZIER, and BRAZIER said the police arrested his father, who was at that time locked in a cell in the wing of the jail occupied by colored male prisoners. [] also advised that JAMES BRAZIER continued stating that after the officers arrested his father, they came to his home, arresting him, as well as beating him, and placed him in jail.

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC (44-876)

DATE: August 2, 1958

FROM : Special Agents CHARLES T. HAYNES
and MAURICE L. FOSHEE

Dictated: August 2, 1958

SUBJECT: RANDOLPH KENNIS McDONALD,
aka Randall;
WEYMAN BURCHLE CHERRY,
aka Hancock;
ODELL BRAZIER;
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTSFOIA(b)6
FOIA(b)7 - (C)

It is noted in connection with the unsigned statement prepared during the interview with [redacted] at the Terrell County, Georgia Jail on August 1, 1958, that this interview was terminated prior to the time [redacted] had the opportunity to read and sign the statement being prepared, due to the request of Sheriff E. T. MATHEWS that the interview be continued in [redacted] cell, which would not have afforded sufficient privacy.

As [redacted] statement was being written, she acknowledged that the information she was furnishing orally was true and correct.

CTH:mel

August 2, 1958

On August 1, 1958, NETTIE CATE, 414 North Ash Street, Dawson, Georgia, furnished the following signed statement:

"August 1, 1958
Dawson, Georgia

"I, NETTIE CATE wish to furnish the following statement voluntarily to MAURICE L. FOSHER and CHARLES T. HAYNES who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that I am not required to make this statement.

"I was born February 22, 1907 at Carnegie, Georgia. I completed the seventh grade in school. I am employed as a cook at the Terrell County Jail. I reside at 414 North Ash Street, Dawson, Georgia.

"I do remember that on April 20, 1958, which was the third Sunday in April, I was sitting on the front porch of my residence at about four o'clock in the afternoon when I saw JAMES 'BUBBER' BRAZIER go by in his car in the direction of his residence, located about one block from my residence on North Ash Street.

"About ten or fifteen minutes after 'BUBBER' went by my house I heard some children screaming down the street. I looked and saw that in front of 'BUBBER's' house there was a Dawson, Georgia Police car. I recognized 'BUBBER' in his yard and saw Officer CHERRY and Mr. RANDOLPH, another officer of the Dawson, Georgia Police Department, walking towards the police car with 'BUBBER' in the middle. One of the officers was on each side of 'BUBBER' holding his arms. Officer CHERRY was holding 'BUBBER's' left arm and hitting 'BUBBER' over the head with something he had in his right hand. I could not tell what Officer CHERRY had in his hand. I did not see Mr. RANDOLPH hitting him. I did not see 'BUBBER'

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Interview with _____ File # _____
on NETTIE CATE AT 44-876
by Special Agent 8/1/58 Dawson, Georgia Dictated: 8/2/58

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AT 44-876

"holding back or trying to get away from the officers and did not see him trying to hit the officers. The officers shoved 'BUBBER' in the back seat of the car and drove off with him.

"I went to work in the kitchen at the Terrell County Jail the next morning April 21, 1958 at twenty minutes before eight. At about nine o'clock that morning I saw 'BUBBER' in the hall in front of the kitchen door waiting to go out the door from the hall into the jail yard. Mr. CHAPMAN, an officer of the Dawson, Georgia Police Department was holding 'BUBBER' by one arm while they were standing in front of the door waiting for some other prisoners to go to court. When the other three prisoners arrived at the door where 'BUBBER' was standing two of the prisoners, one on each side, held his arm and walked out the door through the jail yard to the car. 'BUBBER'S' father was one of the prisoners but he did not hold one of his arms going out to the car. I do not know the name of the two men who held 'BUBBER'S' arms going out to the car.

"'BUBBER' had on pants and an undershirt when I saw him but they were so dirty I could not say whether he had any blood on his clothes.

"He had a bandaid on his forehead but I did not see any blood. He did not have on his shoes when I saw him.

"When the prisoners arrived at the police car outside the gate to the jail yard 'BUBBER' could not lift his feet to get into the car. At this time Mr. CHAPMAN said 'I ought to kick you in'. 'BUBBER'S' father said 'Don't do that - I'll help him in'. His father helped 'BUBBER' into the police car and they all left in the same.

"At no time on April 20, 1958 or April 21, 1958 did I hear 'BUBBER' say anything at all to any police officers.

AT 44-876

"I have read the above Statement off this page and fore other pages and initialed the changes I wanted made. The Statement is all true.

/s/ NETTIE CATE

"WITNESSED:

"CHARLES T. HAYNES, Special Agent, F. B. I., Atlanta, Ga. 8-1-58

"MAURICE L. FOSHEE, Special Agent, F. B. I., Atlanta, Ga. 8-1-58"

FOIA(b)6

FOIA(b)7 - (C)

In addition to the above, NETTIE CATE stated that sometime in June, 1958, [redacted] an inmate in the Terrell County, Georgia Jail, gave her a handwritten letter which she later turned over to Mrs. HATTIE BRAZIER, the widow of JAMES BRAZIER.

After examining a one page handwritten letter, which was made available at this time, CATE stated that this letter, bearing the date stamp June 27, 1958, and beginning "Dear Front i am - - -" and ending "- - - Don you all cold my Neme." was the same letter she received from [redacted] and turned over to Mrs. HATTIE BRAZIER.

NETTIE CATE also stated that she recalled that IRA LEE GLADDIN was a prisoner occupying the same cell with [redacted] at the time JAMES BRAZIER was brought into the Terrell County Jail. She stated further that IRA LEE GLADDIN was transferred from the Terrell County Jail to one of the State Prisons a few weeks after she last saw JAMES BRAZIER in the Terrell County Jail.

AT 44-876

Reference is made to the one page handwritten letter bearing the date stamp June 27, 1958, beginning "Dear Front i am - - -" and ending "- - - Don you all cold my neme," which NETTIE CATE identified above.

It is to be noted that Exhibit #1 in the report of Special Agent CHARLES T. HAYNES at Atlanta dated July 30, 1958, is an autostatic copy of this letter.

FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

August 2, 1958

D. F. ENGLISH, Justice of the Peace, Dawson, Georgia, stated that he was not willing to allow agents to photostat or photograph Justice Court Criminal Docket #1154, District GM, Terrell County, Georgia, because it was his personal record, and he was responsible only to the Terrell County Grand Jury.

ENGLISH acknowledged that the above docket was a public record, stating that it was available for anyone to examine, and he would have no objection to agents "looking at it", but emphasized he would not permit it to be photostated or photographed.

ENGLISH declined to furnish a signed statement.

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Interview with D. F. ENGLISH File # AT 44-876
on 8/1/58 at Dawson, Georgia Dictated: 8/2/58
by Special Agents CHARLES T. HAYNES and MAURICE L. FOSHEE/mel

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FEDERAL BUREAU OF INVESTIGATION
INTERVIEW REPORT

August 2, 1958

FRANK B. HUNTER, 217 Twelfth Avenue, Dawson, Georgia, advised that he is employed as a Night Watchman at the Dawson Compress and Storage Company on Twelfth Avenue in Dawson, Georgia. He pointed out that the property of the Dawson Compress and Storage Company is practically adjacent to his residence. He stated that his working hours are from 8:00 p.m. to 1:30 a.m., seven days a week, and that he was working those hours during the entire month of April, 1958.

HUNTER stated that on or about July 28, 1958, a Negro man and a Negro woman, whom he does not recall ever seeing before, came to his residence, informing him that the woman was the wife of a Negro man the police beat up several months ago. HUNTER stated that he did not know the name of the Negro man that they were talking about, but had the impression he was employed by the Stevens Chevrolet Company in Dawson, Georgia, at the time he was alleged to have been beat up.

HUNTER stated that the above man and woman informed him that it had been reported to them that he stated he knew something about the woman's husband being beaten up at the place where he was working one night. HUNTER stated further that he informed them he knew absolutely nothing about any Negro man being beaten up while he was at work at the Dawson Compress and Storage Company, or at any other time, and had told no one that he had any such knowledge.

HUNTER explained that he had no idea how the above man and woman had the impression that he knew anything about any Negro man being beaten up at any time.

15

Interview with FRANK B. HUNTER
on 8/1/58 at Dawson, Georgia

File # AT 44-870
Dictated: 8/2/58

by Special Agent CHARLES T. HAYNES and MAURICE L. FOSHEE/mel

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AT 44-876

HUNTER declined to furnish a signed statement, commenting that he possessed no information worthy of putting in any statement, and anyone who said he has any knowledge in connection with the above-mentioned Negro man being beaten is a liar.

AT 44-876

At 4:30 p.m., July 31, 1958, Assistant U. S. Attorney, JOSEPH H. DAVIS, Macon, Georgia, contacted this office telephonically requesting that the following investigation be conducted in this case as expeditiously as possible:

1. Reinterview NETTIE CATE, Cook, Terrell County Jail, Dawson, Georgia.
2. Reinterview [REDACTED] Inmate, Terrell County Jail, Dawson, Georgia. FOIA(b)6
FOIA(b)7 - (C)
3. Interview FRANK HUNTER, Night Watchman at Cottin Gin in Dawson, Georgia.
4. Contact Justice of Peace, D. F. ENGLISH, Dawson, Georgia, to ascertain if he would voluntarily furnish pages 90, 91, and 92 of Criminal Docket, Justice Court #1154, District GM, Terrell County, Georgia, for photostating.

Mr. DAVIS advised in connection with the re-interview of [REDACTED] that the interview be conducted privately at the Terrell County Jail with whatever facilities the Sheriff was able to provide.

- C -

WITHDRAWAL NOTICE

RG: 65 Federal Bureau of Investigation

SERIES:

NND PROJECT NUMBER: 50876

FOIA CASE NUMBER: 30006

WITHDRAWAL DATE: 11/19/2008

BOX: 00637

FOLDER: 0001

TAB: 2

DOC ID: 31206339

COPIES: 1 PAGES: 17

ACCESS RESTRICTED

The item identified below has been withdrawn from this file:

FOLDER TITLE: 44-13064

DOCUMENT DATE: 08/02/1958 DOCUMENT TYPE: Report

FROM: Haynes

TO:

SUBJECT: (44-13064-25)

The original version of this document has been withdrawn. Attached is a copy of the original with portions deleted for the following reason(s):

FOIA(b)6

FOIA(b)7 - (C)

WITHDRAWAL NOTICE

STANDARD FORM NO. 64

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. ROSEN

DATE: 8/4/58

FROM : J. R. MALIBY

CALL 11:12 a.m.

SUBJECT: RANDOLPH ENNIS McDONALD, et al.;
ODELL BRAZIER, et al., Victims
CIVIL RIGHTS

Tolson	_____
Boardman	_____
Belmont	_____
Mohr	_____
Nease	_____
Parsons	_____
Rosen	_____
Tamm	_____
Trotter	_____
W.C. Sullivan	_____
Tele. Room	_____
Holloman	_____
Gandy	_____

SAC Johnson, Atlanta, telephonically advised he had received information from United States Attorney (USA) Davis, Middle District of Georgia, relative to a subpoena duces tecum that was served Sunday, 8/3/58, on Justice of the Peace English requesting that English bring before the Federal grand jury certain pages of his docket. English in conversation with USA Davis advised he was in ill health; was obtaining a doctor's certificate to this effect and did not intend to produce his docket. Davis in conversation with English pointed out the only reason for the subpoena was the fact that he, English, had refused to make available to Agents the three pages of the docket pertinent to this case. English then advised that he would permit the docket to be made available to Agents and they could obtain the information desired.

Johnson advised that USA Davis has discussed this matter with St. John Barrett of the Department and that he, Davis, and Barrett were in agreement that Agents should go ahead and obtain photographs of the three pages in question.

Johnson explained that the docket is so large and so bulky that it would be extremely difficult to remove the pages for photostating and that the USA was agreeable to photographs being obtained.

ACTION

None. For information.

JRM/rh
(5)

77 AUG 8 1958

REC-12

3 AUG 5 1958

This is one of 5 cases at Dawson, Georgia, mentioned in "Washington Post & Times Herald" article 6/8/58. During arrest of Odell Brazier on 4/20/58 for reckless driving, his son, James Calvin Brazier, appeared on scene and asked officers "Don't hit my daddy." Odell Brazier claims he was hit over the left eye and ear with a blackjack. The son was not arrested at this time but subjects later went to his home and allegedly beat him with a blackjack and brought him to jail. Odell Brazier stated following morning his son was unable to walk or talk and later when taken to hospital X-rays revealed skull fracture. An operation was performed but the son died 4/25/58. Department by memorandum 6/10/58 requested full investigation which was conducted and a report reflecting the final results of our investigation was furnished to the Department by memorandum dated 6/25/58, at which time the Department was told no further investigation would be conducted unless specifically requested. Bureau has received no additional requests.

MACON JURY WON'T INDICT 3 POLICEMEN

Rights Case Based On Deaths of Dawson Negroes

Special to The Atlanta Journal
MACON, Ga., Aug. 9—A federal grand jury here has refused to indict three Dawson policemen accused of fatally beating one Negro and shooting and killing another.

The grand jury returned "no bills" on five separate proposed indictments, a spokesman of the district attorney's office said.

A spokesman for the Justice Department said in Washington that the proposed indictments were based on the Civil Rights Statute.

The officers named in the proposed indictments are Randolph Ennis McDonald, Wymon Burchle Cherry and Edwin Harold Jones, all of the Dawson police force.

DAWSON is a southwest Georgia town of about 5,000 and is the Terrell County seat.

The grand jury's action Friday followed several months of statements and counter-statements about race relations in Dawson, including a story in the Washington (D.C.) Post and Times-Herald which said Negroes in Dawson were living in terror of police.

The deaths on which two of the proposed indictments were based and the pistol wounding of another Negro occurred in April and May.

Another proposed indictment charged two of the officers with beating and illegally detaining another man, and the fifth proposed indictment alleged two of them beat a man.

The dead Negroes were James Brazier, 31, and Willie Countryman, 32, cousins.

Brazier was arrested April 21 by McDonald and Cherry on charges of interfering with an officer, resisting arrest and threatening an officer.

BRAZIER died eight days later in a hospital after an operation for what doctors said was a fractured skull. Officer Cherry said he had been forced to strike

Brazier with his blackjack to subdue him.

Officer Cherry shot and killed Countryman on May 25, after Officers Cherry and Robert Hancock went to investigate a disturbance at a Negro house.

Officer Cherry said Countryman slashed his hat cover with a knife and drew back to strike again. A coroner's jury ruled Officer Cherry had shot in self-defense in line of duty.

THE THIRD incident, involving Tobe Latimer, Negro, occurred the day before Countryman was shot to death.

Officer Cherry said he shot and wounded Latimer in the buttocks following a struggle with Latimer to get possession of "a jewelry shine."

In answer to the charges about terror among Dawson Negroes, Dawson Police Chief Howard Lee declared "97 per cent of our Negroes are satisfied."

CHIEF LEE and Dawson Mayor V. L. Singletary described Officer Cherry, a 31-year-old combat veteran of World War II, as a good officer.

FBI agents went to Dawson to investigate the situation there, and Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, urged the Civil Rights Commission and the attorney general to intervene.

Only July 10, the Justice Department said it had been unable to confirm that new violence warranting federal investigation had taken place at Dawson.

THE ATLANTA JOURNAL
Atlanta, Georgia
8/9/58
Editor: JACK SPALDING

See: AAG Civil Rights Division
Form 6-95 4-15/58 [signature]

ENCLOSURE

Policemen 'No Billed' In Civil Rights Case

U.S. Grand Jury Refuses to Indict Dawson Officers on Race Charges

Special to Atlanta Journal-Constitution

MACON, Ga., Aug. 9—A federal grand jury here has said in effect it found no civil rights violations on the part of three Dawson policemen it was asked to indict.

The grand jury returned "no bills" Friday—refused to indict the three—on five separate proposed indictments.

The proposed indictments alleged that civil rights of persons at Dawson had been violated in instances where:

1. One Negro was shot to death.
2. Another Negro was beaten fatally.
3. A third Negro was shot and wounded.
4. Two other Negroes were allegedly beaten.

A SPOKESMAN for the Justice Department in Washington said the proposed indictments were based on the civil rights statute.

The three Dawson policemen named in the documents are Weyman Burchie Cherry, Randolph Ennis McDonald and Edwin Harold Jones.

The grand jury's refusal to indict them followed several months of statements and counterstatements about race relations in Dawson, fanned by stories in a Washington (D.C.) paper that Dawson Negroes were living in fear of the police.

Dawson is a southwest Georgia town of about 5,000. It is the Terrell County seat.

MEANWHILE, Dawson Police Chief Howard Lee said in Dawson he had considered his three officers "in the right all the time." He reiterated his belief that all three are good police officers. He said that to his knowledge

on other legal action of any kind is pending against any of the three.

Chief Lee said none of the three was suspended at any time during or after the incidents upon which the proposed indictments were based.

The federal jury took up the proposed indictments at Macon as a "matter of convenience" in federal court procedure, said a spokesman for the district attorney's office. He said the jury usually meets twice a year in one division of the Middle District of Georgia and there considers federal matters covering the entire district.

THE MIDDLE District's seven divisions are Macon, Athens, Columbus, Americus, Albany, Thomasville and Valdosta. Federal court usually sits twice a year at each division.

The proposed indictments, now that the federal jury has returned "no bills" on them, become public records, the spokesman said. The documents are being filed in the office of the clerk of U.S. District Court at Americus, he said.

The proposed indictments generally charged that the officers named in each deprived persons of certain constitutional rights, with each document citing specific allegations.

ONE PROPOSED indictment against Officer Cherry alleged he deprived Willie Countryman of certain of his rights in that Cherry did "willfully and without lawful authority or justification shoot, wound and kill (Countryman) . . . with a pistol or other firearm, all for the purpose of administering summary punishment . . . and

with intent of depriving Countryman of his rights.

One count in a proposed indictment against Cherry and McDonald alleged they did "strike, beat, whip and batter (James Brazier) . . . with an instrument known as a blackjack or slapjack and did thereby cause injury to said death . . ." of Brazier.

THE SECOND count against Cherry and McDonald, without Brazier's consent, did "invade and enter the premises occupied by him . . . (and) wilfully and without lawful warrant or other lawful writ or process arrest and detain (Brazier) . . . well knowing that he had committed no felony or any offense on said premises."

ANOTHER PROPOSED indictment naming only officer Cherry alleged he did "wilfully and without lawful authority shoot, wound and injure . . ." Willie D. Latimer.

Cherry and Jones were jointly accused in a proposed two-count indictment alleging they did " . . . wilfully and without lawful authority or justification strike, beat,

THE ATLANTA JOURNAL
AND CONSTITUTION
Atlanta, Georgia
8/10/58

Editor: JOEL HUFF,
Sunday Editor

44-13664-57
cc: AAG Civil Rights Division
Form 6-95

ENCLOSURE

SUNDAY, AUGUST 10, 1958 The Atlanta Journal and CONSTITUTION 7-A

whip and injure (Willie Gerald Flag) . . . with a blackjack. The second count alleged they did . . . without a warrant or other lawful writ or process seize and arrest (Flag) . . . and detain him in jail . . . although they well knew that (Flag) . . . had committed no felony or other criminal offense. . . .

THE FIFTH proposed indictment alleged officers Jones and McDonald did "strike, beat, whip and injure . . ." Eugene Renfro.

The names of Flag and Renfro had not been mentioned previously in reports of alleged violence in Dawson. The names of Brazier, Countryman and Latimer were prominent in those reports.

Since last spring Dawson has been the center of an on-again, off-again turmoil about alleged instances of violence and mistreatment against Negroes.

THE FLURRY of statements and counterstatement produced among other things:

1. Stories in the Washington (D.C.) Post and Times-Herald alleging that Negroes in Dawson lived in fear of police. The stories were by a staff writer of the Washington paper, Robert E. Lee Baker, and were written under a Dawson dateline.

2. Indignant denial of the statements by Dawson's mayor and police chief and their defense of Officer Cherry.

3. An investigation at Dawson by FBI agents.

4. A plea by Roy Wilkins, executive secretary of the National Assn. for the Advancement of Colored People, for intervention by the Civil Rights Commission and the attorney general.

5. A decision by the Civil Rights Commission not to investigate alleged mistreatment. Staff Director Gordon Tiffany did not spell out the reasons but there were implications that the matter had not been properly brought to the attention of the commission.

FEDERAL spokesman, including

the spokesman for the Justice Department, did not make it clear in what manner action was initiated on the proposed indictments.

Chief Lee declared earlier in answer to the Washington Post stories, that "97 per cent of our Negroes are satisfied." He and Mayor V. L. Singletary described Officer Cherry as a "very good policeman."

A coroner's jury ruled the death of Willie Countryman, 32, on May 25 was self-defense on the part of Cherry. Officer Cherry said he shot Countryman after the Negro slashed his hat cover with a knife and drew back the knife to strike again. Cherry said he and a fellow officer had gone to

a house to investigate a commotion.

OFFICER Cherry said he struck Brazier once with his blackjack in subduing Brazier April 21, when Officers Cherry and McDonald arrested the Negro on charges of interfering with an officer, resisting arrest and threatening an officer.

Brazier died eight days later after a brain operation.

Latimer was shot and wounded by Cherry after what Cherry described as a scuffle for "a jar of shine" he said Latimer had in his possession. That incident occurred a day before Countryman was shot.

44-1306-29
Rec: AAG Civil Rights Division
Form 6-55

FD-36 (Rev. 12-13-56)

F B I

Date: 8/11/58

Transmit the following in _____

Via AIRTEL _____

AIR MAIL

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (44-13064) ✓

FROM: SAC, ATLANTA (44-876)

SUBJECT: RANDOLPH ENNIS McDONALD,
aka Randall;
WEYMAN BURCHLE CHERRY,
aka Hancock;
ODELL BRAZIER,
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTS

Captioned case as well as the following cases were presented to the Federal Grand Jury at Macon, Georgia, during the week of August 4, 1958, through August 8, 1958, and "no bills" were returned on each case on 8/8/58:

WEYMAN BURCHLE CHERRY;
ROBERT TERRELL HANCOCK,
Dawson, Georgia Police
Department;
WILLIE COUNTRYMAN, Aka Wootie -
VICTIM
CIVIL RIGHTS
Atlanta File (44-879)

UNRECORDED COPY FILED IN

8 - Bureau

AIRTEL (3) - 44-13064 (Encl. 2)

TELETYPE (1 - 44-WYMAN BURCHLE CHERRY; ETAL,
WILLIE COUNTRYMAN, aka - VIC.) (Encl. 2) s AUG 12 1958

A. M. (1 - 44-WYMAN BURCHLE CHERRY; WILLIE D.
LATIMER, aka. - VICTIM) (Encl. 2)

A. M. S. D. (1 - 44-WYMAN BURCHLE CHERRY; ETAL; WILLIE
GERALD FLAGG, Aka., ETAL - VICTIMS) (Encl. 2)

SPEC. DEL. (1 - 44-EDWIN HAROLD JONES, ETAL: EUGENE RENEOE-VIC.) (Enc. 2)

REG. MAIL (1 - 44-EDWIN HAROLD JONES, ETAL: EUGENE RENEOE-VIC.) (Enc. 2)

REGISTERED 5 - Atlanta (1 - 44-876)
(1 - 44-879)
(1 - 44-880)
(1 - 44-881)
(1 - 44-882)

ENCLOSURE

59 AUG 20 1958

Approved

Sent

M

Per

AIRTEL

AIR MAIL

AT 44-876

WEYMAN BURCHLE CHERRY;
WILLIE D. LATIMER, aka "Tobe" -
VICTIM
CIVIL RIGHTS
Atlanta file (44-880)

WEYMAN BURCHLE CHERRY;
EDWIN HAROLD JONES, Dawson, Georgia,
Police Department;
WILLIE GERALD FLAGG, aka Billy,
ANNIE LEE FLAGG - VICTIMS
CIVIL RIGHTS
Atlanta File (44-881)

EDWIN HAROLD JONES;
RANDOLPH ENNIS McDONALD,
Dawson, Georgia, Police
Department;
EUGENE RENFROE - VICTIM
CIVIL RIGHTS
Atlanta File (44-882)

Attached is one photostat copy each of the following described newspaper clippings for inclusion in each of the above-listed case files as well as captioned file at the Bureau:

- (1) An article appearing in the August 10, 1958 issue of the Atlanta Journal and Constitution, captioned, "Policemen 'No Billed' In Civil Rights Case".
- (2) An article appearing in the August 9, 1958 issue of the Atlanta Journal, captioned, "Macon Jury Won't Indict 3 Policemen".

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 8/13/58

FROM : SAC, Atlanta

SUBJECT: RANDOLPH ENNIS McDONALD,
aka, Randall;
WEYMAN BURCHLE CHERRY,
aka, Hancock;
ODELL BRAZIER;
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTS

Enclosed is the report of SA CHARLES T. HAYNES
at Atlanta, Ga. dated 8/13/58, captioned as
above.

Reference

Report of SA CHARLES T. HAYNES at Atlanta, Ga.,
dated 8/2/58.

- ② - Bureau (44-13064) (2 encls.) (RM)
1 - Atlanta (44-876)

CTH:mel
(3)

ENCLOSURE

REC-21

AUG 13

REC-21

AUG 13 1958

77 AUG 25 1958

EXP. PROC.

FEDERAL BUREAU OF INVESTIGATION

Reporting Office ATLANTA	Office of Origin ATLANTA	Date 8/13/58	Investigative Period 8/4, 5, 6, 7, 8/58
TITLE OF CASE RANDOLPH ENNIS McDONALD, aka, Randall; WEYMAN BURCHLE CHERRY, aka, Hancock; ODELL BRAZIER; JAMES CALVIN BRAZIER - VICTIMS		Report made by CHARLES T. HAYNES	Typed By: MEL
		CHARACTER OF CASE CIVIL RIGHTS	

Synopsis:

On 8/4/58 AUSA JOSEPH H. DAVIS, Macon, Ga., contacted the Atlanta Office advising subpoena duces tecum was served on D. F. ENGLISH, Justice of the Peace at Dawson, Ga. on 8/3/58, ordering ENGLISH to produce Justice Court, Criminal Docket #1154, District G.M., Terrell County, Ga., before Federal Grand Jury at Macon, Ga. on 8/4/58; however, ENGLISH contacted him telephonically on 8/3/58, stating he was in ill health and requested agents return to Dawson, Ga. and photograph desired pages of Docket #1154. AUSA DAVIS requested agents contact ENGLISH at Dawson, Ga. and photograph pages 90, 91, 92, 93, and 94 of Justice Court, Criminal Docket #1154, District G.M., Terrell County, Ga., in time to have photographs available for presentation of case before Federal Grand Jury at Macon, Ga. on 8/6/58. Agents contacted ENGLISH at Dawson, Ga. on 8/4/58 and made photographs as requested. Photographs were developed on 8/5/58, and one set delivered to AUSA DAVIS at Macon on 8/6/58. Case was presented to Federal Grand Jury, MDGA, at Macon, Ga. during week 8/4/58, through 8/8/58, and on 8/8/58, "No Bill" was returned.

- C -

Approved <i>[Signature]</i>	Special Agent in Charge	Do not write in spaces below
Copies made: ② - Bureau (44-13064) (12 encls.) (RM) 1 - USA, Macon 1 - Atlanta (44-876)		44-13064-36 3 AUG 15 1958 REC-21 EX-128

ENCLOSURE
1cc: AAG Civil Rights Division
Form 6-94 8-19-58

77 AUG 25 1958

AT 44-876

DETAILS: On August 4, 1958, Assistant U. S. Attorney, JOSEPH H. DAVIS, Middle District of Georgia, Macon, Georgia, contacted Special Agent in Charge, N. R. JOHNSON, at the Atlanta Office telephonically, advising that at his, DAVIS', request, a subpoena duces tecum was served on D. F. ENGLISH, Justice of the Peace at Dawson, Georgia, on August 3, 1958, ordering ENGLISH to produce Justice Court, Criminal Docket #1154, District G.M., Terrell County, Georgia, before the Federal Grand Jury at Macon, Georgia, on August 4, 1958. Assistant U. S. Attorney DAVIS explained that ENGLISH contacted him telephonically at Macon on August 3, 1958, stating he was in ill health, and requested that agents return to Dawson, Georgia, and photograph the desired pages of Criminal Docket #1154. Mr. DAVIS requested that agents contact ENGLISH at Dawson, Georgia, and photograph pages 90, 91, 92, 93, and 94 of Justice Court, Criminal Docket #1154, District G.M., Terrell County, Georgia, in time to have the photographs available for presentation of this case before the Federal Grand Jury in the Middle District of Georgia at Macon, Georgia, on August 6, 1958.

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC (44-876)

DATE: August 13, 1958

FROM : SAs CHARLES T. HAYNES and
MAURICE L. FOSHEESUBJECT: RANDOLPH ENNIS McDONALD,
aka, Randall;
WEYMAN BURCHLE CHERRY,
aka, Hancock;
ODELL BRAZIER;
JAMES CALVIN BRAZIER - VICTIMS
CIVIL RIGHTS

At 5:15 p.m., on August 4, 1958, Special Agents MAURICE L. FOSHEE and CHARLES T. HAYNES contacted D. F. ENGLISH, Justice of the Peace at the Terrell County Courthouse in Dawson, Georgia, at which time ENGLISH stated he was waiting for the agents to arrive for the purpose of taking photographs of pages 90, 91, 92, 93, and 94 of Justice Docket #1154, Criminal Cases, District G. M., Terrell County, Georgia, in accordance with his agreement with Assistant U. S. Attorney, JOSEPH H. DAVIS, when he was contacted by Mr. DAVIS telephonically at approximately 2:30 p.m., on August 4, 1958.

ENGLISH made the above described Docket available immediately, and the following described photographs were taken by Special Agents FOSHEE and HAYNES:

Exposures #1 and #2 -

Page 90, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Exposures #3 and #4 -

Page 91, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Exposures #5 and #6 -

Page 92, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

CTH:mel

AT 44-876

Exposures #7 and #8 -

Page 94, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Exposures #9 and #10 -

Page 93, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Exposures #11 and #12 -

Cover of Justice Docket #1154, Criminal
Cases, District G.M., Terrell County.

- - - - -

The above photographs were made with a Speed Graphic
Camera, using Tri-X Film, with exposure time of one-thbth second
at F16.

The above described film pack consisting of twelve
exposures was developed and printed by Radio Communications
Officer RAYMOND J. STENGER in the presence of SA CHARLES T.
HAYNES, in the Atlanta Office, on August 5, 1958.

One set of the above described six photographs
was furnished by SA HAYNES to Assistant U. S. Attorney
JOSEPH H. DAVIS at Macon, Georgia, at 8:30 a.m. on August 6,
1958.

AT 44-876

Assistant U. S. Attorney JOSEPH H. DAVIS, Middle District of Georgia, Macon, Georgia, advised on August 8, 1958, that this case was presented to the Federal Grand Jury at Macon, Georgia, during the week August 4, 1958, through August 8, 1958, and that on August 8, 1958, a "No Bill" was returned.

ENCLOSURES TO THE BUREAU:

Two each of the following described photographs:

Page 90, Justice Docket #1154, Criminal Cases, District G.M., Terrell County.

Page 91, Justice Docket #1154, Criminal Cases, District G. M., Terrell County.

Page 92, Justice Docket #1154, Criminal Cases, District G. M., Terrell County.

Page 93, Justice Docket #1154, Criminal Cases, District G.M., Terrell County.

Page 94, Justice Docket #1154, Criminal Cases, District G.M., Terrell County.

Cover of Justice Docket #1154, Criminal Cases, District G.M., Terrell County.

- C -

13
RANDOLPH ENNIS McDONALD,
aka, Randall;
WEYMAN BURCHLE CHERRY,
aka, Hancock;
ODELL BRAZIER;
JAMES CALVIN BRAZIER - VICTIMS
AT 44-876
BUFILE 44-13064

ENCLOSURE TO THE BUREAU (TWELVE) (2 sets of 6 each in ~~separate envelopes~~)

Two each of the following described photographs:

Page 90, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Page 91, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Page 92, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

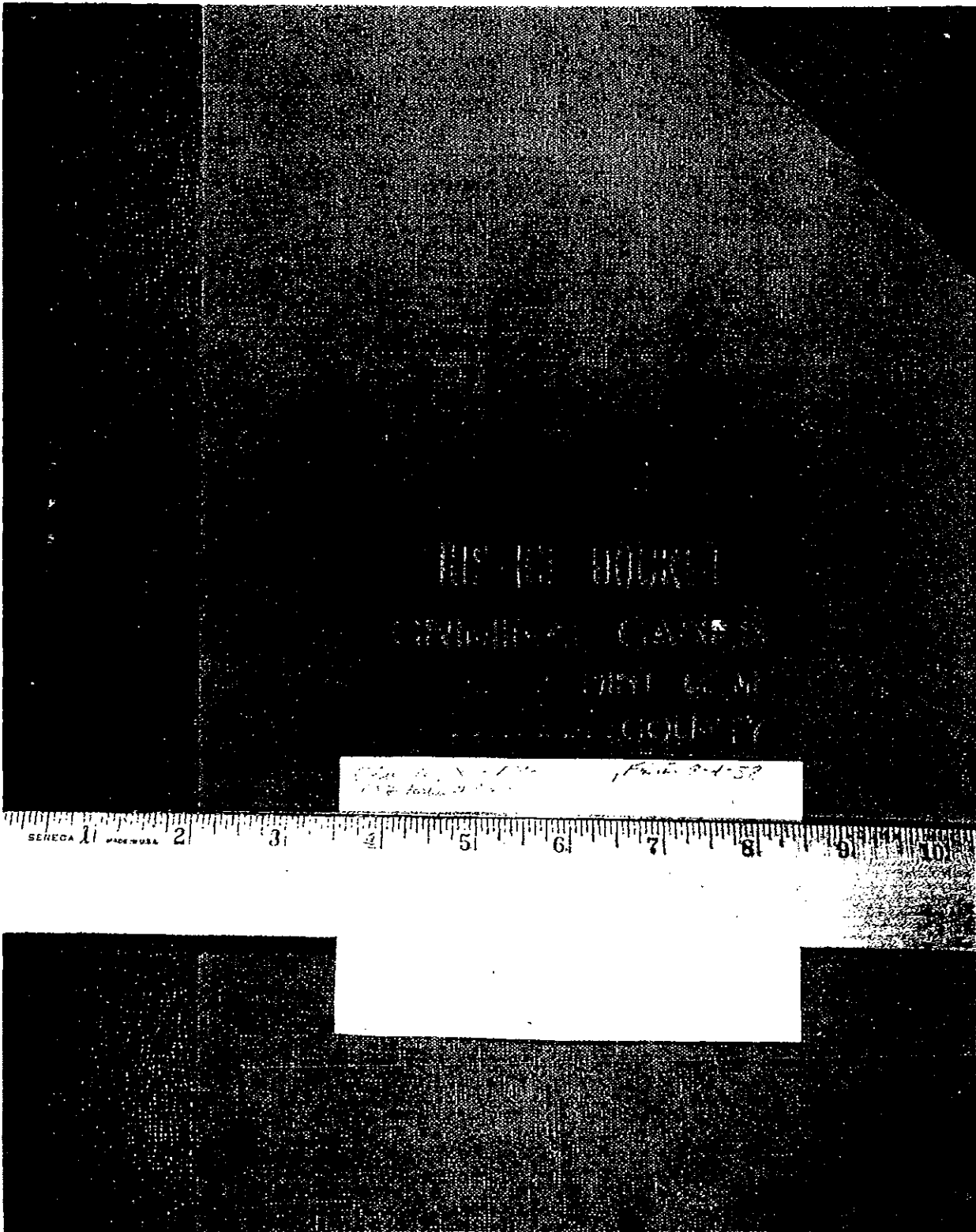
Page 93, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Page 94, Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

Cover of Justice Docket #1154, Criminal Cases,
District G.M., Terrell County.

44-13064-30

ENCLOSURE



THE BOOK

CRIMINAL CASES

IN THE

COUNTY

Case No. 100-1000, Page 2-4-52
100-1000-1000

SENECA 1 MADE IN USA 2 3 4 5 6 7 8 9 10

101

See Fee Bill in Front of Docket.

Criminal Docket, Justice's Court, 154 District, G. M., Turner County, Georgia

Case No.	Prosecutor's Attorneys	THE STATE vs.	Warrant Issued by <u>W. F. English</u>
	Defendant's Attorneys	<u>R. T. Nelson</u>	Date of Issue <u>15</u> day of <u>June</u>
			Offense Charged <u>Passing Forgery</u>
			Prosecutor <u>W. F. English</u>
			Date Set for Trial <u> </u> day of <u> </u>

Accused having been arrested by and brought before me, and waived Committal Trial and demanded

Bond in the sum of \$ is required of the Accused for appearance at the next term of said Court.

This day of , 19 , N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the Court of

charge of Bond for appearance assessed at \$ or in default of giving bond is ordered committed to the Common Jail of COUNTY.

This day of , 19 , N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is

for \$ Costs of this proceeding for use of Officers of Court.

This day of , 19 , N. P. and ex-officio J. P.

Judge's Court	Constable's Court	ENTRIES:
Arrest @ \$ <u> </u>	Arrest @ \$ <u> </u> @ \$3.00	
Subpoena @ 25c each	Keeping Prisoner <u> </u> days @ 1.50	
Witness @ \$2.00	Attending Trial @ <u> </u> @ 1.00	
Witness @ 50c	Serving Subpoena @ <u> </u> @ .50	
Arrest @ \$1.00	Taking Bond @ \$ <u> </u> @ 2.00	
Commitment @ 15c	Conducting Prisoner to Jail @ 15c per mile	
Waiting Committal Trial @ \$1.00	Cost Paid by <u> </u>	
Bond @ \$2.50		
Cost Paid by <u> </u>		
Warrant Returned to <u> </u>		

See Fee Bill in Front of Docket.

Form 35-Revised 3-19

Criminal Docket, Justice's Court, 154 District, G. M., Turner County, Georgia

Case No.	Prosecutor's Attorneys	THE STATE vs.	Warrant Issued by <u>W. F. English</u>
	Defendant's Attorneys	<u>James P. Rogers</u>	Date of Issue <u>1</u> day of <u>July</u>
			Offense Charged <u>Frank M. Rogers</u>
			Prosecutor <u> </u>
			Date Set for Trial <u> </u> day of <u> </u> , 19 <u> </u>

Accused having been arrested by and brought before me, and waived Committal Trial and demanded

Bond in the sum of \$ is required of the Accused for appearance at the next term of said Court.

This day of , 19 , N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the Court of

charge of Bond for appearance assessed at \$ or in default of giving bond is ordered committed to the Common Jail of COUNTY.

This day of , 19 , N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is

for \$ Costs of this proceeding for use of Officers of Court.

This day of , 19 , N. P. and ex-officio J. P.

Justice's Court

Constable's Court

91

See Fee Bill in Front of Docket.

Form 25—Revised 8-49

Criminal Docket, Justice's Court, 154 District, G. M., Harris County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE vs.	Warrant Issued by <u>D. F. Smith</u>
	Defendant's Attorneys, <u>Willie T. Latimer</u>		Date of Issue <u>25</u> day of <u>May</u> , 19 <u>58</u>
			Offense Charged <u>Possession of Explosive</u>
			Prosecutor <u>H. D. Lee</u>
			Date Set for Trial _____ day of _____, 19____

Accused having been arrested by _____ and brought before me, and waived Committal Trial, and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court. _____ This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

Justice's Cost		Constable's Cost		ENTRIES:
Issuing Warrant @ \$2.00		Arrest @ \$ _____ @ \$3.00		
Issuing Subpoenas @ 25c each		Keeping Prisoner _____ days @ 1.50		
Taking Examination @ \$2.00		Attending Trial @ _____ @ 1.00		
Examining Witnesses @ 50c		Serving Subpoenas @ _____ @ .50		
Judgment @ \$1.00		Taking Bond @ \$ _____ @ 2.00		
Commitment @ 75c		Conducting Prisoner to Jail @ 15c per mile		
Waiving Committal Trial @ \$1.00		Cost Paid by _____		
Bond @ \$2.75				
Cost Paid by _____				
Warrant Returned to _____				

See Fee Bill in Front of Docket.

Form 25—Revised 8-49

Criminal Docket, Justice's Court, _____ District, G. M., _____ County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE vs.	Warrant Issued by _____
	Defendant's Attorneys,		Date of Issue _____ day of _____, 19____
			Offense Charged _____
			Prosecutor _____
			Date Set for Trial _____ day of _____, 19____

Accused having been arrested by _____ and brought before me, and waived Committal Trial, and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court. _____ This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

82

See Fee Bill in Front of Docket.

Form 85—Revised 3-49

Criminal Docket, Justice's Court, 1157 District, G. M., Terrell County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE vs. <i>James Bryan</i>	Warrant Issued by <i>Det. F. J. Smith</i>
	Defendant's Attorneys,		Date of Issue <i>20</i> day of <i>June</i> , 19 <i>57</i>
			Offense Charged <i>Robbery with a Knife</i>
			Prosecutor <i>Det. F. J. Smith</i>
			Date Set for Trial _____ day of _____, 19 <i>57</i>

Accused having been arrested by _____ and brought before me, and waived Commitment Trial and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court.

This _____ day of _____, 19*57*, _____ N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19*57*, _____ N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court _____

This _____ day of _____, 19*57*, _____ N. P. and ex-officio J. P.

Juror's Court _____

Issuing Warrant @ \$2.00	Arrest @ \$2.00	ENTRIES
Issuing Subpoenas @ 50c each	Keeping Accused in Jail @ \$1.00	
Taking Examination @ \$2.00	Attending Court @ \$1.00	
Examining Witnesses @ 50c	Conducting Trial @ \$1.00	
Judgment @ \$1.00	Preparing Papers @ \$1.00	
Commitment @ 75c	Other _____	
Waiving Commitment Trial @ \$1.00		
Bond @ \$2.75		
Court Paid by _____		

Warrant Returned to _____

Form 85—Revised 3-49

Criminal Docket, Justice's Court, 1157 District, G. M., Terrell County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE vs. <i>W. C. Carlys</i>	Warrant Issued by <i>Det. F. J. Smith</i>
	Defendant's Attorneys,		Date of Issue <i>24</i> day of <i>April</i> , 19 <i>57</i>
			Offense Charged <i>Robbery with a Knife</i>
			Prosecutor <i>Det. F. J. Smith</i>
			Date Set for Trial _____ day of _____, 19 <i>57</i>

Accused having been arrested by _____ and brought before me, and waived Commitment Trial and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court.

This _____ day of _____, 19*57*, _____ N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19*57*, _____ N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____

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See Fee Bill in Front of Docket.

Form 35—Revised 3-49

Criminal Docket, Justice's Court, 1154 District, G. M., *Tierrell* County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE vs.	Warrant Issued by <i>D. English</i>
	Defendant's Attorneys,		Date of Issue <i>26</i> day of <i>April</i> , 19 <i>48</i>
		<i>Henry Lee</i>	Offense Charged <i>Grand Larceny</i>
			Prosecutor <i>Letter King</i>
			Date Set for Trial _____ day of _____, 19____

Accused having been arrested by _____ and brought before me, and waived Committal Trial, and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court. _____
This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

Justice's Cost

CONSTABLE'S COST

Issuing Warrant @ \$2.00	Arrest @ \$ _____ @ \$3.00	ENTRIES:
Issuing Subpoenas @ 25c each	Keeping Prisoner _____ days @ 1.50	
Taking Examination @ \$2.00	Attending Trial @ _____ @ 1.00	
Examining Witnesses @ 50c	Serving Subpoenas @ _____ @ .50	
Judgment @ \$1.00	Taking Bond @ \$ _____ @ 2.00	
Commitment @ 75c	Conducting Prisoner to Jail @ 15c per mile	
Waiving Committal Trial @ \$1.00	Cost Paid by _____	
Bond @ \$2.75		
Cost Paid by _____		

Warrant Returned to _____, 19____

See Fee Bill in Front of Docket.

Form 35—Revised 3-49

Criminal Docket, Justice's Court, 1154 District, G. M., *Tierrell* County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE vs.	Warrant Issued by <i>D. English</i>
	Defendant's Attorneys,		Date of Issue <i>5</i> day of <i>June</i> , 19 <i>48</i>
		<i>Dean Cash</i>	Offense Charged <i>Walter Chick</i>
			Prosecutor <i>R. R. Collins</i>
			Date Set for Trial _____ day of _____, 19____

Accused having been arrested by _____ and brought before me, and waived Committal Trial, and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court. _____
This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court.

This _____ day of _____, 19____, N. P. and ex-officio J. P.

94

See Fee Bill in Front of Docket.

FORM 35—Revised 3-49

Criminal Docket, Justice's Court, 1154 District, G. M., Terrell County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE	Warrant Issued by <i>D. H. English</i>
	Defendant's Attorneys,	vs. <i>Learn Lash</i>	Date of Issue <i>11th</i> day of <i>June</i> , 19 <i>54</i>
			Offense Charged <i>Worthless Check</i>
			Prosecutor <i>J. Oak Cowan</i>
			Date Set for Trial _____ day of _____, 19 <i>54</i>

Accused having been arrested by _____ and brought before me, and waived Commitment Trial, and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court. This _____ day of _____, 19*54*, _____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19*54*, _____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court.

This _____ day of _____, 19*54*, _____, N. P. and ex-officio J. P.

Justice's Cost		Constable's Cost		ENTRIES:
Issuing Warrant @ \$2.00		Arrest @ \$ _____ @ \$3.00		
Issuing Subpoenas @ 25c each		Keeping Prisoner _____ days @ 1.50		
Taking Examination @ \$2.00		Attending Trial @ _____ @ 1.00		
Examining Witnesses @ 50c		Serving Subpoenas @ _____ @ .50		
Judgment @ \$1.00		Taking Bond @ \$ _____ @ 2.00		
Commitment @ 75c		Conducting Prisoner to Jail @ 15c per mile		
Waiving Commitment Trial @ \$1.00		Cost Paid by _____		
Bond @ \$2.75				
Cost Paid by _____				

Warrant Returned to _____, 19*54*

See Fee Bill in Front of Docket.

FORM 35—Revised 3-49

Criminal Docket, Justice's Court, 1154 District, G. M., Terrell County, Georgia.

Case No.	Prosecutor's Attorneys,	THE STATE	Warrant Issued by <i>D. H. English</i>
	Defendant's Attorneys,	vs. <i>E. Amos Kennedy</i>	Date of Issue <i>17th</i> day of <i>June</i> , 19 <i>54</i>
			Offense Charged <i>Peace Warrant</i>
			Prosecutor <i>Gerald Kennerly</i>
			Date Set for Trial _____ day of _____, 19 <i>54</i>

Accused having been arrested by _____ and brought before me, and waived Commitment Trial, and demanded _____

Bond in the sum of \$ _____ is required of the Accused for _____ appearance at the next term of said Court. This _____ day of _____, 19*54*, _____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is held for trial in the _____ Court of _____ to answer the charge of _____ Bond for appearance assessed at \$ _____ or in default of giving bond is ordered committed to the Common Jail of _____ COUNTY.

This _____ day of _____, 19*54*, _____, N. P. and ex-officio J. P.

After hearing evidence in this case, the Accused is discharged from custody and judgment is _____ for \$ _____ Costs of this proceeding for use of Officers of Court.

JURY BARS ACTION IN NEGRO DEATHS

U.S. Fails to Get Indictments Against Georgia Policemen for Civil Rights Violations

Special to The New York Times.
WASHINGTON, Aug. 9—A Federal grand jury in Georgia has refused to vote indictments against three local policemen on charges of killing two Negroes, shooting another and beating two more.

The Justice Department had recommended the indictments after an inquiry by the Federal Bureau of Investigation and three days of sworn testimony before the grand jury. News of the outcome was released by the department here.

The case as seen by Justice Department officials is a graphic example of the difficulties in the way of Federal prosecutions for civil rights violations in the South.

It may throw some light on the failure of the Justice Department to prosecute anyone after mob violence over school integration in Little Rock, Ark., last year.

The grand jury presentation, stemmed from events last spring in Dawson, a town of 4,500 persons in southwestern Georgia. Negroes make up a little more than half the population.

Three Dawson policemen were named as defendants in the proposed indictments—Randolph Ennis McDonald, Weyman Burchle Cherry and Edwin Harold Jones.

Fatal Beating Charged

Five proposed indictments were presented to the grand jury. Each described a specific incident and accused one or more of the policemen of "wilfully" administering summary punishment to a Negro with intent to deprive him "of his Federally protected rights, privileges and immunities as a citizen."

The first proposed indictment charged that officers McDonald and Cherry had beaten James Calvin Brazier with a blackjack last April 20, causing his injury and death.

According to stories from Dawson, Mr. Brazier, who was 31 years old, interrupted the police as they were arresting his father for drunkenness. After the father was jailed, the police allegedly came back to James Brazier's home, arrested him and beat him.

The next morning, according to the local accounts, Mr. Brazier was carried into court, unable to speak. He was then taken to a hospital for a brain operation but died of a skull fracture. The police said he had been hit on the head with a blackjack while resisting arrest.

The second proposed indictment accused officer Cherry of shooting and killing Willie Countryman, 32 years old, on May 25. He was shot in the stomach in his own back yard. The police said he had been drunk and had jumped them with a switchblade knife.

The third proposed indictment again named officer Cherry, charging him with shooting and wounding Willie B. Latimer, last May 23. The police said he had been picked up drunk and disorderly in a tavern and had been shot resisting arrest.

The fourth proposed indictment charged that officers Cherry and Jones "did strike, beat, whip and injure" Willie Gerald Flagg, 21, with a blackjack.

According to one story from Dawson, young Flagg was playing baseball on May 25 when a police car went by. The police said he made believe he had a shotgun and shouted "bang" at the police. He was arrested for disorderly conduct.

When his mother went down to the jail to see him, she was locked up too. The police said she had been "carrying on."

The last of the proposed indictments charged officers Jones and McDonald with beating, whipping and injuring Eugene Kenfro.

Reconstruction Law Cited

The Justice Department had sought the indictments on the basis of the two criminal statutes on civil rights remaining on the books from the Reconstruction period.

The law prohibits any official, "under color of law," from depriving persons of their rights under the Federal Constitution or laws or from imposing "different punishments, pains or penalties on account of such inhabitant being an alien, or by reason of his color."

The maximum penalty for a violation is a \$1,000 fine, imprisonment for a year or both.

Under the Constitution the states, not the Federal Government, have authority to punish for such crimes as murder. Thus the Federal Government can reach such acts as those charged to the Dawson police only as violations of civil rights in general.

The case was presented to a Federal grand jury in Macon, Ga., by Frank O. Evans, United States Attorney for the middle district of Georgia, and his assistant, Joseph H. Davis. More than twenty witnesses were heard over three days, including several Negroes but not the policemen.

Justice Department officials differed as to the effects of the unsuccessful attempt at prosecution.

Some thought there would be several unfortunate results—to increase resentment of Federal interference, discourage Negroes in asserting their rights and encourage white persons to think they need not fear Federal punishment.

It was some of these concerns that played a part in the Justice Department's decision not to prosecute any of those who took part in the mob violence in Little Rock last year. Without overwhelming evidence, it was feared, local juries might refuse to indict or convict—and the department never had strong evidence.

The other view in the department today was that an investigation of occurrences like those charged in Dawson could have good effects even if no prosecution resulted.

"The result is regrettable and disappointing," one official said, "but having done it is not a waste of time."

"The twenty-three grand jurors, even though they would not indict, know what happened. I cannot believe that anyone approves of police brutality."

"And the police in Dawson know that they will have to answer the questions of Federal investigators when this kind of thing happens. Even if they may feel safe from legal punishment, it takes something out of a man to answer those questions."

Tolson _____
Belmont _____
Mohr _____
Nease _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
W.C. Sullivan _____
Tele. Room _____
Holloman _____
Gandy _____

44-130611
file photostat in
following files:

44-13236
44-13195
44-13225
44-13238

NOT RECORDED
167 AUG 21 1958

Wash. Post and Times Herald _____
Wash. News _____
Wash. Star _____
N. Y. Herald Tribune _____
N. Y. Journal-American _____
N. Y. Mirror _____
N. Y. Daily News _____
N. Y. Times 72 _____
Daily Worker _____
The Worker _____
New Leader _____

Date AUG 10 1958

1cc: AAG Civil Rights Division
Form 3-15/58

77 AUG 22 1958

UNRECORDED COPY FILED IN

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Parsons

DATE: March 18, 1961

FROM : A. Rosen

SUBJECT: UNKNOWN SUBJECTS;
MARVIN GOSHEA - VICTIM
CIVIL RIGHTS

Tolson _____
 Parsons _____
 Mohr _____
 Belmont _____
 Callahan _____
 Conrad _____
 DeLoach _____
 Evans _____
 Malone _____
 Rosen _____
 Tavel _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Ingram _____
 Gandy _____

Department has requested interview of two attorneys regarding reported killing of Negro by officers in Georgia.

Mr. St. John Barrett, Attorney, Civil Rights Division, advised a Mrs. Hattie Brazier had filed civil suit in Federal Court in the Middle District of Georgia against W. B. Cherry and other law enforcement officers in Terrell County, Georgia, involved in the death of her husband. (James Calvin Brazier reportedly beaten with a blackjack 4-20-58 by Cherry and Randolph E. McDonald in Dawson, Georgia. Bureau conducted civil rights investigation and case presented to Federal Grand Jury in Macon, Georgia, which returned a no bill on 8-8-58.)

According to information received by the Department from Clarence Mitchell, Washington Director of the National Association for the Advancement of Colored People (NAACP), Marvin Goshea a principal witness for Mrs. Brazier was reportedly told by law enforcement officers that he would not live to testify in the suit against Cherry. On 3-15-61 Goshea reportedly found dead under circumstances indicating that he did not die of natural causes. Attorneys Donald Hollowell of Atlanta and C. B. King of Albany, Georgia, (attorneys affiliated with the NAACP) are conducting investigation and Department desires Bureau to interview Hollowell and King for full information.

ACTION:

SAC C. E. Weeks of the Atlanta Office was telephonically instructed on the evening of 3-17-61 to have Hollowell and King interviewed for full details and report submitted to reach the Bureau by Monday, 3-20-61.

- 1 - Mr. Mohr
- 1 - Mr. DeLoach
- 1 - 44-13064

CLM:vjh
(9)

62 APR 4 1961

55 APR 4 1961

XEROX

MAR 29 1961

NOT RECORDED
191 MAR 29 1961

7 MAR 28 1961

COPY TO MR. TOLSON

ORIGINAL FILED IN

Mr. Parsons

March 18, 1961

A. Rosen

UNKNOWN SUBJECTS;
MARVIN GOSHEA - VICTIM
CIVIL RIGHTS

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1 - Mr. DeLoach
① - 44-13064

CLM:vjh
(9)

63 MAR 21 1961

44-13064-
NOT RECORDED
46 MAR 21 1961

(Mount Clipping in Space Below)

Mr. Tolson.....
 Mr. Belmont.....
 Mr. Mohr.....
 Mr. Casper.....
 Mr. Callahan.....
 Mr. Conrad.....
 Mr. DeLoach.....
 Mr. Evans.....
 Mr. Gale.....
 Mr. Rosen.....
 Mr. Sullivan.....
 Mr. Tavel.....
 Mr. Trotter.....
 Tele. Room.....
 Miss Holmes.....
 Miss Gandy.....

GEORGIA NEWS

Widow's \$100,000 Suit Due

AMERICUS — A Negro widow goes into federal court Monday seeking to prove that the death of her husband five years ago resulted from a severe beating while he was in custody of police officers in adjoining Terrell County.

In a suit seeking more than \$100,000 damages from law enforcement officers, Mrs. Mattie Brazier of Albany contends her husband, 31-year-old James Brazier, was arrested illegally in Dawson and then fatally beaten.

Brazier died April 25, 1958, in a Columbus hospital five days after his arrest. Doctors said his skull was fractured.

Trial of the complaint will get under way in U.S. District Court after selection of a jury.

Since the suit was filed April 22, 1960, two of the defendants and two key witnesses for Mrs. Brazier have died.

The other defendants are Police Chief W. B. Cherry and officer Randolph McDonald of Dawson and Sheriff Z. T. Matthews of Terrell County — where the federal government filed its first civil rights suit under the 1957 act to protect voting rights.

Dead are former Police Chief Roward Lee and officer Shirl Chatman of Dawson.

(Indicate page, name of newspaper, city and state.)

The Atlanta Constitution
 Atlanta, Georgia
 Page 14
 Date: 2-4-63
 Edition: Morning Street
 Author:
 Editor: Eugene Patterson
 Title: RANDOLPH E.
 MCDONALD et al JAMES
 CALVIN BRAZIER et -VIC
 Character:
 or BU FILE # 44-13064
 CR
 Classification:
 Submitting Office: ATLANTA

44-13064-A
 NOT RECORDED
 184 FEB 7 1963

100 CRD BY
 6-95-H, JNH
 2-17-63

7 FEB 8 1963

File
 6-11-63
 Bureau