

CLOSED

Office Memorandum • UNITED STATES GOVERNMENT

TO : Warren Olney III
Assistant Attorney General
Criminal Division

DATE: May 5, 1955

FROM : Director, FBI

SUBJECT: JOHNNY JOHNSON;
GEORGE POWELL, JR., - VICTIM
CIVIL RIGHTS

RECEIVED

MAY 10 1955

CRIMINAL DIVISION

(Reference is made to _____ memorandum dated _____.)

There is enclosed one copy of the report of Special
Agent Frank R. Southerland dated May 3, 1955
at Atlanta.

A. (x) Please advise whether you desire any further investigation.

B. () The investigation is continuing and you will be furnished copies of reports as they are received.

C. () The investigation which has been requested by you has now been completed. Please advise whether you desire further investigation.

M. E. M.

M. T. W.

Enclosure ☒ Please advise whether or not you desire any interviews conducted under the conditions imposed by the State Board of Corrections. T. W.

RECEIVED

MAY 10 1955

CIVIL RIGHTS SECTION

NEW

144-19-256	
4	MAY 6 1955
CRIM.-CIVIL RIGHTS SEC.	

cl

see 144-19-82

Recd
5/13/55
[Signature]

FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

ATLANTA

REPORT MADE AT ATLANTA	DATE WHEN MADE 5/3/55	PERIOD FOR WHICH MADE 4/27/55	REPORT MADE BY FRANK R. SOUTHERLAND lb
TITLE JOHNNY JOHNSON; GEORGE POWELL, Jr. - VICTIM			CHARACTER OF CASE CIVIL RIGHTS

SYNOPSIS OF FACTS:

Victim's mother and aunt furnished signed statements alleging victim beaten by subject for refusal to say Yes Sir. Victim presently confined Buford Rock Quarry Prison Camp, Georgia. Victim's file at the State Board of Corrections reflects considerable number of instances of punishment for violation of rules along with three escapes and recaptures. The file reflects victim on one occasion engaged in running gun battle with officers and also was one of five prisoners who overpowered guard, taking keys and two guns and escaping in State owned vehicle. J. B. HATCHETT, Assistant Director, State Board of Corrections, Atlanta, Ga., has no previous information concerning alleged incident and states interviews must be held in presence of official of the State Board of Corrections.

*Buford, Summit Co.
N.D. Ga.*

- C -

DETAILS:

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES			
		<div style="border: 2px solid red; padding: 5px; display: inline-block;"> 144-19-256 </div>			
COPIES OF THIS REPORT <div style="border: 1px solid red; border-radius: 50%; padding: 2px; display: inline-block; margin-right: 5px;">3</div> - Bureau (AM) 1 - USA, Atlanta 2 - Atlanta (44-671)		4	MAY 5 1955	RECEIVED	D
		<div style="border: 1px solid purple; padding: 2px; display: inline-block;"> CRIM.-CIVIL RIGHTS SEC. </div>			

AT 44-671

This investigation is predicated upon information received by Special Agent DONALD G. MONTEGAR from LYDIA V. TALLEY, mother of victim, who resides at 3438 Fortner Street, East Point, Georgia, as is reflected in the following quoted signed statement, the original of which is being retained in the Atlanta file:

"Atlanta, Ga.
4-27-55

"I, Lydia V. Talley, make this voluntary statement to Donald G. Montegar who has identified himself to me as a Special Agent of the Federal Bureau of Investigation, U. S. Department of Justice.

"In the later part of 1952 my son George Powell, Jr. was convicted in Fulton County Court, Atlanta, Ga. for the theft of a radio & sentenced to 18 months at the Gray Prison Camp, Gray, Ga. On or about June 1954, my son George Powell, Jr., escaped from the Gray Prison Camp & was sentenced to 7 to 9 years & was sent to the Buford Rock Quarry, Buford, Ga.

"I last saw my son on Sunday 4-24-55 on a visit to the Buford Rock Quarry at which time he showed me bruises on his head which he said were the result of a beating by a guard named Johnny Johnson with a black jack for my sons refusal to say Yes Sir to the guard. My son said he was beaten so hard his shoes came off & that the guard Johnny Johnson told him that he was going to kill him & say that he had tried to escape.

"My son weighed over 200 pounds when he entered Buford Rock Quarry in June or July, 1954 & when I saw him in December, 1954 he weighed about 140 or 150 pounds.

"I have read this statement consisting of two pages and it is true and correct.

"/s/ Lydia V. Talley

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"Witnessed:

"Donald G. Montegar, Special Agent, Federal Bureau of Investigation, Atlanta, Ga. 4-27-55."

Mrs. TALLEY appeared at the Atlanta Office and furnished the above quoted signed statement to Special Agent MONTEGAR, and she was accompanied by ELSIE WATKINS who stated that she was the aunt of victim and who furnished the following signed statement to Special Agent MONTEGAR, the original of which is being retained in the Atlanta file:

"Atlanta, Ga.
4-27-55"

"I, Elsie Watkins, make the following voluntary statement to Donald G. Montegar who has identified himself to me as a Special Agent of the Federal Bureau of Investigation, U. S. Department of Justice.

"I am an aunt of George Powell, Jr. who is presently serving a sentence of 7 to 9 years at the Buford Rock Quarry, Buford, Ga.

"In November, 1954, I got a letter from an inmate of this prison by the name of Marvin Dillard, stating that he wanted to see me. When I went to the prison camp I posed as the aunt of Dillard so that the guards would let me see him. Dillard then told me that I better get a doctor to look at Powell, as he had been beaten unconscious by a guard by the name of Johnny Johnson about the first part of November, 1954. Dillard told me that Powell was beaten by Johnson with a rubber hose with a iron rod inside for no reason. I had two lawyers by the name of W. George Thomas and Joe Edwards go up to the prison camp to see Powell right after this and they told me that they had seen Powell in the "hole" & his head was swelled up due to bruses & that his stomach was jumping & jerking due to not eating for about 15 days. These lawyers also said that Powell's legs were swollen and couldn't hold his head up. Joe Edwards said that Powell told him that he had been beaten severly.

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"I have read this statement consisting of two pages and it is true and correct.

"/s/ Elsie Watkins

"Witnessed: Donald G. Montegar, Special Agent, Federal Bureau of Investigation, Atlanta, Ga. 4-27-55."

In addition to the foregoing, ELSIE WATKINS stated that MARVIN DILLARD has been released from Buford Rock Quarry, but that she has his current address at her home and would make it available upon request. WATKINS also stated that she had the names of approximately ten other inmates at Buford Rock Quarry who would be willing to testify to the beatings administered to victim.

Upon receipt of the foregoing information, J. B. HATCHETT, Georgia State Board of Corrections, Atlanta, Georgia, was contacted, and he stated that he had not received any information concerning the alleged beatings of victim. Mr. HATCHETT advised, however, that he had ascertained that victim's mother did visit her son at Buford Rock Quarry Prison Camp on April 24, 1955. Mr. HATCHETT stated that all visits and interviews of prisoners at Buford Rock Quarry are pre-arranged and held under strict supervision. He also advised that he feels certain that in the event any allegations of beatings were made to his mother by victim during a visit, he would have been notified immediately.

Mr. HATCHETT further advised that his records reflect that Attorneys W. GEORGE THOMAS and JOE EDWARDS had visited victim at Buford Rock Quarry during the early part of November, 1954. He stated again that all interviews and visits are held in the presence of either the warden or a guard at this institution. He also advised that visitors, attorneys, or otherwise are not permitted to visit the solitary confinement section of the prison and that he is positive that the visit by the attorneys with victim was supervised in accordance with existing instructions.

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Mr. HATCHETT made available the files of his office relating to victim and MARVIN DILLARD, and it was observed that during November, 1954, DILLARD was actually incarcerated at Buford Rock Quarry Prison Camp as was victim. DILLARD was released on December 31, 1954 and again convicted in Whitfield County, Georgia in January, 1955, at which time he received a sentence of one and a half to two years and six months concurrent for burglary and misdemeanor. Mr. HATCHETT advised that DILLARD is presently incarcerated at the Jekyl Island Prison Camp.

It is observed from the statement given by ELSIE WATKINS that she claimed to have posed as the aunt of MARVIN DILLARD and to have visited DILLARD at Buford Rock Quarry during November, 1954. Mr. HATCHETT stated that visits to inmates of Buford Rock Quarry are limited to attorneys and immediate family of the inmate and that immediate family does not normally include aunts and uncles.

Mr. HATCHETT advised that W. GEORGE THOMAS is a disbarred Atlanta attorney, whose disbarment case is under appeal.

The files of the State Board of Corrections, Atlanta, Georgia, reflect that GEORGE POWELL, Jr., State Board of Corrections number A-29180, FBI number, 2688215, was sentenced in Fulton County, Troup County, and Jones County, Georgia to twelve months, one and a half to two years concurrent, two to ten years, balance maximum concurrent, five to five years consecutive, two to two years consecutive, and twelve months consecutive for burglary, robbery, and larceny of automobile. He was originally received on August 11, 1947 into the Penitentiary System of Georgia. His maximum sentence will expire on September 11, 1963, and he has served in Jones County Public Works Camp, Georgia State Prison, Reidsville, Georgia, and Buford Rock Quarry Prison Camp.

POWELL's file reflects that he escaped on February 9, 1950 and was recaptured on February 11, 1950 with a stolen automobile, that he escaped on July 3, 1953 and was recaptured on July 6, 1953, and that he again escaped on August 4, 1953, being recaptured on August 7, 1953. The file indicates that he has engaged in a running gun battle with

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police officers and that he was one of five prisoners who overpowered a guard in the Penitentiary System and escaped on July 3, 1953 after having taken the guard's keys and pistol and going to another building and taking a gun away from another guard and making their getaway in a State owned vehicle.

The file further reflects the following corrective action against Victim POWELL during his incarceration:

10/2/47	Isolation and restricted diet for six days.
11/4/47	Yard and movie privileges suspended for thirty days for carrying contraband in violation of rules.
11/17/47	Isolation and restricted diet for fourteen days for aiding in robbery of another inmate.
During April, 1948	Placed in Isolation for six days for skipping detail.
5/31/48	Isolation and restricted diet for ten days for being out of cell house at supper time in violation of rules.
6/23/48	Isolation and restricted diet for five to ten days for concealing sandwiches in violation of rules.
2/15/49	Isolation and restricted diet for fourteen days for refusing to obey orders and cursing officer.
3/17/50	Isolation and restricted diet for thirty days for unsatisfactory work.
10/12/50	Conditionally released which was revoked 4/23/53.
7/15/53	Solitary confinement for nine days for escape.

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- 8/19/53 Solitary confinement for escape.
- 9/17/53 Solitary confinement and restricted diet for thirty days for stopping at store without permission, buying and drinking beer and talking back to officer.
- 12/16/53 Isolation and restricted diet for ten days for possession of beer.
- 1/15/54 Isolation and restricted diet for thirty days for agitating and unsatisfactory work.
- 11/6/54 Isolation and restricted diet for thirty days for climbing up on bars in "bull pen" next to cat walk where guard was stationed.
- 2/28/55 Isolation and restricted diet for thirty days for jumping on another inmate in quarry.

Mr. HATCHETT advised that there is no guard employed at Buford Rock Quarry Prison Camp by the name of JOHNNY JOHNSON, according to his records; there is a NOEL JOHNSON, Jr. employed as guard at that institution but that the guards are stationed in the towers and do not go around where the prisoners are working.

Mr. HATCHETT stated that his records reflect that ELSIE WATKINS visited POWELL at Buford Rock Quarry some time ago and became angry when the visit was broken up due to expiration of allotted time.

Mr. HATCHETT advised that in the event it became necessary to conduct additional interviews at Buford Rock Quarry, it would be necessary that such interviews be conducted in the presence of an official of the State Board of Corrections.

The following description of Victim POWELL was obtained from the files of the State Board of Corrections:

Name	GEORGE POWELL, Jr.
Race	White
Sex	Male

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Age	29
Born	6/30/25 at Cullman, Ala.
Height	5'10"
Weight	198 lbs. (August, 1954)
Build	Stout
Hair	Black
Eyes	Blue
Complexion	Ruddy
Scars and marks	Several tattoos both arms; cut scar inside right wrist
Occupation	Truck driver
Education	Eighth grade
Marital status	Married
Residence	281 Rawson St. Atlanta, Ga.
Relatives	Mrs. LYDIA TALLEY, mother 3483 Former St. East Point, Ga.

- C -

- 8 -

WO:MMH:vmm

144-19 -256 M. S.

typed 5-18-55

May 19, 1955.

James W. Dorsey, Esquire
United States Attorney
Atlanta, Georgia

Re: Johnny Johnson;
George Powell, Jr. - Victim
Civil Rights

Dear Mr. Dorsey:

Enclosed is a copy of a memorandum sent to
the Federal Bureau of Investigation in the above matter.
We are closing the case unless your views are contrary
to those expressed in the memorandum.

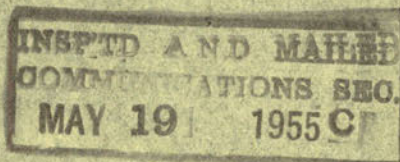
Sincerely,

WARREN OLNEY III
Assistant Attorney General
Criminal Division

By: ARTHUR B. CALDWELL
Chief, Civil Rights Section

Enclosure No. 108238

cc: Records ✓
Hubbard
C. R. Sec..
Chron.



The Director, Federal Bureau of Investigation

Warren Olney III, Assistant Attorney General
Criminal Division

Johnny Johnson;
George Powell, Jr., - Victim
Civil Rights

WOMH:vmw

May 19, 1955.

144-19-256

typed 5-18-55

Reference is made to your memorandum of May 5, 1955, with the report of Special Agent Frank R. Southerland attached.

Under the circumstances as reflected in the report, no further investigation is desired.

COMM
5/18/55

WOMH
in
CRS
5/19/55

144-19-256	
DEPARTMENT OF JUSTICE	RECORD
20 MAY 20 1955	
RECORDS BRANCH	
FED. BU. OF INV.	

SENT BY MESSENGER
COMMUNICATIONS SEC
MAY 19 1955 C

cc: Records ✓
Hubbard
C. R. Sec.
Chron.
USA, Atlanta, Ga.

NOTICE TO CLOSE FILE

144-19-256

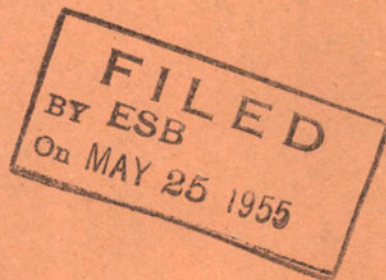
FILE NUMBER

Johnny Johnson;
George Powell, Jr. - Victim

CASE TITLE

TO: RECORDS ADMINISTRATION BRANCH

YOU ARE ADVISED THAT THE ABOVE NUMBERED FILE HAS BEEN CLOSED
AS OF THIS DATE.



Maceo Subram
SIGNATURE

May 18, 1955

DATE

144-19-256	
DEPARTMENT OF JUSTICE	
20	MAY 20 1955
RECORDS BRANCH	
RECORD	