

STATEMENT OF COMMISSIONER FRANKIE M. FREEMAN

I believe that Congress should abolish literacy tests rather than continue their suspension for 10 years. There is ample evidence that the historical purpose of literacy tests and the effect of their administration was simply to exclude otherwise qualified citizens from participating in the political process. When Congress suspended the use of literacy tests in the Voting Rights Act Amendments of 1970 the Commission recommended their abolition and I see no reason to retreat from that position now.

I find the arguments supporting the use of literacy tests misguided. Literacy tests cannot guarantee intelligent and informed voting. Literacy tests guarantee only that a class of citizens, many of whom are victims of unconstitutional discrimination in education, may not participate in their own self-government. How is the Nation's interest in fostering facility in written English served by excluding those who lack it from the political process? It is not. Literacy tests merely work further hardships on citizens, many of them minority citizens, who usually lack access to other means of political influence.

While I personally believe that all Americans should be literate in English, it is obvious to me that inability to read and write English does not necessarily prevent a citizen from casting an informed and intelligent ballot. Every citizen has ample opportunity

to receive as much or as little information on public issues as he or she wishes. The illiterate, like the blind person, may be well informed concerning public affairs through the broadcast media, public meetings, and conversation with family, friends, and coworkers. The non-English-speaking citizen may also have access to print or broadcast media in his or her usual language. Lack of facility in written English does not absolve a person of the responsibilities of citizenship. There is no reason why it should deprive a person of the rights of citizenship.

I believe that Congress has the power under the 14th and 15th amendments to abolish literacy tests. The potential of disfranchisement by literacy tests is a national problem that requires a national solution. The right to vote is too fundamental to be granted or withheld at the whim of States. Why should a citizen qualified to vote in one State be denied that right in another? Americans are a mobile people and the right to move freely from State to State is protected by the Constitution. That a citizen who has been unconstitutionally deprived of equal educational opportunity by one State may then be deprived of the right to vote by another State is contrary to the spirit of a free society. I believe that the right to vote clearly outweighs any State interest in the use of literacy tests.

In the years since literacy tests were suspended, many citizens, particularly members of minority groups, have been able to vote for the first time. I see no reason to jeopardize their participation in the political process by permitting a return to the use of literacy tests. Nor do I see any reason to make their right to vote conditional by merely extending the temporary suspension of literacy tests. As we approach the Nation's bicentennial in a chastened spirit, at a time when many citizens are "turned off" by politics, we can ill afford to exclude citizens who wish to participate in the political process. On the contrary, Congress should exercise its power to encourage the full and free political participation of all citizens, and Congress should begin by abolishing literacy tests.

STATEMENT OF VICE CHAIRMAN STEPHEN HORN

I disagree with Recommendation 2 that "Congress should extend the national suspension of literacy tests for an additional 10 years." As legislative assistant to Senator Thomas H. Kuchel (R-Calif.), I was a participant in the drafting of the original Voting Rights Act of 1965. Consequently, I am well aware of the solid and sordid record which has been laid down over the years by this Commission and various committees of the Congress as to the discriminatory misuse of literacy tests. In 1970, Congress suspended such tests nationally for a period of 5 years.

I do not favor illiterate election officials administering literacy tests which require interpretations of complex sections of State constitutions that neither they nor the Chief Justice of the United States could readily make. Neither do I favor an encouragement of citizen illiteracy in a nation where the ability to read and to write with some minimum level of competence is essential to the securing of employment in a largely technological society.

I would continue the ban for another 5 years until Congress could make a judgment as to the removal of the vestiges of past discriminatory behavior.

As an educator and a member of the Commission, I have long noted the interrelationship between the trilogy of education, employment, and housing. Without a minimum level of education, there will

be little opportunity for adequate employment in a technological society, and without a job, there is little hope that suitable shelter can be provided for oneself or one's family.

In brief, given the complex issues which confront this democratic Republic, I do not believe that the more illiterates who vote, the better. Neither do I believe that only those with a high school or college education should vote. I do believe, however, that there is a certain minimum level of literacy which a polity that prides itself on effective citizenship has a right to expect. Perhaps the ability to read the average daily newspaper would be a start. Such a standard might be the equivalent of a sixth or eighth grade education, although I am also well aware that some of our youth, especially those who are poor, now are "graduated" from overcrowded high schools even though they can barely read or write.

I believe that the Congress should enact and the President should sign into law a National Adult Literacy Act to assure that adult illiteracy can be wiped out in this decade. Such a program should recognize the particular needs of the Asian American, Mexican American, Native American, Puerto Rican, and Spanish speaking communities throughout the country. Instead of the public schoolrooms of American becoming empty and silent at three o'clock in the afternoon, the schools together with the larger firms and unions should be providing opportunities for adults who have not had the benefit to acquire a minimum competency in English. Our nation and our citizens would be much the better for this commitment.

. . .

With reference to Recommendation 12 that "Congress should enact legislation enabling an illiterate voter to receive assistance from whomever the voter wishes," I am concerned by the possible misuse of such a provision by the corrupt political machines which still dominate a few of the urban and rural areas of the Nation. Without careful drafting such a provision would offer a sure and additional way for such machines to check effectively on the casting of votes they have already bought and paid for.

STATEMENT OF COMMISSIONER ROBERT S. RANKIN

I approve of the extension of the Voting Rights Act for 10 years. It does not interfere with the freedom to elect but, in effect, serves as a guarantee of the right to vote to many United States citizens. However, by the end of this 10-year period, I hope that future extension of this act will become unnecessary.

With the great majority of the findings and recommendations made by this report I am in agreement. A few I accept without great enthusiasm. I would like to make the following comments:

1. I approve the extension of this act, not because some irregularities still exist in the South and elsewhere--to some extent they exist nationwide--but for the improvements that have resulted from this act. This point, to my mind, should have received greater emphasis in the report. As an illustration of this great improvement, I would draw attention to the rapidly decreasing number of complaints that are filed with the Commission that concern the alleged deprivation of voting rights. Ten years ago these complaints were numerous. Today the complaints concern employment, housing, and other matters while claims of the deprivation of voting rights are the least numerous of all.

2. I attribute the improvement of voting conditions in the South not only to the Voting Rights Act but to the fact that many citizens in that area recognize on their own volition that the

right to vote belongs to all citizens. I trust that the growth of this feeling will make the extension of the Voting Rights Act unnecessary beyond the 10-year extension.

Now as to some of the subjects considered in this report. Filing fees are not necessarily bad in themselves but become so when they deter the poor of whatever race from running for public office. This observation applies to filing fees in all sections of the United States. I would welcome a broad study of the use of filing fees. Should this study show that they act as a serious detriment in keeping the poor and minority persons from running for office, I would regulate their use, not only in the South but in other sections of the United States as well.

I agree to the abolition of the literacy test for the 10-year period because of the unfair administration of that test for the past 100 years. My solution to this broad problem, however, is not to accept illiteracy but to so improve our educational systems that illiteracy in the United States will disappear. Thomas Jefferson spoke of his awareness of the great value of public opinion, but he wanted it to be an informed public opinion.

I wish there were more interviews with registrars and other election officials that would show their position and attitude toward certain events described in this report. There are frequently two sides to a case. Also, even though the description given by one



party to an incident may be accurate, the opinion of the person criticized might be of assistance to the reader in making up his mind as to the true nature and extent of the alleged discrimination.

APPENDIX 1. VOTING AGE POPULATION AND REGISTERED VOTERS BY RACE AND BY COUNTY  
FOR LOUISIANA, NORTH CAROLINA, AND SOUTH CAROLINA

Voting age population (VAP) is the number of persons 18 years old or older according to the 1970 census. Registration data was supplied by the respective State Election Boards in the three States which gather such data. The first counties listed in North Carolina are 39 counties covered by the special provisions of the Voting Rights Act. The 61 counties in the second list are not covered. In a number of cases, voter registration appears to exceed 100% of the voting age population. Two possible explanations for this phenomenon are infrequent or inadequate purges of voters who have moved or died, and a substantial increase in the voting age population since 1970 due to in-migration.

Table 1-A. LOUISIANA (as of Oct. 5, 1974)

Parish	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Dif- ference in White Regis- tration Rate Over Black
Acadia	25,706	5,548	24,089	4,837	93.7%	87.2%	6.5
Allen	9,722	2,688	8,838	2,013	90.9	74.9	16.0
Ascension*	16,011	5,188	14,841	4,463	92.7	86.0	6.7
Assumption	7,336	3,728	6,837	3,095	93.2	83.0	10.2
Avoyelles	17,717	5,173	16,476	3,980	93.0	76.9	16.1
Beauregard	11,847	2,390	11,476	1,519	96.9	63.6	33.3
Bienville	5,999	4,324	5,419	3,301	90.3	76.3	14.0
Bossier	30,869	7,092	22,115	3,948	71.6	55.7	15.9
Caddo	98,539	47,861	73,126	23,636	74.2	49.4	24.8
Calcasieu	70,763	17,161	57,802	12,148	81.7	70.8	10.9
Caldwell	4,762	1,197	4,775	899	100.3	75.1	25.2
Cameron*	4,558	316	4,388	271	96.3	85.8	10.5

LOUISIANA (continued)

Parish	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Difference in White Registration Rate Over Black
Catahoula	5,207	1,794	5,318	1,414	102.1	78.8	23.3
Claiborne	6,171	4,949	5,659	3,198	91.7	64.6	27.1
Concordia	8,378	4,562	8,300	3,756	99.1	82.3	16.8
DeSoto	7,341	7,017	6,879	4,943	93.7	70.4	23.3
East Baton Rouge**	131,065	48,107	105,432	30,859	80.4	64.1	16.3
East Carroll	3,230	3,814	3,294	3,238	102.0	84.9	17.1
East Feliciana	5,959	5,509	4,335	3,756	72.7	68.2	4.5
Evangeline	15,069	4,062	16,017	4,420	106.3	108.8	-2.5
Franklin	10,100	4,132	9,608	2,278	95.1	55.1	40.0
Grant	6,995	1,688	7,300	1,066	104.4	63.2	41.2
Iberia	24,398	8,592	21,800	6,543	89.4	76.2	13.2
Iberville	10,007	7,743	9,556	6,859	95.5	88.6	6.9
Jackson	7,603	2,928	6,671	2,291	87.7	78.2	9.5
Jefferson	180,945	21,824	145,281	14,988	80.3	68.7	11.6
Jefferson Davis	14,309	3,126	12,634	2,417	88.3	77.3	11.0
Lafayette	53,378	12,773	47,164	9,803	88.4	76.7	11.7
Lafourche	36,118	3,837	33,748	3,253	93.4	84.8	8.6
LaSalle	7,897	792	8,648	689	109.5	87.0	22.5
Lincoln	15,056	8,991	11,417	3,776	75.8	42.0	33.8
Livingston	19,619	2,068	20,876	2,032	106.4	98.3	8.1
Madison	3,811	4,781	4,258	3,953	111.7	82.7	29.0
Morehouse	12,327	6,959	9,683	4,006	78.6	57.6	21.0
Natchitoches	15,763	7,210	11,856	5,192	75.2	72.0	3.2

LOUISIANA (continued)

Parish	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Dif- ference in White Regis- tration Rate Over Black
Orleans	236,597	152,650	137,296	83,545	58.0	54.7	3.3
Ouachita	55,320	17,110	39,882	9,365	72.1	54.7	17.4
Plaquemines	11,290	2,907	11,216	1,828	99.3	62.9	36.4
Pointe Coupee	6,901	5,735	6,900	5,028	100.0	87.7	12.3
Rapides*	54,693	18,758	44,268	9,558	80.9	51.0	29.9
Red River	3,622	2,111	4,041	1,757	111.6	83.2	28.4
Richland	8,631	4,472	7,370	2,311	85.4	51.7	33.7
Sabine	9,784	2,056	9,867	1,885	100.8	91.7	9.1
St. Bernard	29,169	1,367	29,265	983	100.3	71.9	28.4
St. Charles	12,451	3,913	11,525	3,452	92.6	88.2	4.4
St. Helena*	2,805	2,709	3,429	2,831	122.2	104.5	17.7
St. James	6,019	4,796	5,851	4,185	97.2	87.3	9.9
St. John the Baptist	7,467	5,688	8,124	5,710	108.8	100.4	8.4
St. Landry	29,218	17,095	28,259	15,477	96.7	90.5	6.2
St. Martin	12,586	5,708	12,748	5,517	101.3	96.7	4.6
St. Mary	25,450	8,698	22,002	6,649	86.5	76.4	10.1
St. Tammany	31,164	6,209	31,557	4,346	101.3	70.0	31.3
Tangipahoa	29,681	10,610	25,725	7,428	86.7	70.0	16.7
Tensas	2,565	3,035	2,877	2,594	112.2	85.5	26.7
Terrebonne	35,434	5,927	27,486	3,416	77.6	57.6	20.0
Union	8,556	3,377	7,926	2,546	92.6	75.4	17.2
Vermilion	23,297	3,093	22,753	3,161	97.7	102.2	-4.5

LOUISIANA (continued)

Parish	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Dif- ference in White Regis- tration Rate Over Black
Vernon	36,572	4,393	13,392	1,116	36.6	25.4	11.2
Washington	18,767	7,171	18,539	5,067	98.8	70.7	28.1
Webster	18,775	7,364	15,891	5,097	84.6	69.2	15.4
West Baton Rouge	5,682	3,856	5,429	3,026	95.5	78.5	17.0
West Carroll	6,872	1,261	6,227	762	90.6	60.4	30.2
West Feliciana	3,004	5,624	1,791	2,136	59.6	38.0	21.6
Winn	7,785	2,808	7,475	2,050	96.0	73.0	23.0
TOTAL	1,644,732	600,425	1,335,027	391,666	81.2	65.2	16.0

\* As of July 17, 1974

\*\* As of Feb., 1974

Table 1-B. NORTH CAROLINA (as of Oct. 30, 1974)

Covered Jurisdictions

County	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Difference in White Registration Rate Over Black
Anson	8,897	5,914	6,554	2,490	73.7	42.1	31.6
Beaufort	16,511	6,704	12,695	2,960	76.9	44.2	32.7
Bertie	6,381	6,117	5,873	4,764	92.0	77.9	14.1
Bladen	10,774	5,528	8,271	3,420	76.8	61.9	14.9
Camden	2,331	1,066	1,704	522	73.1	49.0	24.1
Caswell	6,727	5,134	4,736	2,911	70.4	56.7	13.7
Chowan	4,297	2,566	3,601	1,415	83.8	55.1	28.7
Cleveland	38,820	7,859	23,451	2,073	60.4	26.4	34.0
Craven	30,947	8,953	15,796	3,827	51.0	42.7	8.3
Cumberland	103,405	30,073	37,311	10,133	36.1	33.7	2.4
Edgecombe	18,412	13,039	12,581	6,824	68.3	52.3	16.0
Franklin	11,275	6,222	9,318	3,788	82.6	60.9	21.7
Gaston	85,746	10,348	52,500	4,885	61.2	47.2	14.0
Gates	2,837	2,510	2,447	2,303	86.3	91.8	-5.5
Granville	12,681	8,252	9,375	4,769	73.9	57.8	16.1
Greene	5,434	3,383	4,405	1,807	81.1	53.4	27.7
Guilford	151,545	38,612	104,498	19,280	69.0	49.9	19.1
Halifax	18,965	13,715	16,206	7,446	85.5	54.3	31.2
Harnett	25,987	6,508	17,558	2,973	67.6	45.7	21.9
Hertford	7,309	7,069	5,356	4,697	73.3	66.4	6.9

NORTH CAROLINA (continued)

County	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Difference in White Registration Rate Over Black
Hoke	4,787	3,656	3,023	1,856	63.2	50.8	12.4
Lee	15,550	3,930	13,356	2,405	85.9	61.2	24.7
Lenoir	23,257	11,265	15,889	6,040	68.3	53.6	14.7
Martin	9,218	6,038	7,960	4,172	86.4	69.1	17.3
Nash	26,195	11,285	18,788	5,764	71.7	51.1	20.6
Northampton	7,326	7,545	5,949	5,911	81.2	78.3	2.9
Onslow	59,373	9,473	18,352	2,734	30.9	28.9	2.0
Pasquotank	11,367	6,052	7,682	2,906	67.6	48.0	19.6
Perquimans	3,443	1,979	2,189	955	63.6	48.3	15.3
Person	11,798	4,574	10,859	3,929	92.0	85.9	6.1
Pitt	34,859	14,152	22,102	5,671	63.4	40.1	23.3
Robeson	24,173	11,539	18,915	10,178	78.2	88.2	-10.0
Rockingham	39,218	8,565	25,363	4,440	64.7	51.8	12.9
Scotland	11,082	4,959	7,468	2,779	67.4	56.0	11.4
Union	29,498	5,491	19,738	2,495	66.9	45.4	21.5
Vance	12,952	7,796	9,101	4,450	70.3	57.1	13.2
Washington	5,393	3,053	3,648	2,004	67.6	65.6	2.0
Wayne	37,041	16,192	20,805	5,838	56.2	36.1	20.1
Wilson	25,016	11,510	17,527	5,926	70.1	51.5	18.6
TOTAL-COVERED JURISDICTIONS	960,827	338,626	602,950	173,740	62.8	51.3	11.5

NORTH CAROLINA (continued)

Uncovered Jurisdictions

County	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Difference in White Registration Rate Over Black
Alamance	53,792	10,151	35,587	4,177	66.2	41.1	25.1
Alexander	11,765	840	11,528	690	98.0	82.1	15.9
Alleghany	5,514	140	5,101	75	92.5	53.6	38.9
Ashe	12,966	120	12,465	78	96.1	65.0	31.1
Avery	8,489	65	6,205	26	73.1	40.0	33.1
Brunswick	11,152	3,834	10,508	3,272	94.2	85.3	8.9
Buncombe	91,020	8,386	58,898	4,287	64.7	51.1	13.6
Burke	37,174	2,679	27,299	1,496	73.4	55.8	17.6
Cabarrus	42,843	6,930	26,834	3,052	62.6	44.0	18.6
Caldwell	33,866	2,032	24,628	1,373	72.7	67.6	5.1
Carteret	18,867	1,987	15,052	1,024	79.8	51.5	28.3
Catawba	55,053	4,450	43,671	3,225	79.3	72.5	6.8
Chatham	14,231	5,229	11,418	3,149	80.2	60.2	20.0
Cherokee	10,723	213	10,239	170	95.5	79.8	15.7
Clay	3,505	32	3,935	22	112.3	68.8	43.5
Columbus	21,120	7,567	16,023	4,663	75.9	61.6	14.3
Currituck	3,523	1,045	3,401	622	96.5	59.5	37.0
Dare	4,617	308	4,604	174	99.7	56.5	43.2
Davidson	56,915	5,371	46,486	4,301	81.7	80.1	1.6
Davie	11,208	1,318	10,332	875	92.2	66.4	25.8



NORTH CAROLINA (continued)

County	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Difference in White Registration Rate Over Black
Duplin	16,778	7,294	15,093	3,864	90.0	53.0	37.0
Durham	63,164	27,621	43,977	13,715	69.6	50.0	19.6
Forsyth	112,264	29,131	90,153	22,559	80.3	77.4	2.9
Graham	4,071	-	4,277	-	105.1	-	-
Haywood	27,847	499	19,426	284	69.8	56.9	12.9
Henderson	28,051	1,213	21,714	651	77.4	53.7	23.7
Hyde	2,281	1,234	1,992	825	87.3	66.9	20.4
Iredell	40,421	6,924	30,010	2,912	74.2	42.1	32.1
Jackson	14,232	298	11,039	191	77.6	64.1	13.5
Johnston	33,163	7,234	26,776	3,669	80.7	50.7	30.0
Jones	3,630	2,282	3,017	1,799	83.1	78.8	4.3
Lincoln	19,554	1,890	18,864	1,647	96.5	87.1	9.4
Macon	10,785	228	9,657	57	89.5	25.0	64.5
Madison	11,315	71	9,518	48	84.1	67.6	16.5
McDowell	19,172	942	13,618	622	71.0	66.0	5.0
Mecklenburg	178,757	48,424	138,870	26,568	77.7	54.9	22.8
Mitchell	9,193	18	8,708	11	94.7	61.1	33.6
Montgomery	9,888	2,610	8,550	1,532	86.5	58.7	27.8
Moore	19,647	5,432	15,872	2,554	80.8	47.0	33.8
New Hanover	42,992	11,160	31,230	5,852	72.6	52.4	20.2
Orange	35,586	6,082	27,315	4,302	76.8	70.7	6.1
Pamlico	4,326	1,738	3,221	1,053	74.5	60.6	13.9
Pender	6,990	4,442	5,737	2,271	82.1	51.1	31.0

NORTH CAROLINA (continued)

County	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Difference in White Registration Rate Over Black
Polk	7,271	843	6,393	573	87.9	68.0	19.9
Randolph	47,181	3,237	36,407	1,685	77.2	52.1	25.1
Richmond	18,897	6,282	13,580	4,738	71.9	75.4	-3.5
Rowan	52,603	8,979	37,143	4,155	70.6	46.3	24.3
Rutherford	28,820	2,864	19,967	1,353	69.3	47.2	22.1
Sampson	19,579	8,646	16,509	4,830	84.3	55.9	28.4
Stanly	26,402	2,692	20,532	1,557	77.8	57.8	20.0
Stokes	14,421	1,261	15,880	1,281	110.1	101.6	8.5
Surry	32,947	1,506	24,252	1,040	73.6	69.1	4.5
Swain	4,551	127	4,873	52	107.1	40.9	66.2
Transylvania	12,270	598	11,015	427	89.8	71.4	18.4
Tyrrell	1,551	879	1,296	554	83.6	63.0	20.6
Wake	121,160	30,716	96,420	15,857	79.6	51.6	28.0
Warren	4,394	5,209	3,572	3,311	81.3	63.6	17.7
Watauga	17,089	173	11,992	69	70.2	39.9	30.3
Wilkes	30,896	1,560	25,205	1,160	81.6	74.4	7.2
Yadkin	16,049	737	12,449	375	77.6	50.9	26.7
Yancy	8,454	112	8,165	66	96.6	58.9	37.7
TOTAL-UNCOVERED JURISDICTIONS	1,686,985	305,885	1,308,498	176,820	77.6	57.8	19.8
TOTAL STATE	2,647,812	644,511	1,911,448	350,560	72.2	54.4	17.8

Table 1-C. SOUTH CAROLINA (as of Oct. 5, 1974)

County	White VAP	Black VAP	White Registered	Black Registered	Percent White Registered	Percent Black Registered	Percentage Point Dif- ference in White Regis- tration Rate Over Black
Abbeville	10,194	3,753	6,474	1,826	63.5	48.7	14.8
Aiken	44,176	11,958	30,449	6,487	68.9	54.2	14.7
Allendale	2,653	3,330	2,371	3,087	89.4	92.7	-3.3
Anderson	58,797	10,890	30,805	4,100	52.4	37.6	14.8
Bamberg	4,854	4,896	3,829	2,971	78.9	60.7	18.2
Barnwell	6,561	3,849	6,203	3,357	94.5	87.2	7.3
Beaufort	23,062	9,117	9,221	4,680	40.0	51.3	-11.3
Berkeley	21,880	8,507	14,173	6,547	64.8	77.0	-12.2
Calhoun	3,015	3,362	2,313	2,081	76.7	61.9	14.8
Charleston	113,708	41,640	62,890	29,975	55.3	72.0	-16.7
Cherokee	19,826	3,838	14,139	2,548	71.3	66.4	4.9
Chester	12,611	6,199	7,797	3,130	61.8	50.5	11.3
Chesterfield	14,743	5,873	11,272	4,192	76.5	71.4	5.1
Clarendon	6,440	7,784	5,400	5,197	83.9	66.8	17.1
Colleton	9,854	6,798	7,648	4,587	77.6	67.5	10.1
Darlington	21,865	10,671	16,204	7,163	74.1	67.1	7.0
Dillon	10,494	5,776	6,426	2,969	61.2	51.4	9.8
Dorchester	12,610	6,174	12,641	5,610	100.2	90.9	9.3
Edgefield	5,195	4,167	3,773	2,539	72.6	60.9	11.7
Fairfield	5,584	6,242	3,882	4,162	69.5	66.7	2.8
Florence	37,034	17,632	25,292	10,819	68.3	61.4	6.9
Georgetown	11,098	8,003	8,455	6,717	76.2	83.9	-7.7
Greenville	134,143	22,806	72,773	10,819	54.3	47.4	6.9
Greenwood	24,355	8,015	14,943	3,621	61.4	45.2	16.2
Hampton	5,440	4,204	4,138	3,572	76.1	85.0	-8.9

## SOUTH CAROLINA (continued)

County	White VAP	Black VAP	Registered		Percent White Registered	Percent Black Registered	Percentage Point Dif- ference in White Regis- tration Rate Over Black
			White Registered	Black Registered			
Horry	34,530	8,726	23,048	5,733	66.7	65.7	1.0
Jasper	3,270	3,667	2,548	2,684	77.9	73.2	4.7
Kershaw	15,260	6,048	11,855	3,251	77.7	53.8	23.9
Lancaster	21,297	5,784	14,091	2,336	66.2	40.4	25.8
Laurens	24,447	7,992	11,590	3,054	47.4	38.2	9.2
Lee	4,922	5,278	4,369	4,262	88.8	80.8	8.0
Lexington	49,784	6,018	40,251	3,458	80.9	57.5	23.4
McCormick	2,099	2,501	1,846	1,492	87.9	59.7	28.2
Marion	9,954	8,348	6,156	4,856	61.8	58.2	3.6
Marlboro	9,850	6,229	6,473	2,990	65.7	48.0	17.7
Newberry	14,220	5,524	10,383	2,007	73.0	36.3	36.7
Oconee	24,137	2,402	12,335	949	51.1	39.5	11.6
Orangeburg	21,074	21,184	16,035	15,190	76.1	71.7	4.4
Pickens	36,979	3,263	19,290	997	52.2	30.6	21.6
Richland	114,182	43,810	59,614	28,555	52.2	65.2	-13.0
Saluda	6,464	2,560	4,575	1,454	70.8	56.8	14.0
Spartanburg	93,606	20,614	51,303	8,417	54.8	40.8	14.0
Sumter	28,903	17,602	14,263	8,772	49.3	49.8	-0.5
Union	14,391	4,583	11,285	3,136	78.4	68.4	10.0
Williamsburg	8,686	10,449	7,083	8,202	81.5	78.5	3.0
York	42,660	11,532	24,398	6,559	57.2	56.9	0.3
TOTAL	1,200,907	429,598	736,302	261,110	61.3	60.8	0.5

APPENDIX 2. BLACK ELECTED COUNTY AND MUNICIPAL OFFICIALS IN SELECTED JURISDICTIONS OF THE SOUTH

Table 2-A. BLACK ELECTED COUNTY OFFICIALS (as of April 1974)--COUNTIES WITH 25 PERCENT OR MORE BLACK POPULATION

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing a Body Members	Law Enforcement Officials b	School Board c Members	d Others
ALABAMA						
Autauga	6,911	28.3				
Barbour	10,389	46.1				
Bibb	13,812	27.9				
Bullock	11,824	67.4	1	1	2	2
Butler	22,007	40.1				
Chambers	12,637	34.8				
Choctaw	16,589	44.1				
Clarke	26,724	43.8				
Conecuh	15,645	44.7				
Coosa	10,662	35.0				

a. This includes county commissioners, supervisors, police jurors, and so forth.

b. Law enforcement officials include sheriffs, judges, justices of the peace, constables, and magistrates.

c. This includes only county school board members. Municipal school board members are included in Table 2-B.

d. All other black elected county officials.

Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
ALABAMA (cont'd)						
Crenshaw	13,188	28.7				
Dallas	55,296	52.2				
Elmore	33,535	28.2				
Escambia	34,906	30.4				
Greene	10,650	75.4	4	2	5	3
Hale	15,888	66.4		2		
Henry	13,254	40.3				
Jefferson	644,991	32.0		3	1	1
Lee	61,268	27.8				
Lowndes	12,897	76.9	1	1		2
Macon	24,841	81.1	3	1	4	3
Marengo	23,819	55.2				
Mobile	317,308	32.3				
Monroe	20,883	45.5		5		
Montgomery	167,790	36.2				
Perry	15,388	58.7			1	
Pickens	20,326	41.7				
Pike	25,038	34.5				
Russell	45,394	45.7				
Sumter	16,974	66.2		16	2	1
Talladega	65,280	30.7				
Tallapoosa	33,840	27.6				
Washington	16,241	29.9				
Wilcox	16,303	68.5		18		
			—		—	—
TOTAL (counties 25 percent black)			9	49	15	12
TOTAL (all counties)			9	52	16	12

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Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
GEORGIA						
Atkinson	5,879	32.0				
Baker	3,875	53.0				
Baldwin	34,240	38.0				
Ben Hill	13,171	31.3				
Bibb	143,418	34.5			2	
Brooks	13,739	46.2				
Bryan	6,539	27.2				
Bulloch	31,585	36.3				
Burke	18,255	60.2				
Butts	10,560	43.0				379
Calhoun	6,606	63.1				
Camden	11,334	36.2			1	
Candler	6,412	32.4				
Charlton	5,680	33.7				
Chatham	187,767	33.9	2		2	
Clay	3,636	61.7				
Clinch	6,405	31.7				
Coffee	22,828	25.8				
Cook	12,129	31.3				
Coweta	32,310	31.9				
Crawford	5,748	53.2				
Crisp	18,087	40.3				
Decatur	22,310	41.8				
Dodge	15,658	25.4				
Dooly	10,404	50.1				

Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
GEORGIA (cont'd)						
Dougherty	89,639	34.2				
Early	12,682	45.9				
Echols	1,924	25.6				
Elbert	17,262	31.9				
Emanuel	18,189	30.5				
Evans	7,290	35.0				
Fulton	607,592	39.1				
Grady	17,826	35.7				
Greene	10,212	51.8			1	
Hancock	9,019	73.8	2	4	4	3
Harris	11,520	45.0				
Henry	23,724	32.0				
Irwin	8,036	33.4				
Jasper	5,760	49.3				
Jefferson	17,174	54.5				
Jenkins	8,332	44.4				
Johnson	7,727	32.1				
Jones	12,218	38.5			1	
Lamar	10,688	38.7			1	
Lanier	5,031	29.3				
Laurens	32,738	33.7				
Lee	7,044	43.6				
Liberty	17,569	34.2	1			
Lincoln	5,895	46.1				
Long	3,746	31.8				
						380



Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
GEORGIA (cont'd)						
Lowndes	55,112	29.0				
McDuffee	15,276	39.7			1	
McIntosh	7,371	49.9	1			
Macon	12,933	61.0			1	
Marion	5,099	52.4				
Meriwether	19,461	47.9			2	
Miller	6,397	28.8				
Mitchell	18,956	48.5			1	
Monroe	10,991	46.3				
Montgomery	6,099	34.7				
Morgan	9,904	45.1				
Muscogee	167,377	25.7				
Newton	26,282	31.1				
Oglethorpe	7,598	37.2				
Peach	15,990	57.1		1		
Pike	7,316	40.4				
Pulaski	8,066	36.8				
Putnam	8,394	48.7				
Quitman	2,180	60.1				
Randolph	8,734	55.7				
Richmond	162,437	29.9	1	1	3	
Schley	3,097	44.8				
Screven	12,591	46.7				
Seminole	7,059	35.0				
Spalding	39,514	26.7				

Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
GEORGIA (cont'd)						
Stewart	6,511	64.4			1	
Sumter	26,931	44.4				
Talbot	6,625	67.8	1			
Taliaferro	2,423	63.6				
Tattnall	16,557	30.8				
Taylor	7,865	44.8				
Telfair	11,381	34.5				
Terrell	11,416	59.5				
Thomas	34,515	39.7				
Tift	27,288	26.3				382
Toombs	19,151	26.8				
Treutlen	5,647	32.5				
Troup	44,466	31.8			1	
Turner	8,790	35.2				
Twiggs	8,222	56.3				
Upton	23,505	28.2				
Walton	23,404	27.7				
Warren	6,669	59.1				
Washington	17,480	53.6				
Webster	2,362	58.4				
Wheeler	4,596	30.3				
Wilcox	6,998	31.3				
Wilkes	10,184	47.3				
Wilkinson	9,393	46.1				
Worth	14,770	37.4				
			--	--	--	--
TOTAL (counties 25 percent black)			8	6	22	3
TOTAL (all counties)			8	6	26	3

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
LOUISIANA						
Ascension	37,086	26.8	2			
Assumption	19,654	37.3				
Avoyelles	37,751	27.6				
Bienville	16,024	46.9				
Caddo	230,184	36.6	4		3	
Catahoula	11,769	29.2				
Claiborne	17,024	50.0				
Concordia	22,578	38.8	2	1	2	
DeSoto	22,764	53.4				
East Baton Rouge	285,167	28.7			1	
East Carroll	12,884	58.7	2		1	
East Feliciana	17,657	53.8	2			
Evangeline	31,932	27.0				
Franklin	23,946	35.7		1		
Iberia	57,397	27.8				
Iberville	30,746	47.4	2			
Jackson	15,963	32.0				
Lincoln	33,800	40.0	2		2	
Madison	15,065	61.0	3	2	4	
Morehouse	32,463	42.5	2		2	
Natchitoches	35,219	37.1			3	
Orleans	593,471	45.0		2	1	
Ouachita	115,387	27.3	1		3	
Pointe Coupee	22,002	50.3	2	3	1	
Rapides	118,078	27.8				

Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
LOUISIANA (cont'd)						
Red River	9,226	42.0				
Richland	21,774	40.6	1		1	
St. Charles	29,550	26.3				
St. Helena	9,937	55.8			1	
St. James	19,733	47.2	1	3	2	
St. John the Baptist	23,813	46.3	1	2	3	
St. Landry	80,364	41.3		2		
St. Martin	32,453	34.8			1	
St. Mary	60,752	28.1		2		
Tangipahoa	65,875	31.3				
Tensas	9,732	59.1	2	1	1	
Union	18,447	33.3				
Washington	41,987	32.2				
Webster	39,939	31.4				
West Baton Rouge	16,864	43.1				
West Feliciana	11,376	67.1	2		3	
Winn	16,369	30.5				
TOTAL (counties 25 percent black)			31	19	35	0
TOTAL (all counties)			32	19	41	0

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
MISSISSIPPI						
Adams	37,293	47.9		2		
Amite	13,763	50.4				
Attala	19,570	40.4				
Benton	7,505	42.0			1	
Bolivar	49,409	61.4	1	3	7	
Calhoun	14,623	26.1				
Carroll	9,397	50.8				
Chicksaw	16,805	35.6				
Choctaw	8,440	28.0				
Claiborne	10,086	74.6	1	4	2	7
Clarke	15,049	35.9				
Clay	18,840	49.4				1
Coahoma	40,447	64.3	1	3	1	
Copiah	24,749	50.3				
Covington	14,002	32.6				
DeSoto	35,885	35.1				
Franklin	8,011	38.8				
Grenada	19,854	43.8				
Hinds	214,973	39.1				
Holmes	23,120	68.1		2	2	5
Humphreys	14,601	64.8				
Issaquena	2,737	62.0	1	5		
Jasper	15,994	46.4			1	
Jefferson	9,295	75.3	2	5	3	4
Jefferson Davis	12,936	50.2				

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
MISSISSIPPI (cont'd)						
Kemper	10,233	54.8				
Lafayette	24,181	27.7				
Lauderdale	67,087	30.8				
Lawrence	11,137	32.1				
Leake	17,085	35.7			1	
Leflore	42,111	57.9				
Lincoln	26,198	30.7				
Lowndes	49,700	32.7		1		
Madison	29,737	62.4		7	2	
Marion	22,871	31.1			1	
Marshall	24,027	62.0				
Monroe	34,043	30.5		3	1	2
Montgomery	12,918	44.8				
Newton	18,983	27.3				
Noxubee	14,288	65.8	1			
Oktibbeha	28,752	34.8				
Panola	26,829	51.3				
Perry	9,065	26.3				
Pike	31,756	43.5				
Quitman	15,888	57.4				
Rankin	43,933	28.1				
Scott	21,369	33.0				
Sharkey	8,937	64.7				
Simpson	19,947	31.4		1		
Sunflower	37,047	62.8				

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Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
MISSISSIPPI (cont'd)						
Tallahatchie	19,338	60.2				
Tate	18,544	47.2				
Tunica	11,854	72.7				
Walthall	12,500	40.7				
Warren	44,981	40.8				
Washington	70,581	54.5		1		
Wayne	16,650	32.9				
Wilkinson	11,099	67.6	1	4	2	
Winston	18,406	39.1				
Yalobusha	11,915	40.4				
Yazoo	27,304	53.4	—	—	—	—
TOTAL (counties 25 percent black)			8	41	24	19
TOTAL (all counties)			8	41	24	19
NORTH CAROLINA						
Anson	23,488	46.4				
Beaufort	35,980	33.2				
Bertie	20,528	56.6			1	
Bladen	26,477	39.0				
Brunswick*	24,223	29.6			1	
Camden	5,453	37.0				
Caswell	19,055	48.0				
Chatham *	29,554	30.4				

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
NORTH CAROLINA (cont'd)						
Chowan	10,764	42.0				
Columbus*	46,937	29.7			1	
Craven	62,554	25.4				
Currituck*	6,976	26.4				
Duplin*	38,015	34.2				
Durham*	132,681	32.6	2			
Edgecombe	52,341	47.5			1	
Franklin	26,820	41.7			1	
Gates	8,524	53.4				
Granville	32,762	43.7				
Greene	14,967	47.0				
Halifax	53,884	48.0				
Hertford	23,529	55.2	1			
Hoke	16,436	44.2			1	
Hyde*	5,571	41.3				
Jones*	9,779	45.1				
Lenoir	55,204	36.8			2	
Martin	24,730	44.9				
Nash	59,122	35.7				
Northampton	24,009	59.0	1		1	
Pamlico*	9,467	33.1				
Pasquotank	26,824	37.7				
Pender*	18,149	43.7				
Perquimans	8,351	41.5				
Person	25,914	32.3	1			



Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	Offices Held		
				Law Enforcement Officials	School Board Members	Others
NORTH CAROLINA (cont'd)						
Pitt	73,900	34.6				
Richmond*	39,889	29.3			1	
Robeson	84,842	25.8			3	
Sampson*	44,954	34.5				
Scotland	26,929	33.8			1	
Tyrrell*	3,806	43.4				
Vance	32,691	42.3				
Warren*	15,810	59.9			1	
Washington	14,038	41.5			1	
Wayne	85,408	33.2			1	
Wilson	57,486	36.8			<u>1</u>	
				-	-	
TOTAL (counties 25 percent black)			5	0	19	0
TOTAL (all counties)			7	2	29	0

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\* Counties not covered under 4(b) of the Voting Rights Act.

SOUTH CAROLINA

Abbeville	21,112	31.1				
Allendale	9,692	60.1	2			
Bamberg	15,950	54.5				
Barnwell	17,176	41.1				
Beaufort	51,136	32.9	4	2	3	

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
SOUTH CAROLINA (cont'd)						
Berkeley	56,199	30.1				
Calhoun	10,780	60.4				
Charleston	247,650	31.4	1		2	
Chester	29,811	39.2			2	
Chesterfield	33,667	32.9			1	
Clarendon	25,604	62.0	2			
Colleton	27,622	46.8				1
Darlington	53,442	37.9			1	
Dillon	28,838	41.5				
Dorchester	32,276	35.1		1		
Edgefield	15,692	51.6				
Fairfield	19,999	59.4	2			
Florence	89,636	36.4	1	2		
Georgetown	33,500	48.4	1		3	1
Greenwood	49,686	28.0	1		1	
Hampton	15,878	48.9				
Jasper	11,885	57.1	2			
Kershaw	34,727	31.8		1		6
Laurens	49,713	28.4				1
Lee	18,323	59.8				
McCormick	7,955	60.3				
Marion	30,270	50.5				
Marlboro	27,151	43.6				
Newberry	29,273	33.1				
Orangeburg	69,789	54.9				

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Table 2-A. (continued)

State/County	Population	Percent Black	<u>Offices Held</u>			
			Governing Body Members	Law Enforcement Officials	School Board Members	Others
SOUTH CAROLINA (cont'd)						
Richland	233,868	32.8		3		
Saluda	14,528	33.4			2	
Sumter	79,425	41.7	1			
Union	29,230	28.3				
Williamsburg	34,243	60.9	<u>1</u>	<u>3</u>	—	1
TOTAL (counties 25 percent black)			18	12	22	2
TOTAL (all counties)			18	12	23	2
VIRGINIA						
Accomack	29,004	37.4				
Amelia	7,592	47.2	1			
Brunswick	16,172	58.4				
Buckingham	10,597	44.2				
Caroline	13,925	50.8		2		
Charles City	6,158	74.2	2			2
Charlotte	11,551	39.8				
Cumberland	6,179	47.9			1	
Dinwiddie	25,046	45.6			1	
Essex	7,099	45.0				
Fluvanna	7,621	35.9				
Goochland	10,069	43.5	1			
Greensville	9,604	57.3		1		

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	Offices Held		
				Law Enforcement Officials	School Board Members	Others
VIRGINIA (cont'd)						
Halifax	30,076	40.1				
Isle of Wight	18,285	49.5				
James City	17,853	34.9	1			
King and Queen	5,491	50.7				
King George	8,039	26.4				
King William	7,497	42.5				
Lancaster	9,126	38.7				
Louisa	14,004	38.6				
Lunenburg	11,687	43.2				
Mecklenburg	29,426	42.2	2			392
Middlesex	6,295	37.0				
Nansemond	35,166	54.1		1		
Nelson	11,702	28.6				
New Kent	5,300	44.0	1			
Northampton	14,442	52.3				
Northumberland	9,239	39.0				
Nottoway	14,260	40.0				
Pittsylvania	58,789	33.7				
Powhatan	7,696	36.4				
Prince Edward	14,379	36.6	2			
Richmond	5,841	36.6				
Southampton	18,582	54.2				
Surry	5,882	65.5	3			

Table 2-A. (continued)

State/County	Population	Percent Black	Governing Body Members	<u>Offices Held</u>		
				Law Enforcement Officials	School Board Members	Others
VIRGINIA (cont'd)						
Sussex	11,464	63.2				
Westmoreland	12,142	44.2	—	—	—	—
TOTAL (counties 25 percent black)			15	4	0	2
TOTAL (all counties)			15	4	0	2
7-STATE TOTAL (counties 25 percent black)			94	131	137	38
7-STATE TOTAL (all counties)			97	136	159	38

393

Sources: U.S. Census, 1970; Joint Center for Political Studies, National Roster of Black Elected Officials (April 1974).

Table 2-B. BLACK ELECTED MUNICIPAL OFFICIALS IN SEVEN SOUTHERN STATES  
BY POPULATION OF MUNICIPALITY (as of April 1974)

State	Less than 5,000			5,000 - 50,000			Over 50,000		
	Mayors	Council Members <sup>a</sup>	Others <sup>b</sup>	Mayors	Council Members	Others	Mayors	Council Members	Others
ALABAMA	5	31	0	3	15	1	0	2	0
GEORGIA	1	38	0	0	15	1	1	16	5
LOUISIANA	4	28	5	0	7	2	0	3	0
MISSISSIPPI	7	57	27	0	5	2	0	0	1
NORTH CAROLINA	6	69	3	1	24	0	1	11	2
SOUTH CAROLINA	6	38	0	0	10	1	0	3	0
VIRGINIA	<u>0</u>	<u>11</u>	<u>0</u>	<u>1</u>	<u>17</u>	<u>1</u>	<u>0</u>	<u>10</u>	<u>0</u>
TOTAL	29	272	35	5	93	8	2	45	8

a. Council members are members of the governing body including vice mayors and mayors pro tem.

b. Others include town marshalls, school board members, and all other elected municipal officials.

Source: Joint Center for Political Studies, National Roster of Black Elected Officials (April 1974).

APPENDIX 3. COUNTIES DESIGNATED FOR FEDERAL EXAMINERS  
AND NUMBER OF PERSONS LISTED BY EXAMINERS

<u>State/County</u>	<u>Date of Designation</u> <sup>a</sup>	<u>Number of Persons Listed</u> <sup>b</sup>
ALABAMA		
Autauga	10-29-65	1,333
Choctaw*	5-30-66	-
Dallas	8-09-65	9,068
Elmore	10-29-65	1,807
Greene	10-29-65	2,151
Hale	8-09-65	3,617
Jefferson	1-20-66	23,385
Lowndes	8-09-65	3,034
Marengo	8-09-65	5,096
Montgomery	9-29-65	10,438
Perry	8-18-65	2,877
Sumter	5-02-66	25
Talladega*	10-31-74	-
Wilcox	8-18-65	<u>3,678</u>
TOTAL LISTED		66,539

GEORGIA

Baker*	11-04-68	
Hancock*	11-07-66	
Lee	3-23-67	475
Peach*	11-04-72	
Screven	3-23-67	1,478

\* No examiners were sent to these counties.

a. Source: U.S. Department of Justice, "Counties Designated as Examiner Counties,"  
Nov. 4, 1974.

b. Source: U.S. Civil Service Commission, "Cumulative Totals on Voting Rights  
Examining," June 30, 1974.

<u>State/County</u>	<u>Date of Designation</u>	<u>Number of Persons Listed</u>
GEORGIA (cont'd)		
Taliaferro*	11-04-68	-
Terrell	3-23-67	1,465
Twiggs*	9-03-74	-
TOTAL LISTED		<u>3,418</u>
LOUISIANA		
Bossier	3-23-67	1,605
Caddo	3-23-67	7,432
De Soto	3-23-67	2,332
East Carroll	8-09-65	2,738
East Feliciana	8-09-65	2,129
Madison	8-12-66	663
Ouachita	8-18-65	5,936
Plaquemines	8-09-65	2,808
Sabine*	9-27-74	-
St. Helena*	8-16-72	-
West Feliciana	10-29-65	<u>1,335</u>
TOTAL LISTED		26,978
MISSISSIPPI		
Amite	3-23-67	464
Benton	9-24-65	538
Bolivar*	12-20-65	-
Carroll	12-20-65	926
Claiborne	4-12-66	1,418
Clay	9-24-65	1,523
Coahoma	9-24-65	4,669
De Soto	10-29-65	1,526
Forrest	6-01-67	1,116
Franklin	3-23-67	85
Grenada	7-20-66	1,512
Hinds	10-29-65	13,348
Holmes	10-29-65	4,701
Humphreys	9-24-65	2,268
Issaquena	6-01-67	72



<u>State/County</u>	<u>Date of Designation</u>	<u>Number of Persons Listed</u>
MISSISSIPPI (cont'd)		
Jasper	4-12-66	673
Jefferson	10-29-65	2,070
Jefferson Davis	8-18-65	1,136
Jones	8-18-65	2,408
Kemper*	10-31-74	-
Leflore	8-09-65	8,732
Madison	8-09-65	8,163
Marshall	8-05-67	104
Neshoba	10-29-65	791
Newton	12-20-65	733
Noxubee	4-12-66	2,360
Oktibbeha	3-23-67	400
Pearl River	4-29-74	181
Rankin	4-12-66	1,147
Sharkey	6-01-67	400
Simpson	12-20-65	1,489
Sunflower*	4-29-67	-
Tallahatchie	8-14-71	132
Walthall	10-29-65	1,365
Warren	12-20-65	2,027
Wilkinson	8-05-67	152
Winston	4-12-66	58
Yazoo*	10-28-71	-
TOTAL LISTED		68,687
SOUTH CAROLINA		
Clarendon	10-29-65	3,448
Dorchester	10-29-65	<u>1,206</u>
TOTAL LISTED		4,654

APPENDIX 4. OBSERVATION OF ELECTIONS UNDER THE VOTING RIGHTS ACT OF 1965

State/County	Number of Observers								
	1966	1967	1968	1969	1970	1971	1972	1973	1974
ALABAMA									
Choctaw	-	-	-	-	-	-	-	-	24
Greene	118	-	22	44	40	-	-	-	18
Dallas	96	-	-	-	-	-	-	-	-
Hale	37	-	-	-	25	-	42	-	30
Lowndes	36	-	14	-	34	-	-	-	42
Marengo	208	-	10	-	54	-	-	-	-
Perry	68	-	-	-	-	-	-	-	-
Sumter	38	-	28	-	-	-	-	-	22
Talladega	-	-	-	-	-	-	-	-	54
Wilcox	<u>138</u>	-	<u>24</u>	<u>-</u>	<u>52</u>	-	<u>68</u>	-	<u>44</u>
TOTAL	739	-	98	44	205	-	110	-	234
GEORGIA									
Baker	-	-	18	-	-	-	12	-	-
Hancock	22	-	36	-	-	-	-	-	64
Peach	-	-	-	-	-	-	20	-	-
Taliaferro	-	-	22	-	6	-	12	-	-
Terrell	<u>-</u>	-	<u>16</u>	-	-	-	<u>-</u>	-	<u>-</u>
TOTAL	22	-	92	-	6	-	44	-	64

APPENDIX 4. (continued)

State/County	Number of Observers								
	1966	1967	1968	1969	1970	1971	1972	1973	1974
LOUISIANA									
DeSoto	-	12	22	-	-	-	30	-	-
East Carroll	40	40	16	-	-	-	-	-	24
East Feliciana	82	56	-	-	-	-	-	-	-
Madison	97	49	21	20	16	42	-	-	20
Ouachita	40	-	-	-	-	-	-	-	-
Plaquemines	58	38	30	-	-	-	-	-	-
Sabine	-	-	-	-	-	-	-	-	12
St. Helena	-	-	-	-	-	-	30	-	-
West Feliciana	<u>80</u>	<u>56</u>	<u>36</u>	<u>-</u>	<u>-</u>	<u>12</u>	<u>-</u>	<u>-</u>	<u>-</u>
TOTAL	397	251	125	20	16	54	60	-	56
MISSISSIPPI									
Amite	-	24	36	5	20	12	-	-	-
Benton	4	12	20	-	-	20	-	-	-
Bolivar	-	20	20	20	18	48	-	-	-
Carroll	10	54	20	6	-	-	-	-	-
Claiborne	22	64	32	-	6	26	38	-	-
Clay	14	12	10	-	-	24	-	-	-
Coahoma	-	40	30	28	16	122	-	-	-
DeSoto	8	8	-	-	-	-	-	-	-
Forrest	-	6	-	-	-	-	-	-	-
Franklin	-	12	26	-	-	-	-	-	-

APPENDIX 4. (continued)

State/County	Number of Observers								
	1966	1967	1968	1969	1970	1971	1972	1973	1974
MISSISSIPPI (cont'd)									
Grenada	-	44	-	-	-	-	-	-	-
Hinds	-	36	44	28	-	-	-	-	-
Holmes	22	66	36	32	10	14	-	-	-
Humphreys	10	38	20	8	-	36	6	-	-
Issaquena	-	18	20	-	-	28	19	-	-
Jasper	11	12	-	-	-	-	-	-	-
Jefferson	14	72	60	12	-	-	-	-	-
Jefferson Davis	12	-	-	-	-	6	-	-	-
Jones	8	8	-	-	-	-	-	-	-
Kemper	-	-	-	-	-	-	-	-	48
Leflore	59	68	22	6	-	34	-	-	-
Madison	24	64	24	16	12	64	47	-	-
Marshall	-	12	40	14	14	219	-	-	20
Neshoba	14	18	-	-	-	-	-	-	-
Noxubee	22	18	32	-	10	120	-	-	-
Oktibbeha	-	36	-	-	-	18	-	-	-
Rankin	6	38	-	-	-	-	-	-	-
Sharkey	-	30	14	-	-	20	-	-	-
Simpson	-	10	-	-	-	-	-	-	-
Sunflower	-	32	-	24	12	66	-	-	-

APPENDIX 4. (continued)

State/County	Number of Observers								
	1966	1967	1968	1969	1970	1971	1972	1973	1974
<b>MISSISSIPPI (cont'd)</b>									
Tallahatchie	-	-	-	-	-	10	-	-	-
Warren	-	-	48	-	-	-	-	-	-
Wilkinson	-	86	62	20	16	38	36	-	-
Winston	4	-	-	-	-	-	-	-	-
Yazoo	-	-	-	-	-	34	-	-	8
<b>TOTAL</b>	264	1,058	616	219	134	959	146	-	76
<b>SOUTH CAROLINA</b>									
Clarendon	118	-	36	-	9	-	50	-	-
Dorchester	40	-	58	-	10	-	55	-	-
<b>TOTAL</b>	158	-	94	-	19	-	105	-	-

Source: U.S. Department of Justice.

APPENDIX 5. OBJECTIONS UNDER SECTION 5 OF THE VOTING RIGHTS ACT  
(As of Dec. 20, 1974)

<u>Jurisdiction</u>	<u>Type of Change</u>	<u>Date</u>	<u>Page</u> <sup>a</sup>
	<u>Registration and Voting</u>		
South Carolina	literacy test, poll tax	Oct. 2, 1967	17
Georgia	assistance to illiterate voters	June 19, 1968	
Webster Co., Ga.	polling place	Dec. 12, 1968	
Georgia	qualification of registration and election workers	July 11, 1968	
Georgia	tests or devices	Aug. 20, 1968	30
Alabama	signature requirement	Nov. 13, 1969	
Mobile, Ala.	signature requirement	Dec. 16, 1969	
Alabama	assistance for absentee registra- tion	Mar. 13, 1970	
North Carolina	literacy test	Mar. 18, 1971	17
North Carolina	literacy test	Apr. 20, 1971	
Jasper County, Miss.	reregistration	June 8, 1971	
Lafayette Co., Miss.	polling place	July 6, 1971	
Caroline, Miss.	polling place	Sept. 10, 1971	
Albany, Ga.	polling place	Nov. 16, 1971	
Marshall Co., Miss.	polling place	Dec. 3, 1971	
Tate Co., Miss.	polling place	Dec. 3, 1971	
Albany, Ga.	election date	Jan. 7, 1972	
Alabama	assistance to illiterate voters	Apr. 4, 1972	
Atlanta, Ga.	polling place	Nov. 27, 1972	
St. Landry Parish, La.	polling place	Dec. 6, 1972	
Atlanta, Ga.	polling place	Mar. 1, 1973	
New Orleans, La.	polling place	July 17, 1973	
Martinsville, Va.	polling place	Apr. 19, 1974	
Newport News, Va.	polling place	May 17, 1974	107
Jones Co., Ga.	polling place	Aug. 12, 1974	106
New York Co., N.Y.	polling place	Sept. 3, 1974	
Suffolk, Va.	polling place	Sept. 23, 1974	

<u>Jurisdiction</u>	<u>Type of Change</u>	<u>Date</u>	<u>Page</u> <sup>a</sup>
	<u>Candidacy</u>		
Mississippi	abolition of office	May 21, 1969	162, 172, 271
Alabama	discrimination against independent candidates	Aug. 1, 1969	162
Alabama	discrimination against independent candidates	Aug. 14, 1972	162
Alabama	abolition of office	Dec. 26, 1972	171
Ocilla, Ga.	filing fees	June 22, 1972	135
Hollandale, Miss.	abolition of office	July 9, 1973	171
Mobile, Ala.	filing fee, petition requirement	Aug. 3, 1973 (Objection withdrawn after modification, Oct. 10, 1973)	134
Clarendon Co., S.C.	abolition of office	Nov. 13, 1973	171
Shaw, Miss.	elective to appointive	Nov. 21, 1973	171
Albany, Ga.	filing fee	Dec. 7, 1973	135
Mississippi	open primary	Apr. 26, 1974	162, 274
	<u>State and Federal Representation</u>		
Virginia (State House)	redistricting <sup>b</sup>	May 7, 1971 (Objection withdrawn, June 10, 1971)	241
Virginia (State Senate)	redistricting	May 7, 1971	241
Louisiana (State House)	redistricting <sup>b</sup>	Aug. 20, 1971	235-36
Louisiana (State Senate)	redistricting <sup>b</sup>	Aug. 20, 1971	235-36
Georgia (U.S. House of Representatives)	redistricting	Feb. 11, 1972	230, 231
Georgia (State Senate)	redistricting	Mar. 3, 1972	230, 232

JurisdictionType of ChangeDatePage<sup>a</sup>State and Federal Representation (cont.)

Georgia (State House)	redistricting <sup>b</sup> majority requirement, numbered posts	Mar. 3, 1972	230, 232
South Carolina (State Senate)	redistricting <sup>b</sup> majority requirement, numbered posts	Mar. 6, 1972	218
Georgia (State House)	redistricting	Mar. 24, 1972	232
South Carolina	numbered posts <sup>b</sup>	June 30, 1972	216
South Carolina (State Senate)	redistricting <sup>b</sup> majority requirement, numbered posts	July 20, 1973	219
South Carolina (State House)	redistricting <sup>b</sup> majority requirement, numbered posts	Feb. 14, 1974	216-17
Kings County, N.Y. (U.S. House of Representatives)	redistricting	Apr. 1, 1974	221-30
Kings and N.Y. Counties, N.Y. (State Senate)	redistricting	Apr. 1, 1974	221-30
Kings and N.Y. Counties, N.Y. (State Assembly)	redistricting	Apr. 1, 1974	221-30

Local Representation

Mississippi	county bds. of supervisors: at-large election	May 21, 1969	
East Carroll Parish, La.	police jury and school board: at-large elections	Sept. 10, 1969	297
Copiah Co., Miss.	bd. of supervisors: redistricting	Mar. 5, 1970	275
Portsmouth, Va.	40% vote requirement	June 26, 1970	
Leake Co., Miss.	bd. of supervisors: redistricting	Jan. 8, 1971	275
Warren Co., Miss.	bd. of supervisors: redistricting	Apr. 4, 1971	275
Richmond, Va.	annexation	May 7, 1971	300-03
Marion Co., Miss.	bd. of supervisors: redistricting <sup>b</sup>	May 25, 1971	275
Jeff Davis Parish, La.	police jury: redistricting <sup>b</sup>	June 4, 1971	
Union Parish, La.	police jury and school board: redistricting	June 8, 1971	294
Grenada Co., Miss.	at-large election, residency requirement	June 30, 1971	272
Attala Co., Miss.	at-large election, residency requirement	June 30, 1971	272



<u>Jurisdiction</u>	<u>Type of Change</u>	<u>Date</u>	<u>Page<sup>a</sup></u>
<u>Local Representation (cont.)</u>			
Assumption Parish, La.	school board: at-large election, redistricting	July 8, 1971	294
Franklin Parish, La.	police jury: redistricting <sup>b</sup>	July 8, 1971	294
Birmingham, Ala.	numbered posts	July 9, 1971	317
Hinds Co., Miss.	bd. of supervisors: redistricting	July 14, 1971	275
Yazoo Co., Miss.	bd. of supervisors: redistricting	July 19, 1971 <sup>c</sup>	275
St. Charles Parish, La.	police jury: at-large election	July 22, 1971	294
Jeff Davis Parish, La.	school board: redistricting	July 23, 1971	294
Ascension Parish, La.	school board: redistricting <sup>b</sup>	July 23, 1971	
Talladega, Ala.	anti-single-shot law	July 23, 1971	
Bossier Parish, La.	school board: redistricting	July 30, 1971	294
North Carolina	numbered posts	July 30, 1971	248
Clarke Co., Ga.	school board: redistricting	Aug. 6, 1971	260-61
DeSoto Parish, La.	police jury: at-large election	Aug. 6, 1971	294
East Baton Rouge, La.	parish council: redistricting	Aug. 6, 1971	294
Pointe Coupee Parish, La.	police jury: redistricting <sup>b</sup>	Aug. 9, 1971	
Webster Parish, La.	police jury: redistricting	Aug. 6, 1971 <sup>d</sup>	294
Warren Co., Miss.	bd. of supervisors: redistricting	Aug. 23, 1971	275
Bibb Co., Ga.	school board: at-large election	Aug. 24, 1971	261
East Feliciana Parish, La.	police jury: at-large election, redistricting <sup>b</sup>	Sept. 20, 1971	294
Natchitoches Parish, La.	school board: redistricting <sup>b</sup>	Sept. 20, 1971	294
North Carolina	numbered posts	Sept. 27, 1971	248
Hinesville, Ga.	majority requirement, numbered posts	Oct. 1, 1971	263
St. Helena Parish, La.	police jury: redistricting	Oct. 8, 1971	294
Caddo Parish, La.	school board: redistricting	Oct. 8, 1971	294
Newnan, Ga.	numbered posts	Oct. 13, 1971	263
St. James Parish, La.	police jury: redistricting	Nov. 2, 1971	294
Conyers, Ga.	majority requirement, numbered posts, staggered terms	Dec. 2, 1971	263
Tate Co., Miss.	bd. of supervisors: redistricting	Dec. 3, 1971	275
Mecklenberg Co., Va.	county council: redistricting	Dec. 7, 1971	
East Feliciana Parish, La.	police jury: redistricting <sup>b</sup>	Dec. 28, 1971	294
Waynesboro, Ga.	city council: at-large election, majority requirement	Jan. 7, 1972	

JurisdictionType of ChangeDatePage <sup>a</sup>Local Representation (cont.)

St. Mary Parish, La.	school board: redistricting	Jan. 12, 1972	294
Jonesboro, Ga.	majority requirement	Feb. 4, 1972	263
Petersburg, Va.	annexation	Feb. 22, 1972	304-05
St. Helena Parish, La.	school board: redistricting	Mar. 17, 1972	
Autauga Co., Ala.	bd. of commissioners, school board: at-large election, majority requirement	Mar. 20, 1972	316
Grenada, Miss.	city council: at-large election, majority requirement, numbered posts	Mar. 20, 1972	286
Ascension Parish, La.	school board: redistricting <sup>b</sup>	Apr. 20, 1972	294
East Feliciana Parish, La.	school board: redistricting <sup>b</sup>	Apr. 22, 1972	294
Pointe Coupee Parish, La.	school board: redistricting <sup>b</sup>	June 7, 1972	294
Lafayette Parish, La.	school board: redistricting, <sup>b</sup> staggered terms	June 16, 1972	294
South Carolina	numbered posts	June 30, 1972	
Newnan, Ga.	majority requirement	July 31, 1972	263
Twiggs Co., Ga.	county commissioners: at-large election, residency requirement	Aug. 7, 1972	258
Thomasville, Ga.	majority requirement, numbered posts	Aug. 24, 1972	263
Aiken, S.C.	numbered posts, residency require- ment	Aug. 25, 1972	
Saluda Co., S.C.	creation of new school district	Nov. 13, 1972	
Tate Co., Miss.	bd. of supervisors: redistricting	Nov. 28, 1972	275
Lake Providence, La.	annexation	Dec. 1, 1972	
Harris Co., Ga.	residency requirement	Dec. 5, 1972 (Objection with- drawn, Mar. 30, 1973)	
New Orleans, La.	city council: redistricting	Jan. 15, 1973	289
Cochran, Ga.	majority requirement	Jan. 29, 1973	263
Warren Co., Miss.	bd. of supervisors: redistricting	Feb. 13, 1973	
Cuthbert, Ga.	numbered posts	Apr. 9, 1973	263
New Orleans, La.	numbered posts	Apr. 20, 1973	287

<u>Jurisdiction</u>	<u>Type of Change</u>	<u>Date</u>	<u>Page<sup>a</sup></u>
	<u>Local Representation (cont.)</u>		
Indianola, Miss. McComb, Miss.	numbered posts annexation	Apr. 20, 1973 May 30, 1973 (Objection with- drawn, Sept. 12, 1973)	286
Newellton, La. Ocilla, Ga. New Orleans, La. Sumter Co., Ga.	annexation majority requirement city council: redistricting majority requirement, residence requirement	June 12, 1973 June 22, 1973 July 9, 1973 July 13, 1973	263 290 260
Hogansville, Ga. Darlington, S.C. Grenada Co., Miss. Perry, Ga.	majority requirement, numbered posts residency requirement bd. of supervisors: redistricting majority requirement, numbered posts	Aug. 2, 1973 Aug. 7, 1973 Aug. 9, 1973 Aug. 14, 1973	263 321 275, 276, 282-83 263
Thomasville, Ga. Bogalusa, La.	residency requirement residency requirement, anti-single- shot law	Aug. 27, 1973 Oct. 29, 1973	263 299
Pearl, Miss.	incorporation	Nov. 21, 1973 (Objection with- drawn after modi- fication, Jan. 3, 1974)	286
East Dublin, Ga. Dorchester Co., S.C. McClellanville, S.C. Fort Valley, Ga.	numbered posts, staggered terms county council: at-large election annexation numbered posts, majority require- ment	Mar. 4, 1974 Apr. 22, 1974 May 6, 1974 <sup>e</sup> May 13, 1974	263 321 325 263
Fulton Co., Ga.	numbered posts, majority require- ment	May 22, 1974	261
Walterboro, S.C. Clarke Co., Ga.	residency requirement school bd.: at-large election, numbered posts, majority require- ment	May 24, 1974 May 30, 1974	260

JurisdictionType of ChangeDatePage<sup>a</sup>Local Representation (cont.)

Louisville, Ga.	numbered posts, majority requirement	June 4, 1974	263
East Dublin, Ga.	staggered terms	June 19, 1974	
Evangeline Parish, La.	school bd. and police jury: <sup>b</sup>	June 25, 1974	294,298
	majority requirement, anti-single-shot requirement, staggered terms		
Evangeline Parish, La.	school bd. and police jury: <sup>b</sup>	July 26, 1974	294,298
	majority requirement, anti-single-shot requirement, staggered terms		
Lancaster Co., S.C.	school bd.: at-large election, numbered posts, majority requirement	July 30, 1974	
Meriwether Co., Ga.	county commissioners: at-large election, numbered posts, majority requirement	July 31, 1974	
Pike Co., Ala.	residency requirement, majority requirement, staggered terms	Aug. 12, 1974	316,317
Attala Co., Miss.	bd. of supervisors: redistricting	Sept. 3, 1974	275,282
Thomson, Ga.	numbered posts, majority requirement, staggered terms, extension of terms	Sept. 3, 1974	263,265
Bamberg Co., S.C.	residency requirements, staggered terms	Sept. 3, 1974	322
Bishopville, S.C.	staggered terms	Sept. 3, 1974	322
Bamberg Co., S.C.	county commissioners: at-large election	Sept. 20, 1974	323
Charleston, S.C.	annexation	Sept. 20, 1974	324-25
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Source: Department of Justice and David H. Hunter, Federal Review of Voting Changes: How to Use Section 5 of the Voting Rights Act (Washington, D.C.: Joint Center for Political Studies et al., 1974), pp. 90-97.

- a. Refers to page or pages of this report where the objection is mentioned.
- b. Involved the use of multi-member districts.
- c. Objection withdrawn, Sept. 23, 1971.
- d. Objection withdrawn, Sept. 14, 1971.
- e. Objection withdrawn after assurances, Oct. 21, 1974.

APPENDIX 6. THE VOTING RIGHTS ACT OF 1965  
AS AMENDED BY THE VOTING RIGHTS ACT AMENDMENTS OF 1970

PUBLIC LAW 89-110, 89TH CONGRESS, S. 1564, AUGUST 6, 1965

AN ACT To enforce the fifteenth amendment to the Constitution of the United States, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Voting Rights Act of 1965".*

TITLE I—VOTING RIGHTS

SEC. 2. No voting qualification or prerequisite to voting, or standard, practice, or procedure shall be imposed or applied by any State or political subdivision to deny or abridge the right of any citizen of the United States to vote on account of race or color.

SEC. 3. (a) Whenever the Attorney General institutes a proceeding under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court shall authorize the appointment of Federal examiners by the United States Civil Service Commission in accordance with section 6 to serve for such period of time and for such political subdivisions as the court shall determine is appropriate to enforce the guarantees of the fifteenth amendment (1) as part of any interlocutory order if the court determines that the appointment of such examiners is necessary to enforce such guarantees or (2) as part of any final judgment if the court finds that violations of the fifteenth amendment justifying equitable relief have occurred in such State or subdivision: *Provided*, That the court need not authorize the appointment of examiners if any incidents of denial or abridgement of the right to vote on account of race or color (1) have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(b) If in a proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that a test or device has been used for the purpose or with the effect of denying or abridging the right of any citizen of the United States to vote on account of race or color, it shall suspend the use of tests and devices in such State or political subdivisions as the court shall determine is appropriate and for such period as it deems necessary.

(c) If in any proceeding instituted by the Attorney General under any statute to enforce the guarantees of the fifteenth amendment in any State or political subdivision the court finds that violations of the fifteenth amendment justifying equitable relief have occurred within the territory of such State or political subdivision, the court, in addition to such relief as it may grant, shall retain jurisdiction for such period as it may deem appropriate and during such period no voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect at the time the proceeding was commenced shall be enforced unless and until the court finds that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on

account of race or color: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that neither the court's finding nor the Attorney General's failure to object shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure.

SEC. 4. (a) To assure that the right of citizens of the United States to vote is not denied or abridged on account of race or color, no citizen shall be denied the right to vote in any Federal, State, or local election because of his failure to comply with any test or device in any State with respect to which the determinations have been made under subsection (b) or in any political subdivision with respect to which such determinations have been made as a separate unit, unless the United States District Court for the District of Columbia in an action for a declaratory judgment brought by such State or subdivision against the United States has determined that no such test or device has been used during the ten years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color: *Provided*, That no such declaratory judgment shall issue with respect to any plaintiff for a period of ten years after the entry of a final judgment of any court of the United States, other than the denial of a declaratory judgment under this section, whether entered prior to or after the enactment of this Act, determining that denials or abridgments of the right to vote on account of race or color through the use of such tests or devices have occurred anywhere in the territory of such plaintiff.

An action pursuant to this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. The court shall retain jurisdiction of any action pursuant to this subsection for five years after judgment and shall reopen the action upon motion of the Attorney General alleging that a test or device has been used for the purpose or with the effect of denying or abridging the right to vote on account of race or color.

If the Attorney General determines that he has no reason to believe that any such test or device has been used during the ten years preceding the filing of the action for the purpose or with the effect of denying or abridging the right to vote on account of race or color, he shall consent to the entry of such judgment.

(b) The provisions of subsection (a) shall apply in any State or in any political subdivision of a state which (1) the Attorney General determines maintained on November 1, 1964, any test or device, and with respect to which (2) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1964, or that less than 50 per centum of such persons voted in the presidential election of November 1964. On and after August 6, 1970, in addition to any State or political subdivision of a State determined to be subject to subsection (a) pursuant to the previous sentence, the provisions of subsection (a) shall apply in any State or any political subdivision

of a State which (i) the Attorney General determines maintained on November 1, 1968, any test or device, and with respect to which (ii) the Director of the Census determines that less than 50 per centum of the persons of voting age residing therein were registered on November 1, 1968, or that less than 50 per centum of such persons voted in the presidential election of November 1968.

A determination or certification of the Attorney General or of the Director of the Census under this section or under section 6 or section 13 shall not be reviewable in any court and shall be effective upon publication in the Federal Register.

(c) The phrase "test or device" shall mean any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

(d) For purposes of this section no State or political subdivision shall be determined to have engaged in the use of tests or devices for the purpose or with the effect of denying or abridging the right to vote on account of race or color if (1) incidents of such use have been few in number and have been promptly and effectively corrected by State or local action, (2) the continuing effect of such incidents has been eliminated, and (3) there is no reasonable probability of their recurrence in the future.

(e)(1) Congress hereby declares that to secure the rights under the fourteenth amendment of persons educated in American-flag schools in which the predominant classroom language was other than English, it is necessary to prohibit the States from conditioning the right to vote of such persons on ability to read, write, understand, or interpret any matter in the English language.

(2) No person who demonstrates that he has successfully completed the sixth primary grade in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English, shall be denied the right to vote in any Federal, State, or local election because of his inability to read, write, understand, or interpret any matter in the English language, except that in States in which State law provides that a different level of education is presumptive of literacy, he shall demonstrate that he has successfully completed an equivalent level of education in a public school in, or a private school accredited by, any State or territory, the District of Columbia, or the Commonwealth of Puerto Rico in which the predominant classroom language was other than English.

SEC. 5. Whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) based upon determinations made under the first sentence of section 4(b) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1964, or whenever a State or political subdivision with respect to which the prohibitions set forth in section 4(a) based upon determinations made under the second sentence of section 4(b) are in effect shall enact or seek to administer any voting qualification or prerequisite to voting, or



standard, practice, or procedure with respect to voting different from that in force or effect on November 1, 1968, such State or subdivision may institute an action in the United States District Court for the District of Columbia for a declaratory judgment that such qualification, prerequisite, standard, practice, or procedure does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, and unless and until the court enters such judgment no person shall be denied the right to vote for failure to comply with such qualification, prerequisite, standard, practice, or procedure: *Provided*, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such State or subdivision to the Attorney General and the Attorney General has not interposed an objection within sixty days after such submission, except that neither the Attorney General's failure to object nor a declaratory judgment entered under this section shall bar a subsequent action to enjoin enforcement of such qualification, prerequisite, standard, practice, or procedure. Any action under this section shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court.

SEC. 6. Whenever (a) a court has authorized the appointment of examiners pursuant to the provisions of section 3(a), or (b) unless a declaratory judgment has been rendered under section 4(a), the Attorney General certifies with respect to any political subdivision named in, or included within the scope of, determinations made under section 4(b) that (1) he has received complaints in writing from twenty or more residents of such political subdivision alleging that they have been denied the right to vote under color of law on account of race or color, and that he believes such complaints to be meritorious, or (2) that in his judgment (considering, among other factors, whether the ratio of nonwhite persons to white persons registered to vote within such subdivision appears to him to be reasonably attributable to violations of the fifteenth amendment or whether substantial evidence exists that bona fide efforts are being made within such subdivision to comply with the fifteenth amendment), the appointment of examiners is otherwise necessary to enforce the guarantees of the fifteenth amendment, the Civil Service Commission shall appoint as many examiners for such subdivision as it may deem appropriate to prepare and maintain lists of persons eligible to vote in Federal, State, and local elections. Such examiners, hearing officers provided for in section 9(a), and other persons deemed necessary by the Commission to carry out the provisions and purposes of this Act shall be appointed, compensated, and separated without regard to the provisions of any statute administered by the Civil Service Commission, and service under this Act shall not be considered employment for the purposes of any statute administered by the Civil Service Commission, except the provisions of section 9 of the Act of August 2, 1939, as amended (5 U.S.C. 118i), prohibiting partisan political activity: *Provided*, That the Commission is authorized, after consulting the head of the appropriate department or agency, to designate suitable persons in the official service of the United States,

with their consent, to serve in these positions. Examiners and hearing officers shall have the power to administer oaths.

SEC. 7. (a) The examiners for each political subdivision shall, at such places as the Civil Service Commission shall by regulation designate, examine applicants concerning their qualifications for voting. An application to an examiner shall be in such form as the Commission may require and shall contain allegations that the applicant is not otherwise registered to vote.

(b) Any person whom the examiner finds, in accordance with instructions received under section 9(b), to have the qualifications prescribed by State law not inconsistent with the Constitution and laws of the United States shall promptly be placed on a list of eligible voters. A challenge to such listing may be made in accordance with section 9(a) and shall not be the basis for a prosecution under section 12 of this Act. The examiner shall certify and transmit such list, and any supplements as appropriate, at least once a month, to the offices of the appropriate election officials, with copies to the Attorney General and the attorney general of the State, and any such lists and supplements thereto transmitted during the month shall be available for public inspection on the last business day of the month and in any event not later than the forty-fifth day prior to any election. The appropriate State or local election official shall place such names on the official voting list. Any person whose name appears on the examiner's list shall be entitled and allowed to vote in the election district of his residence unless and until the appropriate election officials shall have been notified that such person has been removed from such list in accordance with subsection (d): *Provided*, That no person shall be entitled to vote in any election by virtue of this Act unless his name shall have been certified and transmitted on such a list to the offices of the appropriate election officials at least forty-five days prior to such election.

(c) The examiner shall issue to each person whose name appears on such a list a certificate evidencing his eligibility to vote.

(d) A person whose name appears on such a list shall be removed therefrom by an examiner if (1) such person has been successfully challenged in accordance with the procedure prescribed in section 9, or (2) he has been determined by an examiner to have lost his eligibility to vote under State law not inconsistent with the Constitution and the laws of the United States.

SEC. 8. Whenever an examiner is serving under this Act in any political subdivision, the Civil Service Commission may assign, at the request of the Attorney General, one or more persons, who may be officers of the United States, (1) to enter and attend at any place for holding an election in such subdivision for the purpose of observing whether persons who are entitled to vote are being permitted to vote, and (2) to enter and attend at any place for tabulating the votes cast at any election held in such subdivision for the purpose of observing whether votes cast by persons entitled to vote are being properly tabulated. Such persons so assigned shall report to an examiner appointed for such political subdivision, to the Attorney General, and if the appointment of examiners has been authorized pursuant to section 3(a), to the court.

SEC. 9. (a) Any challenge to a listing on an eligibility list prepared by an examiner shall be heard and determined by a hearing officer appointed by and responsible to the Civil Service Commission and under such rules as the Commission shall by regulation prescribe. Such challenge shall be entertained only if filed at such office within the State as the Civil Service Commission shall by regulation designate, and within ten days after the listing of the challenged person is made available for public inspection, and if supported by (1) the affidavits of at least two persons having personal knowledge of the facts constituting grounds for the challenge, and (2) a certification that a copy of the challenge and affidavits have been served by mail or in person upon the person challenged at his place of residence set out in the application. Such challenge shall be determined within fifteen days after it has been filed. A petition for review of the decision of the hearing officer may be filed in the United States court of appeals for the circuit in which the person challenged resides within fifteen days after service of such decision by mail on the person petitioning for review but no decision of a hearing officer shall be reversed unless clearly erroneous. Any person listed shall be entitled and allowed to vote pending final determination by the hearing officer and by the court.

(b) The times, places, procedures, and form for application and listing pursuant to this Act and removals from the eligibility lists shall be prescribed by regulations promulgated by the Civil Service Commission and the Commission shall, after consultation with the Attorney General, instruct examiners concerning applicable State law not inconsistent with the Constitution and laws of the United States with respect to (1) the qualifications required for listing, and (2) loss of eligibility to vote.

(c) Upon the request of the applicant or the challenger or on its own motion the Civil Service Commission shall have the power to require by subpoena the attendance and testimony of witnesses and the production of documentary evidence relating to any matter pending before it under the authority of this section. In case of contumacy or refusal to obey a subpoena, any district court of the United States or the United States court of any territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or is domiciled or transacts business, or has appointed an agent for receipt of service or process, upon application by the Attorney General of the United States shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission or a hearing officer, there to produce pertinent, relevant, and non-privileged documentary evidence if so ordered, or there to give testimony touching the matter under investigation; and any failure to obey such order of the court may be punished by said court as a contempt thereof.

SEC. 10. (a) The Congress finds that the requirement of the payment of a poll tax as a precondition to voting (i) precludes persons of limited means from voting or imposes unreasonable financial hardship upon such persons as a precondition to their exercise of the franchise, (ii) does not bear a reasonable relationship to any legitimate State interest in the conduct of elections, and (iii) in some areas has the purpose or effect of denying persons the right to vote because of race or color. Upon the basis of these findings, Congress

declares that the constitutional right of citizens to vote is denied or abridged in some areas by the requirement of the payment of a poll tax as a precondition to voting.

(b) In the exercise of the powers of Congress under section 5 of the fourteenth amendment and section 2 of the fifteenth amendment, the Attorney General is authorized and directed to institute forthwith in the name of the United States such actions, including actions against States or political subdivisions, for declaratory judgment or injunctive relief against the enforcement of any requirement of the payment of a poll tax as a precondition to voting, or substitute therefor enacted after November 1, 1964, as will be necessary to implement the declaration of subsection (a) and the purposes of this section.

(c) The district courts of the United States shall have jurisdiction of such actions which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing at the earliest practicable date, to participate in the hearing and determination thereof, and to cause the case to be in every way expedited.

(d) During the pendency of such actions, and thereafter if the courts, notwithstanding this action by the Congress, should declare the requirement of the payment of a poll tax to be constitutional, no citizen of the United States who is a resident of a State or political subdivision with respect to which determinations have been made under subsection 4(b) and a declaratory judgment has not been entered under subsection 4(a), during the first year he becomes otherwise entitled to vote by reason of registration by State or local officials or listing by an examiner, shall be denied the right to vote for failure to pay a poll tax if he tenders payment of such tax for the current year to an examiner or to the appropriate State or local official at least forty-five days prior to election, whether or not such tender would be timely or adequate under State law. An examiner shall have authority to accept such payment from any person authorized by this Act to make an application for listing, and shall issue a receipt for such payment. The examiner shall transmit promptly any such poll tax payment to the office of the State or local official authorized to receive such payment under State law, together with the name and address of the applicant.

SEC. 11. (a) No person acting under color of law shall fail or refuse to permit any person to vote who is entitled to vote under any provision of this Act or is otherwise qualified to vote, or willfully fail or refuse to tabulate, count, and report such person's vote.

(b) No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote, or intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for urging or aiding any person to vote or attempt to vote, or intimidate, threaten, or coerce any person for exercising any powers or duties under section 3(a), 6, 8, 9, 10, or 12(e).

(c) Whoever knowingly or willfully gives false information as to his name, address, or period of residence in the voting district for the purpose of establishing his eligibility to register or vote, or conspires

with another individual for the purpose of encouraging his false registration to vote or illegal voting, or pays or offers to pay or accepts payment either for registration to vote or for voting shall be fined not more than \$10,000 or imprisoned not more than five years, or both: *Provided, however,* That this provision shall be applicable only to general, special, or primary elections held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegate from the District of Columbia, or Resident Commissioner of the Commonwealth of Puerto Rico.

(d) Whoever, in any matter within the jurisdiction of an examiner or hearing officer knowingly and willfully falsifies or conceals a material fact, or makes any false, fictitious, or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

SEC. 12. (a) Whoever shall deprive or attempt to deprive any person of any right secured by section 2, 3, 4, 5, 7, or 10 or shall violate section 11(a), shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(b) Whoever, within a year following an election in a political subdivision in which an examiner has been appointed (1) destroys, defaces, mutilates, or otherwise alters the marking of a paper ballot which has been cast in such election, or (2) alters any official record of voting in such election tabulated from a voting machine or otherwise, shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(c) Whoever conspires to violate the provisions of subsection (a) or (b) of this section, or interferes with any right secured by section 2, 3, 4, 5, 7, 10, or 11(a) shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

(d) Whenever any person has engaged or there are reasonable grounds to believe that any person is about to engage in any act or practice prohibited by section 2, 3, 4, 5, 7, 10, 11, or subsection (b) of this section, the Attorney General may institute for the United States, or in the name of the United States, an action for preventive relief, including an application for a temporary or permanent injunction, restraining order, or other order, and including an order directed to the State and State or local election officials to require them (1) to permit persons listed under this Act to vote and (2) to count such votes.

(e) Whenever in any political subdivision in which there are examiners appointed pursuant to this Act any persons allege to such an examiner within forty-eight hours after the closing of the polls that notwithstanding (1) their listing under this Act or registration by an appropriate election official and (2) their eligibility to vote, they have not been permitted to vote in such election, the examiner shall forthwith notify the Attorney General if such allegations in his opinion appear to be well founded. Upon receipt of such notification the Attorney General may forthwith file with the district court an application for an order providing for the marking, casting, and counting of the ballots of such persons and requiring the inclusion of their

votes in the total vote before the results of such election shall be deemed final and any force or effect given thereto. The district court shall hear and determine such matters immediately after the filing of such application. The remedy provided in this subsection shall not preclude any remedy available under State or Federal law.

(f) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this section and shall exercise the same without regard to whether a person asserting rights under the provisions of this Act shall have exhausted any administrative or other remedies that may be provided by law.

SEC. 13. Listing procedures shall be terminated in any political subdivision of any State (a) with respect to examiners appointed pursuant to clause (b) of section 6 whenever the Attorney General notifies the Civil Service Commission, or whenever the District Court for the District of Columbia determines in an action for declaratory judgment brought by any political subdivision with respect to which the Director of the Census has determined that more than 50 per centum of the nonwhite persons of voting age residing therein are registered to vote, (1) that all persons listed by an examiner for such subdivision have been placed on the appropriate voting registration roll, and (2) that there is no longer reasonable cause to believe that persons will be deprived of or denied the right to vote on account of race or color in such subdivision, and (b), with respect to examiners appointed pursuant to section 3(a), upon order of the authorizing court. A political subdivision may petition the Attorney General for the termination of listing procedures under clause (a) of this section, and may petition the Attorney General to request the Director of the Census to take such survey or census as may be appropriate for the making of the determination provided for in this section. The District Court for the District of Columbia shall have jurisdiction to require such survey or census to be made by the Director of the Census and it shall require him to do so if it deems the Attorney General's refusal to request such survey or census to be arbitrary or unreasonable.

SEC. 14. (a) All cases of criminal contempt arising under the provisions of this Act shall be governed by section 151 of the Civil Rights Act of 1957 (42 U.S.C. 1995).

(b) No court other than the District Court for the District of Columbia or a court of appeals in any proceeding under section 9 shall have jurisdiction to issue any declaratory judgment pursuant to section 4 or section 5 or any restraining order or temporary or permanent injunction against the execution or enforcement of any provision of this Act or any action of any Federal officer or employee pursuant hereto.

(c)(1) The terms "vote" or "voting" shall include all action necessary to make a vote effective in any primary, special, or general election, including, but not limited to, registration, listing pursuant to this Act, or other action required by law prerequisite to voting, casting a ballot, and having such ballot counted properly and included in the appropriate totals of votes cast with respect to candidates for public or party office and propositions for which votes are received in an election.

(2) The term "political subdivision" shall mean any county or parish, except that where registration for voting is not conducted under the supervision of a county or parish, the term shall include any other subdivision of a State which conducts registration for voting.

(d) In any action for a declaratory judgment brought pursuant to section 4 or section 5 or this Act, subpoenas for witnesses who are required to attend the District Court for the District of Columbia may be served in any judicial district of the United States: *Provided*, That no writ of subpoena shall issue for witnesses without the District of Columbia at a greater distance than one hundred miles from the place of holding court without the permission of the District Court for the District of Columbia being first had upon proper application and cause shown.

SEC. 15. Section 2004 of the Revised Statutes (42 U.S.C. 1971), as amended by section 131 of the Civil Rights Act of 1957 (71 Stat. 637), and amended by section 601 of the Civil Rights Act of 1960 (74 Stat. 90), and as further amended by section 101 of the Civil Rights Act of 1964 (78 Stat. 241), is further amended as follows:

(a) Delete the word "Federal" wherever it appears in subsections (a) and (c);

(b) Repeal subsection (f) and designate the present subsections (g) and (h) as (f) and (g), respectively.

SEC. 16. The Attorney General and the Secretary of Defense, jointly, shall make a full and complete study to determine whether, under the laws or practices of any State or States, there are preconditions to voting, which might tend to result in discrimination against citizens serving in the Armed Forces of the United States seeking to vote. Such officials shall, jointly, make a report to the Congress not later than June 30, 1966, containing the results of such study, together with a list of any States in which such preconditions exist, and shall include in such report such recommendations for legislation as they deem advisable to prevent discrimination in voting against citizens serving in the Armed Forces of the United States.

SEC. 17. Nothing in this Act shall be construed to deny, impair, or otherwise adversely affect the right to vote of any person registered to vote under the law of any State or political subdivision.

SEC. 18. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

SEC. 19. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

## TITLE II—SUPPLEMENTAL PROVISIONS

### APPLICATION OF PROHIBITION TO OTHER STATES

SEC. 201. (a) Prior to August 6, 1975, no citizen shall be denied, because of his failure to comply with any test or device, the right to vote in any Federal, State, or local election conducted in any State or political subdivision of a State as to which the provisions of section 4(a) of this Act are not in effect by reason of determinations made under section 4(b) of this Act.

(b) As used in this section, the term "test or device" means any requirement that a person as a prerequisite for voting or registration for voting (1) demonstrate the ability to read, write, understand, or interpret any matter, (2) demonstrate any educational achievement

or his knowledge of any particular subject, (3) possess good moral character, or (4) prove his qualifications by the voucher of registered voters or members of any other class.

RESIDENCE REQUIREMENTS FOR VOTING

SEC. 202. (a) The Congress hereby finds that the imposition and application of the durational residency requirement as a precondition to voting for the offices of President and Vice President, and the lack of sufficient opportunities for absentee registration and absentee balloting in presidential elections—

(1) denies or abridges the inherent constitutional right of citizens to vote for their President and Vice President;

(2) denies or abridges the inherent constitutional right of citizens to enjoy their free movement across State lines;

(3) denies or abridges the privileges and immunities guaranteed to the citizens of each State under article IV, section 2, clause 1, of the Constitution;

(4) in some instances has the impermissible purpose or effect of denying citizens the right to vote for such officers because of the way they may vote;

(5) has the effect of denying to citizens the equality of civil rights, and due process and equal protection of the laws that are guaranteed to them under the fourteenth amendment; and

(6) does not bear a reasonable relationship to any compelling State interest in the conduct of presidential elections.

(b) Upon the basis of these findings, Congress declares that in order to secure and protect the above-stated rights of citizens under the Constitution, to enable citizens to better obtain the enjoyment of such rights, and to enforce the guarantees of the fourteenth amendment, it is necessary (1) to completely abolish the durational residency requirement as a precondition to voting for President and Vice President, and (2) to establish nationwide, uniform standards relative to absentee registration and absentee balloting in presidential elections.

(c) No citizen of the United States who is otherwise qualified to vote in any election for President and Vice President shall be denied the right to vote for electors for President and Vice President, or for President and Vice President, in such election because of the failure of such citizen to comply with any durational residency requirement of such State or political subdivision; nor shall any citizen of the United States be denied the right to vote for electors for President and Vice President, or for President and Vice President, in such election because of the failure of such citizen to be physically present in such State or political subdivision at the time of such election, if such citizen shall have complied with the requirements prescribed by the law of such State or political subdivision providing for the casting of absentee ballots in such election.

(d) For the purposes of this section, each State shall provide by law for the registration or other means of qualification of all duly qualified residents of such State who apply, not later than thirty days immediately prior to any presidential election, for registration or qualification to vote for the choice of electors for President and Vice President or for President and Vice President in such election; and each State shall



provide by law for the casting of absentee ballots for the choice of electors for President and Vice President, or for President and Vice President, by all duly qualified residents of such State who may be absent from their election district or unit in such State on the day such election is held and who have applied therefor not later than seven days immediately prior to such election and have returned such ballots to the appropriate election official of such State not later than the time of closing of the polls in such State on the day of such election.

(e) If any citizen of the United States who is otherwise qualified to vote in any State or political subdivision in any election for President and Vice President has begun residence in such State or political subdivision after the thirtieth day next preceding such election and, for that reason, does not satisfy the registration requirements of such State or political subdivision he shall be allowed to vote for the choice of electors for President and Vice President, or for President and Vice President, in such election, (1) in person in the State or political subdivision in which he resided immediately prior to his removal if he had satisfied, as of the date of his change of residence, the requirements to vote in that State or political subdivision, or (2) by absentee ballot in the State or political subdivision in which he resided immediately prior to his removal if he satisfies, but for his nonresident status and the reason for his absence, the requirements for absentee voting in that State or political subdivision.

(f) No citizen of the United States who is otherwise qualified to vote by absentee ballot in any State or political subdivision in any election for President and Vice President shall be denied the right to vote for the choice of electors for President and Vice President, or for President and Vice President, in such election because of any requirement of registration that does not include a provision for absentee registration.

(g) Nothing in this section shall prevent any State or political subdivision from adopting less restrictive voting practices than those that are prescribed herein.

(h) The term "State" as used in this section includes each of the several States and the District of Columbia.

(i) The provisions of section 11(c) shall apply to false registration, and other fraudulent acts and conspiracies, committed under this section.

#### JUDICIAL RELIEF

SEC. 203. Whenever the Attorney General has reason to believe that a State or political subdivision (a) has enacted or is seeking to administer any test or device as a prerequisite to voting in violation of the prohibition contained in section 201, or (b) undertakes to deny the right to vote in any election in violation of section 202, he may institute for the United States, or in the name of the United States, an action in a district court of the United States, in accordance with sections 1391 through 1393 of title 28, United States Code, for a restraining order, a preliminary or permanent injunction, or such other order as he deems appropriate. An action under this subsection shall be heard and determined by a court of three judges in accordance with the provisions of section 2282 of title 28 of the United States Code and any appeal shall be to the Supreme Court.

## PENALTY

SEC. 204. Whoever shall deprive or attempt to deprive any person of any right secured by section 201 or 202 of this title shall be fined not more than \$5,000, or imprisoned not more than five years, or both.

## SEPARABILITY

SEC. 205. If any provision of this Act or the application of any provision thereof to any person or circumstance is judicially determined to be invalid, the remainder of this Act or the application of such provision to other persons or circumstances shall not be affected by such determination.

### TITLE III—REDUCING VOTING AGE TO EIGHTEEN IN FEDERAL, STATE, AND LOCAL ELECTIONS

## DECLARATION AND FINDINGS

SEC. 301. (a) The Congress finds and declares that the imposition and application of the requirement that a citizen be twenty-one years of age as a precondition to voting in any primary or in any election—

(1) denies and abridges the inherent constitutional rights of citizens eighteen years of age but not yet twenty-one years of age to vote—a particularly unfair treatment of such citizens in view of the national defense responsibilities imposed upon such citizens;

(2) has the effect of denying to citizens eighteen years of age but not yet twenty-one years of age the due process and equal protection of the laws that are guaranteed to them under the fourteenth amendment of the Constitution; and

(3) does not bear a reasonable relationship to any compelling State interest.

(b) In order to secure the constitutional rights set forth in subsection (a), the Congress declares that it is necessary to prohibit the denial of the right to vote to citizens of the United States eighteen years of age or over.

## PROHIBITION

SEC. 302. Except as required by the Constitution, no citizen of the United States who is otherwise qualified to vote in any State or political subdivision in any primary or in any election shall be denied the right to vote in any such primary or election on account of age if such citizen is eighteen years of age or older.

## ENFORCEMENT

SEC. 303. (a)(1) In the exercise of the powers of the Congress under the necessary and proper clause of section 8, article I of the Constitution, and section 5 of the fourteenth amendment of the Constitution, the Attorney General is authorized and directed to institute in the name of the United States such actions against States or political subdivisions, including actions for injunctive relief, as he may determine to be necessary to implement the purposes of this title.

(2) The district courts of the United States shall have jurisdiction of proceedings instituted pursuant to this title, which shall be heard and determined by a court of three judges in accordance with the provisions of section 2284 of title 28 of the United States Code, and any appeal shall lie to the Supreme Court. It shall be the duty of the judges designated to hear the case to assign the case for hearing and determination thereof, and to cause the case to be in every way expedited.

(b) Whoever shall deny or attempt to deny any person of any right secured by this title shall be fined not more than \$5,000 or imprisoned not more than five years, or both.

#### DEFINITION

SEC. 304. As used in this title the term "State" includes the District of Columbia.

#### EFFECTIVE DATE

SEC. 305. The provisions of title III shall take effect with respect to any primary or election held on or after January 1, 1971.



APPENDIX 7

RESPONSES RECEIVED TO LETTERS SENT  
PURSUANT TO 42 U.S.C. § 1975a(e) (1970)

Response to comments on page 73.

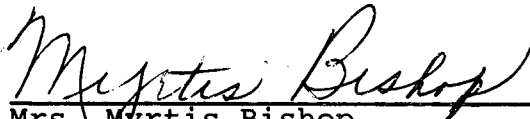
According to Myrtis Bishop, the registrar in Madison Parish, Louisiana, she closes the registration office only "on rare occasions for meetings and such, but I always put it in the paper."<sup>12</sup> Zelma Wyche, chief of police of Tallulah, the parish seat, and President of the Madison Parish Voters League, said that the registrar is ready with excuses for closing the office whenever she feels like it, often to the disadvantage of blacks, as for example, during a voter registration drive. Frequently the office is closed<sup>13</sup> by 4:00 p.m.

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12. Myrtis Bishop, interview in Tallulah, La., Sept. 4, 1974.

13. Zelma C. Wyche, interview in Tallulah, La., Sept. 3, 1974.

When this office is being closed for various meetings, conventions, etc., I publish this fact if time permits. Permission is granted by Russell Gaspard and Police Jury President, Joe Thornton. As for the office being closed at 4:00 P.M., this is untrue. Our court-house hours are 8:30 A.M. to 4:30 P.M.

  
\_\_\_\_\_  
Mrs. Myrtis Bishop  
Registrar of Voters

Response to comments on page 80.

In Madison Parish the entire registration process is run by one person, the registrar, Myrtis Bishop. Black community leaders and officials have found the registrar to be incompetent, uncooperative, and hostile. One black official stated that her behavior was that of a "vicious racist." In addition to closing the office without notice when it is scheduled to be open, the registrar is charged with harassing black registrants. She is particularly strict in demands for identification. Many blacks, especially the more elderly, do not have adequate identification with them, lacking such things as social security cards or birth certificates. Even blacks who have identification with them have difficulties.

61

61a

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61. Wyche Interview.

61a. Ibid.

True, I am the only person in this office, therefore it is run by one person.

The black community leader most often quoted in this report, Zelma C. Wyche, would find any white registrar to be "incompetent, uncooperative, and hostile." Every since my appointment to the Office of Registrar in 1967, Zelma C. Wyche has attempted almost unceasingly to have me removed from office so that I might be replaced with a black registrar.

The only demands that are made on any person regardless of race is to be able to prove his or her identity. That is why a drivers license is asked for, if not a drivers license then a Social Security Number. People with their identification are not turned away.



Mrs. Myrtis Bishop  
Registrar of Voters

Response to comments on page 80.

Sometimes she will accept social security cards as sufficient identification. Other times she will require much more and make people go back home three and four times. 62

According to another source, Mrs. Bishop often intimidates registrants. A black volunteer in a registration drive took two young blacks to register. One of them, a young woman while filling out the registration form asked the registration volunteer a question, at which point Mrs. Bishop yelled: "I'll answer your questions here...you don't ask anyone for information here except me." 63 In another instance she was involved in a fight with a registrant. 64


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62. Id.

63. Staff interview in Tallulah, La., Sept. 4, 1974.

64. This incident is described in Chap. 7, Physical and Economic Subordination, pp. 213-214.

When a person comes to register and has their identification with them they are told, "If you need any assistance, I will be glad to help in filling out the form completely if necessary."

  
 Mrs. Myrtis Bishop  
 Registrar of Voters

Response to comments on page 183.

A fight involving the registrar of Madison Parish, Myrtis Bishop, and a black woman attempting to register occurred on February 19, 1974. Arnicey Tyson accompanied by her husband, Ramon, and their 3-year-old son went to the courthouse in Tallulah to register. According to an account of the incident sent to the Department of Justice by Mr. Tyson, Mrs. Bishop, after exchanging angry remarks with Mrs. Tyson over the lack of information concerning previous registration, refused to register her. Mrs. Tyson questioned the registrar regarding this refusal at which point the registrar slapped her in the face. Mrs. Tyson then slapped Mrs. Bishop several times at which point Mr. Tyson intervened to separate the two women. Mr. Tyson was then attacked by three men including a deputy sheriff and in the ensuing struggle thrown to the floor, beaten and his clothes torn. The Tysons were then taken to jail and subsequently released on bond.

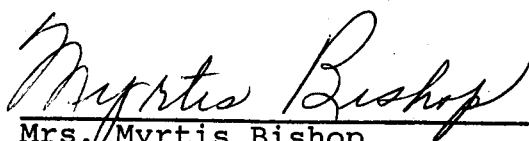
21

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21. Ramon E. Tyson, letter to Michael Shaheen, Voting Rights Section, U.S. Department of Justice, Wash., D.C., Feb. 20, 1974.

I might add that Arnicey Tyson was registered on February 19, 1974, contrary to the above statement. A copy of her application for registration is annexed hereto.

As the date specifies above, this being eleven (11) months ago, I'd rather you just read the statement I gave the Sheriff's office on February 20, 1974.

  
Mrs. Myrtis Bishop  
Registrar of Voters



STATEMENT OF:

Myrtis Bishop  
Registrar.Feb 14

44  
 Tuesday afternoon at approximately 3:01 clock J. D. Porter came in my office to pick up a drivers license that a black man had used to get his S.S. number from so he could register to vote. He was still standing in my office when a black man & woman came in to register. They were the same people who came the evening before and she had been told that I had to have her social security number before I would register her. He was indignant but left shortly.

She brought with her a slip of paper with the S.S. number written on it. Normally I would not accept a number that way, but not wanting to argue I said nothing. She filled out her registration form and when I read that she had been registered in California I asked if she had a registration card from there, she replied no. I then asked if she knew what ward she lived in there. She replied no.

Myrtis Bishop

## STATEMENT OF:

I then asked if she knew where the place was located or the name of the place, such as school, fire station etc. She still replied no. I asked how long that had been + she replied two years. I smiled + replied + said "you can't remember two years back?" at this she became very excited + called me a "Honky Cracker" and that people like me should not be in an office + several things about white folks. I did not have to listen to such so I turned + went to the Sheriff's office + asked Mr. DeKard to come to my office. I turned + returned or started back to my office + she met me shaking her finger in my face + hit me across my nose demanding a registration card. Naturally I slapped her back + told her not to. When she came at me with her purse raised + the black man held me by the shoulder + Mr. Porter pinned her against the wall, at which time the man <sup>attacked</sup> him, + the woman also kicked him + hit him with her purse. After a scuffle with both

Martin Bishop

## STATEMENT OF:

of them, Mr. Decker + Mr. Linn  
put them in jail. I left my office  
and went to Dr. Webb's office. After  
examining me he gave me a sedative  
and told me I had to go home and  
could not return to work until the  
next day.

Meyers Bishop

## STATEMENT OF:

J.D. "Mike" Porter, Drivers License Examiner, Tallulah, La.

About three P.M., on the afternoon of Tuesday, February 19, 1974, I went into the Registrar's Office for the purpose of picking up an old Drivers License which had been used for the purpose of obtaining a Social Security Number as voting identification. While I was there a negro male and female, along with a child about 4 years of age, came in. ~~xxxxxxx~~ When Mrs. Bishop, the Registrar of Voters, asked if she could help them, the negro female said she wanted to register. Mrs. Bishop handed her a card which she filled out and returned. After the card was returned to Mrs. Bishop she asked if she had voted before. The girl said she had voted in Los Angeles, but she did not have her registration card, nor could she give information as to what precinct she had voted in. Mrs. Bishop handed her a ~~xxx~~ form to sign. The man with her said it was a form to keep her from voting in Los Angeles. At which time, the girl said, "That's alright." Then further statements were made by her such as... that her vote was needed here ... to help clean out this mess ---- to help get people out of offices where they dont belong .... like this Honkie-cracker here and pointed her finger at Mrs. Bishop.

At that time Mrs. Bishop left the office without saying where she was going. Immediately afterwards the two negros left and turned to the right toward the south door. Just after they got into the hall I heard the man ask the woman if she got her registration card. She said, "No, but I want it." ....and I'm going to get it." She turned and started back to the office and met Mrs. Bishop near the door. They exchanged words, but I do not know just what was said, but the negro girl struck Mrs. Bishop in the face and ~~xxxxxxx~~ a scuffel ocured, at which time I stepped in front of the negro girl.

J. D. Porter

Date February 19, 1944 No. 2

STATEMENT OF:

J. D. "Mike" Porter, Drivers License Examiner, Tallulah, La.

knocking off my glasses and breaking them  
She hit me with her purse/ and I caught her arm. About that time, the

man hit me and knocked my leg from under me, and I fell to the floor.  
and Oran Lewis

When I got up Deputy Wayne Deckard/arrived and subdued the subjects

J. D. Porter

Attachment 3 to response of Mrs. Myrtis Bishop.

Date 2/19/74  
Social Security or  
Registration Number  
5600-88-8929

APPLICATION FOR REGISTRATION  
Office of Registrar of Voters  
State of Louisiana  
Parish of Madison

Ward No. 1 Prct. No. 2  
Municipality: In      Out       
Mailing Address  
411 Chester Dr  
Jallesh, La

I am a citizen of the United States and of the State of Louisiana and have not been disfranchised by any provision of the Constitution of this State.

My name is ARNICEY (First) NICEY (Maiden or Middle) TYSON (Last)

I live at 111 Chester Dr. (House or Apt. No.) (Street) TALLULAH (City or Town) I have resided in this State

since JAN 15 73 (date) in this Parish since JAN 15 73 (date) and at my present address since JAN 15 73 (date)

The place of my birth is ARK. (City) WARREN (Parish, County or Province) (State or Foreign Country)

The date of my birth is 5 (Month) 6 (Day) 51 (Year) I was last registered as a voter in (Leave blank if none) California (Parish or County) (State)

I hereby declare my party affiliation to be (Circle one) American - Democrat Republican - None - Other (Specify)     

Have you been convicted of a felony? Yes [ ] No [] If yes, have you received full pardon and restoration of franchise? Yes [ ] No [ ]

Under Louisiana Revised Statutes 18:270.802, no person shall register falsely or illegally as a voter or make a false statement in an affidavit or other document that he presents for the purpose of procuring himself to be registered or to be retained as a registrant. No person shall knowingly present, for any purpose within the purview of this Chapter, an affidavit or other document containing a false statement.

Whoever violates this Section shall be fined not less than five hundred nor more than one thousand dollars or imprisoned for not less than six months nor more than one year, or both. The penalties shall be doubled for the second or any succeeding offense of the same character. I have read the statements above. Yes [] No [ ]

I do hereby solemnly swear or affirm that I will faithfully and fully abide by all the laws of the State of Louisiana, so help me God.

Sworn to and subscribed before me this  
19 day of Feb, 1974  
Myrtis Bishop  
(Deputy) Registrar

Arnicay Tyson  
Applicant's Signature

LA-R-71

UPON REQUEST, THE REGISTRAR SHALL FURNISH EACH APPLICANT A COPY OF HIS APPLICATION FORM

Copy of Registration Form  
Showing that Arnicay Tyson  
was registered on  
Feb 19, 1974

Attachment 4 to response of Mrs. Myrtis Bishop.  
**OFFENSE REPORT** Complainant Mrs. Myrtis Bishop No 4958  
 Address Registrar of Voters, Tallulah, La. Phone 574-2193  
 Offense Disturbing the Peace Place of Occurrence Court House  
 Report received by 3:00 at M. Date 2/19/74 How reported In Person  
 Date and time offense committed 3:00 P.M.  
 Time of investigation M. Date 2/19/74  
 Suspects and/or persons arrested Ramon Elwood Tyson, Jr., 111 Chestnut St., Tallulah, La.  
Arnicey Tyson, 111 Chestnut St., Tallulah, La.

**DETAILS OF OFFENSE** (State fully all other circumstances of this offense and its investigation)

At approximately 3:00 P.M. I was in the Sheriff's Office when Mrs. Bishop, the Registrar of Voters, ran into the front office and called me. She said, "Wayne come quick." I went out into the hall. I was a short distance behind Mrs. Bishop and just as I got into the hall I saw her (Mrs. Bishop) and a colored female in the hall just outside the Registrar's Office door. They were exchanging words in a heated manner and I saw the negro girl strike Mrs. Bishop in the face. As I arrived on the scene ~~the~~ a negro man, who was apparently with the girl, stepped up behind the girl and swung at Mrs. Bishop with his fist. I grabbed him and kept him from striking her. He fought back and after an exchange of blows I finally subdued the subject and with the help of Oran Lewis, both subjects were taken to the Madison Parish Jail where they were booked on a charge of Resisting arrest. At that time they caused a further disturbance by using profane language. Subjects were identified as Ramon Elwood Tyson, Jr., 111 Chestnut St. and Arnicey Tyson, 111 Chestnut St.

Later in the afternoon the following charges were filed:

**ARNICEY TYSON:**

Simple battery on the person of Mrs. Myrtis Bishop, bond set at \$1,000.00  
 Resisting Arrest, bond \$1,000.00  
 Simple Battery on the person of J. D. Porter, bond \$1,000.00  
 Simple Criminal Damage, bond \$100.00  
 Disturbing the peace at the jail, bond \$50.00

**RAMON ELWOOD TYSON, JR.:**

Simple battery on the person of Myrtis Bishop, bond \$1,000.00  
 Simple Battery on the person of J. D. Porter, Bond \$1,000.00  
 Resisting Arrest, bond \$1,000.00  
 Disturbing the Peace in the Courthouse, bond \$1,000.00

Investigating Officer:  Date 2/19/74

JAMES T. BRIDGES  
ATTORNEY AT LAW  
BELZONI, MISSISSIPPI 39038  
January 15, 1975

Ms. Lucy R. Edwards  
Assitant General Counsel  
United States Commission on Civil Rights  
Washington, D. C. 20425

In re: G. H. Hood  
Circuit Clerk & Registrar  
Belzoni, Mississippi

Dear Ms. Edwards:

Mr. Hood has asked me to comment on the material you forwarded to him on January 8, 1975. One page of the report reads,

"In Humphreys County blacks informed the Commission that even if they are able to get off from work to register there is no way of knowing whether the circuit clerk and registrar will be there. On some days when a number of blacks were brought in to register, the circuit clerk had left.17"

Mr. Hood's office is open from 8:00 a.m. to 5:00 p.m. each business day except Saturday, when it is closed all day pursuant to Resolution of the Board of Supervisors, and it is closed from 12:00 to 1:00 for lunch. These are the same hours as all of the officers in the Court House and is required by Section 25-1-99 of the Mississippi Code of 1972. Of course, the allegation is that Humphreys County blacks informed the Commission that they couldn't tell whether he was there or not, and if they would give days and times when Mr. Hood was not there perhaps we could answer it. There is absolutely no way to answer such a general allegation except to say that the office was kept open at the times required by statute. On the other page we have several allegations and I noticed you have changed that Mr. Hood has been in office since the early 1950's, as he was elected in 1959 and began service as Circuit Clerk and Registrar on the first Monday in January of 1960. Mr. Hood denies the allegations that he had steadfastly opposed the black franchise and would show that he has followed the statutes in registration of the individuals. Mr. Hood is not a member of the Legislature and has to follow the statutory requirements until they are held invalid by a court.

The allegation that he is reported to have been operating a segregated facility with separated waiting areas for the races in the registration office is untruthful. The Circuit



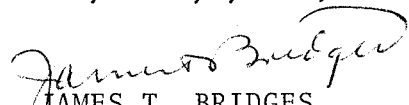
JAMES T. BRIDGES

January 15, 1975

Clerk and Registrar operates in a one room office approximately 20 x 20 feet in dimension with a vault opening off it. A counter with filing cabinets runs the length of the room about five feet inside the door and this is the only waiting area in the office. There are five chairs adjacent to one another for any person who has to wait. The space inside the counter is the office of the Registrar and Circuit Clerk and contains a double desk and a secretary's desk, a chair for each side of the desk and for the secretary and a deacon's bench for business visitors. The Clerk uses the vault for applicants to register to complete their registration forms and has about two at a time in the vault, as that is about all the room there is. The allegation that he "operates his office in such an arrogant manner that registrees come away thoroughly denigrated, embarrassed and intimidated.", which is contained in a letter from Lawrence Tardy as shown in footnote 59 is absolutely untrue. To the recollection of Mr. Hood, Lawrence Tardy has only been in his office one time, and that was to qualify as a candidate for Justice of the Peace, District #1, as an Independent candidate in the 1971 general election. The answer to the "many people would not register if he came knocking at their door" is untenable in that the Registrar must register the applicants at his office and cannot do so by travelling around the country knocking on doors. The statement that a staff member was told that the "registrar continues to behave in a manner that makes registration a grueling process", footnote 60a, must be by a staff member who interviewed only the black political activists who are dissatisfied because they did not win the election in 1971. The Registrar has registered every person that has applied for registration at his office since the enactment of the Voting Rights Act in 1965 that were qualified and completed the form required by statute.

The allegations made against Mr. Hood are so vague that it is difficult to set forth defense thereto as most of them are conclusions of "black political leaders" and the allegations were not followed up by the staff interviewer so as to get any facts to support the conclusions drawn.

Very truly yours,

  
 JAMES T. BRIDGES  
 Attorney for G. H. Hood

JTB:jdt

cc: Mr. G. H. Hood  
 Circuit Clerk & Registrar  
 Court House  
 Belzoni, Mississippi 39038

# MONTEREY COUNTY

## OFFICE OF THE COUNTY CLERK

P.O. BOX 1819 - SALINAS, CALIFORNIA 93901 -- (408) 424 - 0417  
 1200 AGUAJITO ROAD, MONTEREY, CALIFORNIA 93940 -- (408) 372 - 8081

ERNEST A. MAGGINI  
 COUNTY CLERK

PLEASE REPLY TO ADDRESS CHECKED.



January 14, 1975

Mr. John A. Buggs  
 Staff Director  
 US Commission on Civil Rights  
 Washington, D. C. 20425

Dear Sir:

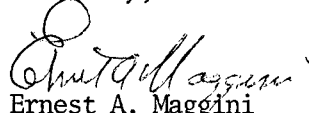
In reply to your undated letter received by me on Monday, January 13, 1975, I would like to make the following response.

At no time did I or anyone in my office tell persons interested in serving as election officials, whether they be bilingual or not, that we had already filled our quota for election officials. There is no such thing as a quota for election officials in Monterey County as it is quite difficult at times securing enough precinct election officials. Also, there are always last minute cancellations from election officials for various reasons and it is essential and very helpful to contact persons for replacements.

Also, my office received a list of names of Mexican-Americans who were bilingual from interested citizens to recruit as election officials and each one contacted declined to serve for various reasons.

Prior to the Primary and General Elections, instruction classes are held for persons who will serve as election officials and they are all instructed that they may as an election official use a language other than English at the polls to communicate with voters.

Sincerely,



Ernest A. Maggini  
 County Clerk-Registrar of Voters



BOARD OF ELECTIONS  
IN  
THE CITY OF NEW YORK  
GENERAL OFFICE, 80 VARICK STREET  
NEW YORK, N. Y. 10013

Darby M. Gaudia, Chief Clerk  
Manhattan Borough Office  
80 VARICK STREET  
NEW YORK, N. Y. 10013  
226-2600

Beatrice Berger, Chief Clerk  
Bronx Borough Office  
1780 GRAND CONCOURSE  
BRONX, N. Y. 10457  
299-9017

Gus Galli, Chief Clerk  
Brooklyn Borough Office  
315 ADAMS STREET  
BROOKLYN, N. Y. 11201  
522-2441

Gloria D'Amico, Chief Clerk  
Queens Borough Office  
77-40 VLEIGH PLACE  
FLUSHING, N. Y. 11367  
380-2600

Edward Grabowski, Chief Clerk  
Richmond Borough Office  
30 BAY STREET  
ST. GEORGE, S. I. 10301  
727-4300

HERBERT J. FEUER, PRESIDENT  
JOSEPH J. PREVITE, SECRETARY  
CHARLES A. AVARELLO  
JAMES F. BASS  
ELIZABETH A. CASSIDY  
ELRICH A. EASTMAN  
STANLEY C. KOCHMAN  
ALICE SACHS  
ANTHONY SADOWSKI  
SALVATORE SCLAFANI  
COMMISSIONERS

December 19, 1974

Hon. John A. Buggs  
Staff Director  
United States Commission on Civil Rights  
Washington, D. C. 20425

Dear Mr. Buggs:

In reply to your letter received on December 18, 1974 with regard to Spanish translation of the ballot, please be advised that when the Board was apprised of the alleged errors in our "voting instructions", contact was made with the Department of Justice. Recommended by the State Department was one, Dr. Arsenio Rey.

We immediately contacted Dr. Rey and he re-edited the voting instructions, as well as all other bi-lingual materials sent to the voters. He has consented to work with our Board on all future translations.

As a result of his re-editing, all interested persons were completely satisfied with the bi-lingual materials.

Should you require additional information, please do not hesitate to call me at Canal 6-2196.

Very truly yours,

*Betty Dolen*  
BETTY DOLEN

Executive Director

BETTY DOLEN  
EXECUTIVE DIRECTOR  
JOSEPH NEGLIA  
DEPUTY EXECUTIVE DIRECTOR

KATHERINE L. PETROCELLI  
SENIOR ADMINISTRATOR



State of Georgia  
 Superior Courts of the Southwestern Judicial Circuit

P. O. DRAWER 784

Americus, Georgia

CHAMBERS OF  
 W. F. BLANKS  
 JUDGE

LEE, MACON, SCHLEY  
 STEWART, SUMTER  
 AND WEBSTER  
 COUNTIES

December 31, 1974

Mr. John A. Buggs  
 Staff Director  
 United States Commission on Civil Rights  
 Washington, D. C. 20425

Re: Allegations concerning Macon County Primary of 13 August,  
 1974, and Run-off of 3 September, 1974

Dear Mr. Buggs:

Thank you very kindly for your undated letter recently received which dealt with certain allegations concerning my conduct in relation to the captioned elections. As usual in such allegations, they are a mixture of truth and fiction, and I will refer to them by number in case you care to discuss further the matters herein related, to wit:

1. As of 1 November, 1974, I became Judge of Superior Court, Southwestern Judicial Circuit, and at that time resigned from the State Election Board and from other pertinent positions. I am in the process of relinquishing my Chairmanship of the Macon County Democratic Executive Committee.
2. It is true that I talked with Lynmore James and tried to discourage him from running for the office of County Commissioner from the Montezuma District. As you may or may not know, political affairs in a small county are very complex, but I have always exerted my influence in such manner as to try to insure that all public affairs were conducted in a responsible and progressive manner. It is not true that I treated Lynmore James discourteously, but it is true that I contended that he should not run.
3. It is true that I discussed with Lynmore James the problems that he would have as the first black man seeking to serve as a County Commissioner, which might diminish his influence with the other Commissioners. The Montezuma District has

fifty percent of the population of the County, pays sixty percent of the taxes of the county, yet, has only one of the five commissioners who govern the County. This is disproportionate, especially since two other commissioner districts have fewer than four hundred registered voters each. The situation is so complex that I doubt that Lynmore James would even appreciate the problem. The county is divided by the Flint River with sixty percent of the population on the East side and forty percent on the West side. In addition, the Marshallville District has commercial and cultural ties with Fort Valley (on the North) and has never supported county-wide movements such as the completion of a county hospital and/or consolidation of schools. This has created a situation where the Montezuma District has been under-represented, and this, in turn, has caused many conflicts over the years.

4. It was, and is my opinion, that Lynmore James was seeking the office in fulfillment of his personal ambition rather than for the furtherance of higher ideals such as construction of a county-wide general hospital, which is the number one need of the population at this time. You probably do not know that there is not a hospital bed in the county for Medicare and/or Medicaid patients. Neither is there presently a decent hospital bed available in the county for a black citizen. The construction of this medical facility has been my Number One priority for a number of years and I certainly did not want Lynmore James to interfere with the accomplishment of this very real and basic need.
5. Macon County, particularly the City of Montezuma, has moved progressively to achieve an accommodation acceptable to both races as is attested by the fact that black citizens are serving as Council Members both in the City of Montezuma and in the City of Marshallville. They also serve as members of the Draft Board, the Board of Jury Commissioners, the Board of Registrars, and many other Boards and Committees, including the Macon County Chamber of Commerce and the Macon County Hospital Authority.
6. It is not true that I said anything about a "dam nigger" either at a public or private meeting. In fact, for many years I have personally refrained from using such terminology and have sought to influence others to cease using words which are offensive to our black citizens. You will find that I have been extremely influential in Macon County, Georgia in supporting a fair deal

Mr. John A. Buggs

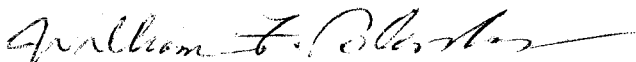
December 31, 1974

Page 3

for all citizens, both black and white. Let it further be said that Lynmore James has not been influential in actions taken by many of us to improve race relations. In the run-off there were a number of white citizens who did not vote for Hugh Crook. At the same time, there were an estimated four hundred to five hundred black citizens who did not think that Lynmore James was the black man to become the first black Commissioner; therefore, they did not vote for him. In my opinion, it was his failure to attract black-voter support which caused him to be defeated. It should also be noted that the population of Macon County is about sixty-eight percent black, further, that the black voters constitute a majority of those registered. In this race, all voters were urged to consider carefully the respective qualifications of the candidates and to vote for the candidate who they thought would best represent the Montezuma District and best aid in mobilizing the political support necessary to construct our county-wide general hospital.

Please feel free to contact me in relation to any further information you might desire in relation to the subject matter of this complaint.

Sincerely,



W. F. Blanks  
Judge, Superior Courts  
Southwestern Judicial Circuit

WFB/pl

Sworn to and subscribed before me

this 31st day of December, 1974.

Virginia M. Creeper

Notary Public State of Georgia My  
Commission Expires June 3, 1977.



THE CITY OF NEW YORK  
OFFICE OF THE MAYOR  
NEW YORK, N.Y. 10007

December 31, 1974

Hon. John A. Buggs  
Staff Director  
U.S. Commission on Civil Rights  
Washington, D.C. 20425

Dear Mr. Buggs:

I have read with great concern the abstract regarding Congressman Badillo's allegations of "...blatant appeals to prejudice..."

I am, to be sure, totally in favor of a system which, strictly and unequivocally, provides absolute accountability for any and all individuals vested with the public trust. Within the framework of our political system, the ways and means of conducting a campaign have, particularly in recent times, received the attention and concern of our entire populace. Campaign literature and/or the public utterings by any political candidate should and must be maintained at the highest moral as well as legal standard.

Consistent with the aforementioned, I state as emphatically as I can, that neither I, nor any one operating under my instructions, and/or knowledge, did at any time before, during, or after the Mayoral Campaign in question, ever partake in the type of scurrilous and reprehensible efforts referred to by Congressman Badillo.

When the literature in question was first brought to my attention in the midst of the 1973 Mayoral Primary Runoff, I denounced it publicly and disassociated myself and my entire campaign organization from the sentiments and the issues with which it dealt.

Furthermore, we made every effort possible, under the circumstances, to track down those responsible for these tactics. In the few cases where we were successful, we ordered the material destroyed.

I would also like to point out that after the Primary Runoff, but during the ensuing Election Campaign, a Committee of the New York State Legislature conducted an investigation into the charges made by Congressman Badillo and held public hearings on them.

My campaign representatives cooperated fully with the committee and testified at the public hearings. The Committee found no connection between me or my campaign and the material in question. Some of the literature was, indeed, untraceable.

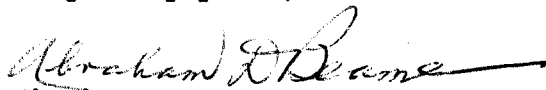
My representatives also brought to the attention of the committee unfair and derogatory literature and advertisements against me put out by my opponent's campaign.

If a transcript of the public hearings is available from the New York State Legislative Committee, I urge that any pertinent testimony be included in your final report.

I deplore the type of unfair, undemocratic tactics alleged by Mr. Badillo. I sincerely believe that my many years of public service lend credence to the strong personal feelings I have in this regard.

I trust that this information is responsive to your request. Please don't hesitate to contact me if I can be of further assistance.

Very truly yours,



Abraham D. Beame  
M A Y O R

STATE OF... *New York* .....  
COUNTY OF... *New York* .....

On the *31<sup>st</sup>* day of *December*, 19*74* before me came ... *Abraham D. Beame* ..., to me known to be the individual described in and who executed the foregoing instrument and acknowledged that he executed the same.

..... *William J. Tierney* .....  
Notary Public

WILLIAM J. TIERNEY  
Notary Public, State of New York  
No. 31-3983751  
Qualified in New York County  
Term Expires March 30, 1975





ROLAND COOPER  
JUDGE OF PROBATE

PROBATE COURT OF WILCOX COUNTY

MRS. ANNIE LEE BAILEY  
CHIEF CLERK

P. O. BOX 220  
CAMDEN, ALABAMA 36726

TELEPHONE:  
682-4883  
AREA CODE 205

December 30, 1974

Mr. John A. Buggs  
Staff Director  
United States Commission on Civil Rights  
Washington, D. C. 20425

Dear Mr. Buggs:

I have your letter concerning the election of constables in Wilcox County in the National Democratic Party of Alabama in the November 7, 1972 Election.

This office can see no reason for complaint by any of those constables elected because this is an outdated position. This office is no more recognized as an office of authority, in as much as they have no duties required to perform and no provisions for payment or fees. To my knowledge the November 1972 Election was the first time any person had run for this office in this County. In that Election 19 constables were elected but only 11 qualified by making bond. Five of those making bond were elected under the NDPA ticket and 6 of those making bond were elected under the Democratic Party ticket. Those 11 constables that posted bond were given the oath of office, however; the 5 constables elected on the NDPA ticket were never technically qualified because their bond was only paid for one year and should have been for the four year term of office.

In as much as the position of constable carries no official capacity, also due to the fact that none had been previously elected, plus the fact that I was new in this office, no cards were issued. I have recently secured certificates for issuing commissions and I have issued commissions to each of those constables whose bonds are in order.

Sincerely,

  
Roland Cooper

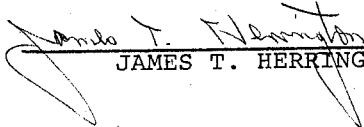
STATE OF LOUISIANA

PARISH OF EAST CARROLL

BEFORE ME, the undersigned authority, personally came and appeared JAMES T. HERRINGTON, who, being duly sworn, deposed and said as follows:

That he is presently and has been for a period of about four years the Superintendent of Schools for East Carroll Parish, Louisiana; that he is the "Superintendent of Schools" referred to in a staff interview, East Carroll Parish, Louisiana, September, 1974, specifically referred to in Footnote Numbered 37 in the proposed report of the U. S. Commission on Civil Rights; that he has not, to the best of his recollection, been in the Registrar's office of East Carroll Parish, Louisiana, at any time during the year 1974 (presumably the alleged occurrence took place in 1974); that the duties of his office do require that he conduct business with the offices of East Carroll Parish Police Jury, East Carroll Parish Tax Assessor, East Carroll Parish Clerk of Court and East Carroll Parish Sheriff's Department, all of which are or were located on the same floor with and are of no greater distance than 100 feet from the Registrar's Office; that his presence at any time on the first floor of East Carroll Parish Court House would have involved business transactions with one or more of the offices aforementioned, but under no circumstances would his presence there have involved any activities in or with the Registrar's Office, and in no case has his presence in said Court House ever in any manner related to or concerned the activities of the Registrar, any persons who might have been in the office of the Registrar for the purpose of registration, or any persons who might have been at or in the Re-

gistrar's Office for the purpose of assisting others to register.

  
\_\_\_\_\_  
JAMES T. HERRINGTON

SWORN TO AND SUBSCRIBED before me, Notary, on this the  
9<sup>th</sup> day of January, 1975.

  
\_\_\_\_\_  
NOTARY PUBLIC

Response to comments on p. 187.

448

OFFICE OF THE DIRECTOR

JAN 5 PM 3:17

Lake Providence, Louisiana  
December 31, 1974

Mr. John A. Buggs  
Staff Director  
United States Commission on Civil Rights  
Washington, D.C. 20425

Dear Mr. Buggs:

I acknowledge your recent communication to me relative to #37. Staff Interview, East Carroll Parish, September, 1974.

In answering this interview, certainly I could have been in the Registrar's office. It is my feeling that this is a public office and as a citizen, I certainly had a right there. I am wondering if Mr. Lane was there to register, and perhaps his presence was not coincidental.

Answering Interview #38, i.d., it is with reluctance that I admit that I do not own the firm that supplies the city's gas. The fact is I am a lowly service man for the Louisiana Gas Service Company, who has served the area of Lake Providence since 1932. Mr. Lane is certainly right that I try to be nice to all customers of the Company - black and white. As for gas cut-offs, the names of the cut-offs are issued to me from the Central Office of the company and I immediately cut off any and all persons who are on the list. This is a strict company policy and if I do not follow their instructions I would have to pay the bill personally.

Since I have become a subject to your study, I would appreciate receiving a copy of the report issued by your Commission when same is completed.

Yours truly,

  
Lloyd L. Clement

dm

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

RESPONSE OF H. E. MITCHELL TO SUMMARY OF MATERIAL PERTAINING TO ALLEGED ACTIVITIES IN TALLADEGA COUNTY, ALABAMA, DURING JUNE 1974 DEMOCRATIC PRIMARY RUN-OFF

I am the duly elected and presently serving Sheriff of Talladega County, Alabama. I served in this capacity during June 1974.

It is my information that staff personnel of the United States Commission on Civil Rights have interviewed certain persons in Talladega County relative to the Democratic Primary run-off of June 1974. I was a candidate in that election.

I have not been furnished any written information as to any misconduct at any specific voting place, no specific information as to individuals involved, no specific information as to names or identity of witnesses to any such incidents, no specific information as to the names or identity of persons who allegedly committed any acts of misconduct and no specific information as to the time when said alleged acts occurred. It is therefore very difficult, if not impossible, for me to respond to these reported incidents. It would seem that any reasonable interpretation of the Federal statutes would entitle me to at least have information as to the specific time and place when reported acts of misconduct were committed and some information as to the name or identity of the officers who committed the acts and the names of persons who are familiar with the incident. It would seem that anyone with a sense of fairness would agree that at least some limited information should be made available to me so that I can make a response as required by the statute.

The only specific information with which I have been furnished is that the alleged misconduct occurred at the National Guard Armory in Talladega. This voting place was open from 8:00 a.m. to 6:00 p.m. There were ten voting machines in the Armory and 2,765 voted there on June 4, 1974. Information furnished me about the alleged incidents at the Armory was not in writing but given by telephone to my attorney.

I have never authorized, permitted or condoned misconduct, violence or harassment by any officer under my jurisdiction at the June 1974 Primary run-off or any other election. I did not use city police or county deputies in such tasks as putting up posters or handing out leaflets in connection with my campaign and neither I nor anyone under my jurisdiction or acting under the color of my office has ever talked with a black person

or warned them that they would not receive welfare or food stamps if they voted for my opponent. How any intelligent person, whether an informer or the recipient of information, could believe that I have any control over the Alabama Department of Pensions and Securities (welfare and food stamps) is beyond comprehension.

I urgently suggest that the source or sources of information furnished staff personnel of the Civil Rights Commission be investigated more thoroughly. I suggest you will find that one of those sources was a former deputy of my predecessor in office. This informer is black. My predecessor was impeached by the Supreme Court of Alabama in September 1972 and removed from office. I headed the investigation which resulted in the impeachment proceedings.

I have never authorized, permitted or condoned any of the alleged acts of misconduct which are vaguely and indefinitely set forth in the summary attached to the undated letter from the United States Commission on Civil Rights which I received December 19, 1974. I have never participated in any such activities and none of the deputies or personnel under my supervision or control have ever participated in any such acts of misconduct.

I respectfully request that this response be made a part of any published report of the Commission in this matter and in addition request that as much time be spent on investigating the sources of information as to their truth and veracity as has been spent in compiling the scurrilous generalities which I have been furnished.

  
H. E. Mitchell

Subscribed and sworn to before me this the 15th day of January, 1975.

  
Betty D. Thomas  
Notary Public



ALBERT L. KLECKLEY  
MEMBER FROM JASPER COUNTY

HOME ADDRESS:  
P. O. DRAWER X  
RIDGELAND, S. C. 29936

COMMITTEES:  
AGRICULTURE AND CONSERVATION  
ETHICS

451  
House of Representatives - State of South Carolina - Columbia

RECEIVED  
DIRECTOR

'75 JAN 10 10:03

January 2, 1975

Mr. John A. Buggs  
Staff Director  
U.S. Commission on Civil Rights  
Washington, D.C. 20425

Dear Mr. Buggs:

I am happy to reply to your letter received December 19, 1974, concerning false and deceitful allegations about the July 30, 1974 run-off primary in Jasper and Beaufort Counties.

I have investigated thoroughly the allegation about Kleckley Gas Company and can assure you that no member of Kleckley Gas Company ever made any statement to voters about not supplying them gas if they did not vote for me. From the information I have received this malicious rumor was started by members of Juanita White's campaign force in order to discredit me and my family. My family has lived in this area since the 1930's and I don't feel that you can find anyone who would have downgraded any member of my family prior to this election. I can assure you also that Kleckley Gas Company would have continued to give the same equal treatment to all persons whether I had won or lost. Many tactics were used and this was just one.

I did ask that one of our drivers come to the Sheldon precinct since that is an area with which I am not familiar and it was just incorporated into District 22. This driver lives in that area and knows most of the people there. He introduced me to quite a few people and many stated that had they known me before they had voted, they probably would have voted for me.

Concerning the allegations about photographic pictures, there were pictures taken outside of the polling place of vehicles only. There was never at any time any pictures taken inside the polling place by me or any of my campaign workers.

Mr. John A. Buggs

Page 2

January 2, 1975

The vehicles that were photographed were thought to be of an agency in this area who thrives solely by federal funds and I was informed was subject to prosecution under the Hatch Act. As a matter of fact, a high ranking member of this agency testified before the S.C. Democratic Party Executive Committee that he was coordinating about fifteen vehicles who were hauling voters to the polls. This same person testified under oath that he approached a person carrying the voters to the polls for me and severely chastized, berated and intimidated this driver into not driving for me.

The last allegation about a black man being asked not to enter a polling place may be true. There were several individuals working for Juanita White which, in my opinion, broke almost every rule in the book. Some would bring the voters to the polling place, usher them inside, tell the poll worker that they were helping the voter and then vote the voter. On numerous occasions I had voters tell me that they would have voted for me had they not been intimidated into letting other people vote them.

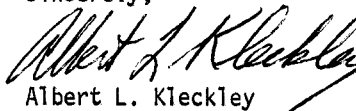
The person who I have in mind who possibly could have been asked to leave was a member of this same agency mentioned above. He was extremely adamant and should have been asked to leave, if he wasn't. This person was not a voter nor a resident of District 122 and had no authority nor business in interfering with the voting process. Yet he insisted time and again to follow his own rules. However, there was never at any time any threat of physical violence by anyone connected with me or my campaign.

In conclusion, allow me to reiterate that there was no coercion used by me, my campaign workers or Kleckley Gas Company in the July 30, 1974 run-off primary in District 122. I have heard a lot of sour grapes cried over Juanita White losing. However, these and other matters have been tried before the S.C. Democratic Executive Committee, the State Court system and the Federal Court system. To date, they have held unanimously that there was no wrongdoing on my part, nor by my campaign workers nor by Kleckley Gas Company.

I regret that your Commission staff members did not contact me concerning any grievances or false allegations that they have received. If I had been contacted, I feel sure that any rumor concerning me could have been traced down and found to be false. As you can tell, I too have grievances and could make all types of allegations. Therefore, it is extremely distressing to me that your Commission has not seen fit to investigate completely any and all voting procedures and irregularities. Without an impartial investigation, any report that you may make will in all likelihood, be only the false allegations of a poor loser.

With kindest regards, I am

Sincerely,



Albert L. Kleckley

ALK:bs



**Rucker & Richardson**

ESTABLISHED 1919



DIAL 648-4741

118 NORTH EIGHTH STREET

**Richmond, Va.**

January 6, 1975

Mr. John A. Buggs  
Staff Director  
United States Commission  
on Civil Rights  
Washington, D. C. 20425

Dear Mr. Buggs:

Thank you for the opportunity to respond to "certain materials pertaining to" me regarding the Annexation Litigation of the City of Richmond, Virginia and the surrounding counties of Henrico and Chesterfield, Virginia.

It has always been my policy not to discuss matters currently in litigation (the annexation case will be heard by the United States Supreme Court at an undetermined future date). However, I believe your inquiry merits the attached comments.

Your letter was addressed to my son, Philip J. Bagley, 3406 Wythe Avenue. I am Phil J. Bagley, Jr., 6222 West Franklin Street should you desire to contact me in the future.

Respectfully,

A handwritten signature in cursive script that reads "Phil J. Bagley, Jr.".

Phil J. Bagley, Jr.  
Former Mayor of Richmond, Virginia  
6222 West Franklin Street  
Richmond, Virginia 23226

PJB, Jr/v

Enc.

**REALTORS**

RESPONSE TO CIVIL RIGHTS COMMISSION REGARDING  
RICHMOND-CHESTERFIELD ANNEXATION

It should be noted that in the previous Richmond Councilmanic Election, some candidates ran on a platform to expand the boundaries of Richmond, other candidates adamantly opposed annexation (one contributed to an anti-annexation fund), stating publicly that they wanted "No part of annexation."

Near the conclusion of the prolonged annexation trial, I entered the press room as reporter Mr. James Davis of the Richmond Times-Dispatch was talking on the telephone with the chairman of the Board of Supervisors of Chesterfield County. Mr. Davis suggested that I should, as Mayor of the City of Richmond, talk with the chairman to bring the litigation to a close. I agreed and met the chairman in a public restaurant at Southside Plaza to discuss the possibility of terminating the trial. Subsequently, I talked individually to members of City Council who favored boundary expansion to determine their views as to accepting a smaller area than that requested of the court. There was no need to contact those opposed to annexation in any form as I already knew their views as publicly expressed.

I advised city attorneys that a majority of the council, in order to assure an orderly and cooperative transition, were in accord with accepting a lesser area and suggested this possibility be presented to the court for the court's consideration. It should be emphasized the matter was in litigation and any decision was solely up to the court and not within the authority of the city council nor the board of supervisors. The award verdict was made by the Judges of the Annexation Court.

Regarding alledged statements, I testified that the statements attributed to me were ridiculous. One ridiculous statement was alledged to have been made at a football game in Charlottesville, Virginia (hardly a place to issue statements regarding Richmond). To the best of my knowledge, I have never met or talked with this gentleman. I was later informed this gentleman lives in the area annexed.

The second ridiculous statement was alledged to have been made to one of the councilmen who opposed annexation. This gentleman has since resigned from city council stating, "I heard voices telling me to go elsewhere." To the contrary, it is a matter of record that I was the patron of the ordinance to create a Human Relations Commission to develop better race relations. Also, it is on record that I voted for Mr. Cephas (a Negro) for Vice Mayor and that I have voted for Negroes for the School Board, the Planning Commission and many committees and positions. In addition, I ran on the Richmond Forward Slate for election with Mr. Cephas and Mr. Mundle (also a Negro). I would not have voted for them if I had thought they were not qualified for office.

As to motivation for annexation and the contention that Richmond had no interest in economic or geographical considerations, tax revenue, vacant land, utilities or schools, I brand this assertion as a blatant untruth. The City of Richmond presented valid documents and reams of evidence concerning the above items and legally established its right to expand, not only to the Chesterfield Court but also in a previous case against the County of Henrico. Both courts recognized this evidence as justification and the Henrico Court awarded the City a verdict. Unfortunately the price tag was not feasible and gave the City inadequate open areas to develop to justify the cost. The City rejected this award. I submit that if the City only wanted white bodies, we would have accepted the thousands of white citizens involved in the Henrico award at any cost. But the award was rejected because of the exhorbitant cost and absence of adequate open area to develop.

Henrico 16 square miles with 16% vacant.  
Chesterfield 23 square miles with 52% vacant.

Henrico 45,300 population with approximately 900 blacks.  
Chesterfield 47,000 population with approximately 1380 blacks.

Henrico cost \$55,000,000.  
Chesterfield cost \$47,000,000.

From a personal viewpoint, I had no reason nor need to acquire additional voters as I ran first in a field of over twenty candidates in the previous council election and second to top in a field of 24 candidates in the last election. In both elections I received thousands of votes in predominately Negro precincts.

The fact is there is no way Richmond can expand its boundaries without acquiring a majority of white citizens. This is due to the citizen make up of the surrounding counties and not to any design of the City. The allegation that I, as Mayor, would not agree to a settlement without the Supervisors guaranteeing 44,000 white citizens is an out and out falsehood. The fact is the Supervisors, even if they wished, could not guarantee anything as the decision, if any, was to be made by the Judges of the Annexation Court.

One would have to be naive and politically stupid to believe that any one being a party to annexing people against their will would receive the votes of the people annexed.

The case was referred to "a master" of the District Court, who, to this day, has not contacted me in any form to determine the truth. Obviously, the text of the District Court relied on the "Master's" report which resulted in the text being fraught with error.

The case has been appealed and the United States Supreme Court has agreed to a hearing.

*Phil J. Bagley Jr.*  
*former Mayor*  
*CITY OF RICHMOND VIRGINIA*  
 3.

## The Voting Rights Act: Ten Years After - Link Page

[PREVIOUS.....Part C](#)

[NEXT.....Part E](#)