

Ala. Journal

FAILURE TO BECOME VOTERS

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It is a wrong kind of sensitivity that prevents a white citizen from getting himself in position to do his full duty of taking part in his government. His unwillingness to get in line and wait his turn under the circumstances is resulting in a tremendous percentage increase in Negro voting strength that may cause all kinds of difficulties in the years ahead.

Men seeking public office will have to do all kinds of things to woo Negro voters, and this will bring about some of the conditions of Reconstruction, something everyone wants to avoid.

How to register qualified white voters here and elsewhere is one of the real new problems we face.

Solicitor To See Registrar

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Mrs. Willis was served last night and said this morning she would take her copy to the courthouse for the meeting with Thetford.

The next regular session of the Board of Registrars will be Dec. 3, Mrs. Willis said, but she expressed uncertainty as to whether the registration of the specified Negroes would be taken up then or at a special session prior to that date.

According to law, the board meets on the first and third Monday of each month during even-numbered years.

As to a possible appeal of Johnson's decision, Thetford said he would have to meet with the board and study the order. He said he spoke only for the board and not for the State of Alabama, which is also a defendant in the case.

Circuit Court Studies Wilcox Voting Case

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U.S. District Judge Daniel H. Thomas, on Sept. 28, 1961, dismissed the Justice Department's application for an order requiring the registrar of voters for Wilcox County, Ala., to open his records for inspection by the FBI. Judge Thomas gave no reason for denying the government's request.

Wilcox County has no registered Negroes.

SOUGHT ORDER

The government sought an order which would have allowed the FBI to inspect and photograph the registrar's records.

Gerald P. Choppin of Washington, a Justice Department attorney, said the case is no different from other cases in which the appeals court has ruled that the registrar must open his records for inspection.

Choppin said the U.S. attorney general does not have to show any good cause for an examination. He said acts of discrimination may be the reason there are no Negroes registered to vote in Wilcox.

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(See WILCOX, Page 2-A)

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(Continued From Page 1)

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Affidavits were produced in the lower court showing that no Negroes have tried to register. Gordon Madison, assistant attorney general of Alabama, said this possibly meant that Negroes were satisfied to let white persons run the county.

Madison said the Justice Department should have shown at least one complaint of discrimination.

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Rejected Negroes *12'ham News* 3-11-'62 protest to Kennedy

Two Negro attorneys who were denied approval to run for the Jefferson County Democratic Executive Committee Friday asked President John F. Kennedy to help them.

The attorneys, Auther Shores and Orzell Billingsley Jr., were among 11 Negroes who submitted qualification papers for committee posts.

Copies of the letter were sent to Atty. Gen. Robert Kennedy, U. S. Sens. Lister Hill and John J. Sparkman, Rep. George Huddleston, John Bailey, chairman of the Democratic National Committee, and Louis Martin, deputy chairman of the Democratic committee.

Some of the Negroes in areas where the Negro vote is much larger than the white vote, would be sure to win places on the county committee.

THE COUNTY elections subcommittee rejected their qualification papers, claiming the Democratic Party in Alabama subscribes to the white supremacy theory and the Negroes don't.

Following is the text of the letter to President Kennedy:

"DEAR MR. PRESIDENT:

"Yesterday, March 9th, 1962, each of the Negro candidates for membership on the Democratic Executive Committee of Jefferson County, Ala. (including the undersigned Orzell Billingsley, Jr., a candidate for election from Precinct 21, District 6 and the undersigned Arthur D. Shores, a candidate for election from Precinct 9, District 1, who write to you on behalf of all 11) received a letter, a photocopy of which is attached hereto.

our initial attempt to file our application or declaration to run for the offices we sought, the representative of the Democratic County Committee arbitrarily rejected both our applications and qualifying fees and refused to accept them. This refusal was based on the fact that we were Negroes. On the next day, February 23, 1962, after a hurriedly called meeting of a committee of the County Committee our application or declarations were allowed to be filed. The last day for filing such applications or declarations under the law of Alabama was March 1, 1962.

IN JEFFERSON COUNTY, Ala., the voting districts within precincts have been so gerrymandered by the Board of Registrars in coomeparation with the county committee, that Negro voters have been successfully ghettoed. But, by these very acts of gerrymandering by Negroes vote in a majority in the districts from which the undersigned are candidates. Because we might have been elected this action was taken.

"We do hereby call upon you and specifically call upon each person to whom copies of this letter are addressed for what ever action you may deem advis-

able under the circumstances, whether such action be of a criminal or civil nature, with respect to the obtaining for us of our right to be members of your political party, for we can respectfully assure you of this: No man can continue to serve a master who wants him not. We do not intend to try.

Sincerely,

ARTHUR D. SHORES.
ORZELL BILLINGSLEY, JR.

"We address ourselves to you for relief, for you of course, are the voice and leader of the Democratic Party, as well as President of the United States of America. Each of us supported you in your efforts to make a better America. Each of us for many years past has voted for and has been a part of the Democratic Party because we have sincerely felt that our party was the voice and conscience for the truly good things in American life.

"WE STILL BELIEVE that this is true.

"We know that you recognize that the Democratic primary election in Alabama has been held by the courts to be equivalent to the general election. We also know that you know that the right to run for office and to participate in cooperation with the county constitutional right, fundamental in its nature, guaranteed all men.

"Although this be true, upon

Negro Seeks Jefferson Office

BIRMINGHAM (AP) — Wilbur R. Rollins, a Negro real estate man and former school teacher, filed qualification papers Wednesday as a candidate for the Jefferson County Board of Education.

Gus Thompson, clerk of the Democratic Executive Committee, said he accepted the papers "subject to the action of the election subcommittee," which meets Friday.

Negroes Claim 1/4/62 Advertiser Discrimination

By ARTHUR OSGOOD

Government attorneys Wednesday produced a series of Negro witnesses who said they were not told they had failed to sign an application, and several white witnesses who said the registrars had called similar omissions to their attention.

And one white witness faced a possible perjury charge after angrily disclaiming a statement given FBI agents which quoted her as saying she had received the same assistance.

Mrs. Neoma Thrower Deason was the next to last witness in the opening day of a hearing in which the government charges the local registrars with discriminating against Negro applicants.

Shown the statement, Mrs. Deason at first denied she had signed her name to it. Then, as Justice Department attorney John Doar questioned her on details of the statement, she conceded she had signed it.

WHERE TO SIGN

But she continued to maintain defiantly that she did not tell FBI agents that she was told where to sign her name on her application to become a voter here.

As Doar ended his examination, U. S. District Judge Frank M. Johnson Jr. directed him to question Mrs. Deason further on her statement to FBI men.

In response to Doar's questions, she reiterated that: "I told them (the FBI) that they (the registrars) did not help me, or tell me where to sign, or any thing."

Johnson then told U. S. Atty. Hartwell Davis:

CALLED BACK

Schuffert said he was unable himself to fill it out.

He said he did not know the woman who aided him, but believed her to be a state court employee.

A third white witness, Arthur Skelton, ranch hand from Pike Road, said he was registered after a registrar called him back to sign his name. The government produced the application to show that it bore someone else's handwriting than Skelton's.

The government presented more than 20 Negro witnesses, mostly schoolteachers, who said they were not registered despite their college degrees.

They were also almost united (See VOTE HEARING, Page 2A)

Vote Hearing

2/4/62 HAD
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in saying they received no help, particularly on where to sign an oath in the application. But all testified they were treated courteously by the registrars.

Deputy Solicitor Maury Smith confronted them on cross-examination with their application forms, on several of which the witnesses had failed to sign the oath, which pledges allegiance to the U.S. Constitution.

DIFFERENT ANSWERS

Several other of the Negro witnesses said they gave different answers on separate applications because one of the registrars, Mrs. C. B. Willis, told them it would be incorrect to say that they had been turned down in previous attempts to register.

Frances Belser, secretary of the Hale Street Baptist Church

VOTERS

(Continued From Page 1)

gaged in procedures and practices which have favored white applicants and discriminated against Negro applicants."

The board used the registration questionnaires "as a tricky examination or test" to disqualify Negroes, he said.

While the board followed a policy of assisting whites in filling out their applications, Johnson said, Negroes were permitted to walk out of the registration room without being told they had made technical or inconsequential omissions on their forms. "Such a practice," Johnson said, "evidences bad faith; it leads to the inevitable conclusion that such a device was used by (the registrars) for deception."

Registration figures to bear out his contention of "whole-sale discrimination" against Negroes, Johnson said more than half the voting-age whites in Montgomery County are registered while only about a tenth of voting-age Negroes are on the rolls.

Between 1956 and 1961, he went on, the registrars received 8,868 applications from whites and 4,522 from Negroes. Of these, Johnson said, 96 per cent of the whites were accepted as voters while 75 per cent of the Negroes were rejected. Nearly 500 of the rejected Negroes had some college education, and 108 were Negro public school teachers.

Johnson noted that the registrars, when they became aware that the discrimination suit was going to be filed, tightened up on registration requirements of whites. He said the rejection of whites "approached the ridiculous" when a lawyer and a retired general were denied registration. Such rejections of whites, Johnson said, "impresses this court as being nothing more than a sham and an attempt on the part of the board to disguise their past discriminatory practices."

The Federal judge reserved an especially harsh lecture for state officials, who were also defendants in the suit.

"This is the third voting rights case this court has been required to adjudicate within the past two years," Johnson wrote. (The others were Macon and Bullock counties.) "In each of these cases, the findings, conclusions, and decrees . . . emphasized the legal principle that although the particular qualifications one must possess in order to exercise this right to vote are left to the states — as long as that exercise is within the constitutional framework — the power to protect citizens who are qualified to vote but not allowed to vote solely because of their race is confided in the United States Government. This court has demonstrated by its decrees in these cases that such protection would be afforded in this district.

"In spite of these prior judicial declarations, the evidence in this case makes it clear that the defendant State of Alabama, through some of its officers who are under a sworn duty to support and defend the Constitution of the United States 'and the laws . . . which shall be made in pursuance thereof' continues in the belief that some contrivance may be successfully adopted and practiced for the purpose of 'thwarting equality in enjoyment of the right to vote by citizens of the United States.'

"Such an attitude ignores the principle that the only true basis of a representative government

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VOTE ADVICE MISLEADING, NEGROES SAY

1-4-62 JORN

Two more college-educated Negroes testified today that they omitted their signatures in one place on their voter registration applications because they were led to believe it was not necessary.

And a Negro midwife told a federal judge she was unable to understand why she couldn't complete a voter questionnaire correctly when she was able to fill out birth certificates properly.

With that testimony and similar accounts from other Negroes, the Justice Department continued its case against the Montgomery County voter registration board. Charging the board with racial discrimination, the federal government is asking U. S. District Judge Frank M. Johnson Jr. for an injunction to prohibit any future discriminatory practices.

GIVEN NO ASSISTANCE

One after another, the Negro witnesses testified, as others had yesterday, that they were given no assistance in filling out their application papers and were given no instructions on where to sign their names. And again, most of the Negroes who took the stand and told of being denied registration were those with college degrees and most of them were schoolteachers.

By contrast, a white sawmill employe who said he had only a fifth-grade education recalled getting help from his wife when he applied successfully for registration.

CAN'T READ WRITING

When he was questioned about a signed statement he gave FBI agents and recorded in their handwriting over his signature, the white man, Oscar Gray, was unable to read the statement because he said "I can't read writing, I read printing."

The two witnesses who said they were advised to omit their signature on one portion of the application papers were Mrs. Lilly Belle Goldston, a nurse, and Mrs. Vivian Womack, a resident of Montgomery who said she teaches school in Dallas County.

The midwife, Mrs. Julia Culpepper, who said she does not know how old she is, testified she applied at least 15 times for voter registration since 1956 and was never accepted. She said "it seems real strange to me that I can fill out a birth certificate but can't get these application blanks right."

On cross-examination, even though she said she does not know her age, it was brought out that she gave the date of her birth as December, 1897, and December, 1901, on another.

The question of the signatures has played a prominent part in the trial thus far because of the Justice Department's contention that Negroes who failed to sign the papers in every required place were rejected but that white applicants were instructed to sign.

Johnson ordered a Grand Jury investigation of whether one witness (See VOTE CASE, Page 2-A)

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ness—a white housewife—told the FBI she had received assistance, and then switched her story.

Mrs. Neoma Deason denied from the witness stand that she received instructions from registration officials when she applied to register.

Attorney John Doar of the Justice Department confronted her with a statement she signed after an interview with FBI agents last month. On one page of the statement, which bore her initials, Mrs. Deason purportedly told the agents that she had been instructed where to sign her name on the application blank.

However, she angrily declared Wednesday: "That wasn't what was on the papers when the FBI read them to me."

The 32 witnesses included a score of Negroes who testified they received no instructions from board members on where to sign their names on application papers. Under questioning by defense attorneys, most said they were turned down for failure to sign an oath to support the constitution.

A half-dozen white voters called by federal attorneys testified that one board member or another called their attention to omissions on their application papers. The Negroes said they received no such help.

In some cases, the state tried to show in cross-examination that Negroes who had made previous efforts to register had answered "No" when, in a subsequent application, they were asked whether they had previously been denied registration.

One witness, Mrs. Frances Belser, testified that a board member, Mrs. C. B. Willis, told her that when no notification of disposition of earlier applications had been received, the applicant should indicate he or she had not been turned down earlier.

Mrs. Belser, a church secretary who said she had applied nine or ten times, said she first answered the question "no," but replied "yes" on subsequent applications after attending a registration school.

While virtually all Negro witnesses testified they got no help from the board, most testified they asked for none. And the defense produced evidence that the board frequently assisted Negroes in answering the question about when they became residents of the state.

AF General Advertiser Cites Vote Hurdle Here 1/9/62

BY ARTHUR OSGOOD

Attorneys for Montgomery county registrars Monday capped a series of educated white people who testified they were rejected as voters with a retired Air Force major general and West Point graduate.

Maj. Gen. Matthew K. Deichlmann, who is president of the local Security Federal Savings and Loan Assn., said he had never sought to find out why he was not registered.

The reason came to light as he testified during the fifth day of a U. S. District Court hearing in which the federal government has sought to show discrimination against Negro voter applicants. He had failed to list his education and business experience on his application form.

SECOND APPLICATION

After being rejected on his application in July 1960, Deichlmann was registered on a second application six months later. He testified that he had never been registered as a voter prior to that time in any state.

Up to the time of Deichlmann's testimony, the evidence brought forward by both sides has followed the same pattern—persons with college degrees were denied and persons with meager educations were accepted.

Government attorneys presented an array of educated Negroes who failed in attempts to register and a number of whites who had little education but were registered.

Attorney for the registrars took the same tack, presenting educated whites who were rejected and Negroes with no more than
(See VOTE HEARING, Page 2A)

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grammar school education who were accepted.

Among the whites who were turned down were Richard F. Madison, son of Asst. Atty. Gen. Gordon Madison, who is involved in the hearing; and Nick Germanos, former University of Alabama football player.

Another white witness, Mrs. Ruth Vowell, testified that she voted in a statewide referendum though not notified officially she had been accepted as a voter.

When she went to the polls and was told her name was not on the list, she said she "got a little upset." She produced the certificate she had received before she was informed it was canceled because she had not lived in the county the required 12 months. Then, she testified, an election official made a phone call, and she was allowed to vote.

OTHER COUNTIES

Two other white witnesses said they had voted in other counties after being turned down on applications here, though they had lived here the required length of time. They indicated they did not know this was not permissible under the law.

A number of Negroes who successfully registered, some after repeated applications, testified Monday.

Most of them said they had attended clinics for prospective Negro voter applicants, where they had the opportunity to study the application form.

Several said they were encouraged by Rufus Lewis, head of the local Negro voter registration drive.

Several of the Negro witnesses said the procedure was the same in their registration attempts over a span of years. Questioned by government attorneys, they said no one had indicated that they should sign a written oath incorporated in the application.

The hearing recessed until 9 a.m. Tuesday. It is expected to continue into Thursday.

A large number of the white witnesses who testified were turned down after the filing of the government suit in June of 1960.

When the state offered applications from 14 college-educated whites who were rejected, U. S. District Judge Frank M. Johnson Jr. asked if any of them were from persons rejected prior to the filing of the suit. There were two such applications.

County Vote Suit Set Tomorrow

200 Witnesses
A/2 Jour/21
Subpoenaed
1/2/62
By Registrars

By JUDITH RUSHIN

The Justice Department will seek to prove tomorrow in U.S. District Court here that the Montgomery County Board of Registrars has discriminated against Negro voter applicants.

Federal Judge Frank M. Johnson Jr. will hear the case, scheduled to begin at 10 a.m.

In preparation for defense of the suit, the board's attorney, Circuit Solicitor William F. Thetford, has subpoenaed more than 100 witnesses, including an Air Force general and a number of prominent Montgomery businessmen.

In its suit asking a court order forbidding discrimination against Negroes, the Justice Department has charged that board members gave help to white applicants.

AID ALLEGED

Last November the government filed in the court a list of 1,598 white persons alleged to have been given aid and 1,115 others whom it claimed had been advised by the registrars where to sign their names.

A number of persons on the lists denied that they had received assistance when contacted by reporters and expressed indignation that their names were included.

The government has also charged the board with registering whites who made errors identical to those made by Negroes who were rejected.

Registrars Mrs. C. B. Willis and George Penton have denied that they practiced discrimination of any kind.

Two other voter suits brought by the Justice Department resulted in orders by Judge Johnson to registrar boards in Macon and Bullock Counties to speed up the registration of Negroes.

Johnson ruled that the evidence showed a pattern of discrimination in both counties.

Similar suits are on file awaiting trial in Wilcox and Dallas Counties.

CIVIL RIGHTS PROCEEDINGS HERE *A/2 Jr. 12/21/61*

Montgomery, Macon, Bullock Cases Slated For January In U.S. Court

The second of a four-part series on administration efforts in the civil rights field.

By VINCENT J. BURKE

WASHINGTON (UPI) — In a small, cluttered room in the Justice Department a young man slowly turns a roll of 30 millimeter film through a viewing machine.

He stops, peers at the document focused on the screen and carefully takes notes.

The young Justice Department employee and others similarly engaged are gathering ammunition for the next major battle in a drive to make ballot boxes throughout the South accessible to qualified voters regardless of color.

Both national political parties subscribe to this goal. Even its partial attainment could produce far-reaching changes in the political structure of the South.

The battle of the ballots, which began in the courts three years ago, is just now picking up steam as a result of a stronger federal law against discrimination in voting which was enacted 18 months ago.

Federal investigators have concluded that denials of voting rights because of race centers largely in areas of Alabama, Georgia, Louisiana, Mississippi and South Carolina and in a few isolated counties in Florida, North Carolina and Tennessee.

TRIAL IN JANUARY

The Justice Department now is moving against certain areas in Alabama, Mississippi and Louisiana. The next major battle will be fought at Montgomery, Ala., in a federal trial scheduled for Jan. 4.

Recorded on dozens of rolls of government microfilm are more than 8,000 voting applications by whites and Negroes who have sought to register as voters in Montgomery County since Jan. 1, 1956.

By checking these filmed records the government hopes to accumulate evidence in support of its charges that a pattern of discrimination exists in Montgomery. It contends, for example, that many white citizens were allowed to vote, although they made technical errors on their application forms for which many Negroes were disqualified.

The government will ask a federal judge to order the registration of all qualified Negroes who applied since Jan. 1, 1956, and to forbid future discrimination.

Should the government win, the suit could have the effect of adding 1,000 or more Negroes to the Montgomery County voters' rolls. Only 2,885 Negroes now are registered in the county. Whites of voting age outnumber Negroes 2 to 1 but whites on the voting lists outnumber Negroes 10 to 1.

The Justice Department has pending other suits to remove barriers to Negro voting in five counties in Mississippi, one other county in Alabama and three in Louisiana.

A year from now Justice Department officials expect to be "working on the problem" in every Southern county where there is voting discrimination.

So far Justice Department suits have helped boost Negro registra-

tion in five counties in Louisiana, Alabama and Tennessee.

ALABAMA PLANS

The circumstances in each state differed sharply:

Alabama: Federal court rulings have led to increased registration by Negro voters in Macon and Bullock counties, both of which adjoin Montgomery on the east. Officials said only six Negroes were on the register in Bullock last March 8 but several months ago the number reached 130 and is still growing.

Tennessee: In Haywood and Fayette counties when Negro sharecroppers began registering in large numbers, whites imposed economic reprisals in an effort to stop them. The Justice Department countered with legal action. The department now estimates there are 2,000 Negroes registered in Fayette and 1,500 in Haywood.

Louisiana: At the Justice Department's request federal courts have ordered restored to voting rolls 1,377 Negroes in Washington Parish and 570 in Bienville Parish who had been purged.

(Next: The new program to prod industry into giving Negroes better jobs.)

MONTGOMERY, ALA., MOI

1/8/62 JOURNAL
**Madison Tells
Of Failing To
Pass Vote Test**

By JUDITH RUSHIN
Journal Staff Writer

The son of an assistant attorney-general testified this morning in federal court that he was turned down on his first attempt to register as a voter.

Richard F. Madison, an employee with Southern Bell Telephone Co. and son of Gordon Madison, was one of 24 persons who went on the witness stand to testify for the county in the suit brought against the Board of Registrars by the Justice Department.

Included in the group of witnesses were 15 Negroes and nine white persons. A number of the Negroes told the court they had passed the voter test only after attending the clinic.

One Negro man said he was taught at the clinic how to fill out the registration form and was given a final examination.

TOLD WHERE TO SIGN

When asked what he was taught, the Negro said, "They tell you where to sign where it don't say sign."

The majority of the Negroes called to testify said they failed to sign under the "oath" on the form the first time they applied.

There are no printed instructions to sign the oaths, although other parts of the form call for "names of applicant."

None of the 15 Negroes were high school or college graduates. All of the whites testifying had college degrees.

Former Alabama football star Nick Germanos said he had never heard from the board of his application. Records showed he failed to indicate whether or not he was married.

AUBURN GRAD TURNED DOWN

A bank clerk and Auburn Uni-
(See VOTE TEST, Pg. 2-A)

VOTE TEST

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versity graduate, Joyce Elaine Wilson, testified she was also turned down. Her application showed that she failed to sign the oath.

Two school teachers said they were rejected as did an architect, a city planner with the state, and an editorial specialist at Maxwell Air Force Base.

A number of the whites testified that they returned a second time to register and were accepted.

Several of the Negroes said they attempted to register nine or 10 times before finally being accepted as a voter.

RECEIVED NO HELP

All of the witnesses this morning said they had received no help from the Board of Registrars, even though some asked for assistance.

According to a state attorney, testimony for the board will continue through Wednesday. The case began last Wednesday with the government taking two and a half days to present its case.

The government is attempting to prove that the county board discriminated against Negroes. Registrars Mrs. Samuella Willis and George Penton both denied the charges when they testified Friday.

MONTGOMERY, ALA., MO

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None of the 15 Negroes were high school or college graduates. All of the whites testifying had college degrees.

Former Alabama football star Nick Germanos said he had never heard from the board of his application. Records showed he failed to indicate whether or not he was married.

AUBURN GRAD TURNED DOWN
A bank clerk and Auburn Uni-
(See VOTE TEST, Pg. 2-A)

VOTE TEST

1/8/62 Journal
(Continued From Page 1)

versity graduate, Joyce Elaine Wilson, testified she was also turned down. Her application showed that she failed to sign the oath.

Two school teachers said they were rejected as did an architect, a city planner with the state, and an editorial specialist at Maxwell Air Force Base.

A number of the whites testified that they returned a second time to register and were accepted.

Several of the Negroes said they attempted to register nine or 10 times before finally being accepted as a voter.

RECEIVED NO HELP

All of the witnesses this morning said they had received no help from the Board of Registrars, even though some asked for assistance.

According to a state attorney, testimony for the board will continue through Wednesday. The case began last Wednesday with the government taking two and a half days to present its case.

The government is attempting to prove that the county board discriminated against Negroes. Registrars Mrs. Samuella Willis and George Penton both denied the charges when they testified Friday.

Mystery Dots On Vote Blanks Are Questioned

1-9-62
ALA JOURNAL
A federal court hearing on the Justice Department's charges that the Montgomery County voter registrars discriminated against Negroes went into its fifth day and probably will stretch at least into Wednesday.

Attorneys for the accused board spent much of the morning trying to get explanations for mysterious dots or check marks on white voters' application blanks on the lines where they were to sign their names.

That question has become significant because of the government's contention that Negroes who failed to sign the application in every required place were turned down but that white voters were told where to put their names.

Most of the white witnesses disclaimed any recollection of the marks on their papers, but almost without exception they said as far as they could remember no marks were there when they took the test.

Questioning by government attorneys has sought to show whether the marks were put on the papers as a guide to the white voters.

One voter, John Dudley McCall, insisted he put the dots on the paper himself and that he almost always did that each time he signed his name. It has become so much a recognized part of his signature, McCall continued, that "I believe if I failed to put a mark on one of my checks a bank clerk would be calling me to see if that was my signature."

Justice Department attorney John Doar found one signature on the voter application blank
(See VOTE, Page 2-A)

1/9/62 VOTE
ALA JOURNAL
(Continued From Page 1)

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The defense presented a score or more of white persons Monday who testified before U.S. Dist. Judge Frank M. Johnson Jr. that they received no help in completing their applications to register as voters. The Justice Department earlier tried to show that white persons got aid which was denied Negroes.

Other defense evidence was designed to show that some well-educated white persons were denied registration because of errors in the applications, while some Negroes with little formal schooling were registered.

Federal attorneys had tried to show, in contrast, that some near-illiterate white persons were registered while some college-educated Negroes were rejected.

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1/9/62 VOTE

A/2 Journal
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U.S. Brief Requests Vote For 790 Negroes

Registration Asked Upon Judge's Ruling

By JUDITH RUSHIN
Journal Staff Writer

The Justice Department has asked U. S. District Judge Frank M. Johnson Jr. to order that 790 Negroes be placed on the county voter rolls.

In a voluminous brief filed in the federal clerk's office, the government charges that the Negroes were discriminated against by the Board of Registrars and should be registered immediately after Johnson rules on the case.

Johnson said yesterday, however, that he would not rule on the voter suit until at least June 1. The case was tried in early January.

Government attorneys, in asking for an injunction against alleged discrimination by the Board, have also charged that grading of application forms tightened up when the board knew it would be sued.

"When, in June 1961, it became apparent to the board that this lawsuit was about to be filed, the board began to reject even the most obviously qualified white applicants for technical errors or omissions in their questionnaires," the brief read.



MONTGOMERY, ALA., Tuesday, Jan. 30, 1962

ONE-B

REJECTED WHITES

Altogether the board rejected 20 white college graduates after the investigation began, the government said.

"Minor errors were not fatal until some time between Dec. 19, 1959, and February 1961," the brief related. "Thereafter, the standard was perfection."

Federal attorneys said that between Jan. 1, 1956, and June 16, 1961, the time period covered in the suit, that 13,390 applications were filed — 8,868 by whites and 4,522 by Negroes.

Of this total, 96.6 per cent of the whites were approved by the board and 75.4 per cent of the Negroes were denied.

"This disparity alone establishes a prima facie case under the Civil Rights Act, for it could not have come about but for discrimination against Negroes," the government said.

The brief also sets forth the charge that the questionnaire for voter applicants was used as an examination for Negroes and not for whites.

"NOT LITERACY TEST"

"The questionnaire was not and is not used as a literacy test to determine if an applicant can read and write (otherwise learned people wouldn't be rejected), rather as an arbitrary device for rejecting applicants," the brief declared.

The government contends that now the questionnaire is "used as an examination for both races in order to give the appearance of equal treatment and at the same time stifle registration so that the disparity between the number of white and Negro persons already registered (brought about by discrimination) will remain about the same."

Use of check marks on some applications has also been questioned by the federal attorneys, who maintain they were placed on the questionnaire to show whites where to sign.

Witnesses for the county testified during the trial that the marks were placed on the forms after they had been turned in to the board.

The brief, which runs several hundred pages, contains an analysis of the application of each witness who testified in the case and statistics on white and Negro voters during the four and a half years covered.

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ALABAMA JOURNAL



City Page

Montgomery Area News

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Solicitor To See Registrar

Circuit Solicitor William F. Thetford and Board of Registrars member Mrs. G. B. Willis are scheduled to meet this morning to discuss Tuesday's federal court order regarding the board.

Thetford attorney for the board, said early today he had not been supplied with a copy of the order or of U.S. District Judge Frank M. Johnson Jr.'s opinion.

Mrs. Willis was served last night and said this morning she would take her copy to the courthouse for the meeting with Thetford.

The next regular session of the Board of Registrars will be Dec. 3, Mrs. Willis said, but she expressed uncertainty as to whether the registration of the specified Negroes would be taken up then or at a special session prior to that date.

According to law, the board meets on the first and third Monday of each month during even-numbered years.

As to a possible appeal of Johnson's decision, Thetford said he would have to meet with the board and study the order. He said he spoke only for the board and not for the State of Alabama, which is also a defendant in the case.

Ala. Journal

FAILURE TO BECOME VOTERS

A NEW PROBLEM has arisen in connection with the applications of hundreds of Negroes in Montgomery county to register as voters. They are registering much faster than qualified white voters.

The problem is that the registrars must attend to applicants as they appear. The applicant first in line gets first attention. Negroes if necessary will stand in line for hours awaiting their turn . . . Many a white applicant comes in, sees the long line of Negroes and leaves. He is unwilling to take a place in line and await his turn. The result is that hundreds of new Negro voters are being registered and rarely a new white voter.

It is a wrong kind of sensitiveness that prevents a white citizen from getting himself in position to do his full duty of taking part in his government. His unwillingness to get in line and wait his turn under the circumstances is resulting in a tremendous percentage increase in Negro voting strength that may cause all kinds of difficulties in the years ahead.

Men seeking public office will have to do all kinds of things to woo Negro voters, and this will bring about some of the conditions of Reconstruction, something everyone wants to avoid.

How to register qualified white voters here and elsewhere is one of the real new problems we face.

VOTE ADVICE

MISLEADING,

NEGROES SAY

1-4-62

Two more college-educated Negroes testified today that they omitted their signatures in one place on their voter registration applications because they were led to believe it was not necessary.

And a Negro midwife told a federal judge she was unable to understand why she couldn't complete a voter questionnaire correctly when she was able to fill out birth certificates properly.

With that testimony and similar accounts from other Negroes, the Justice Department continued its case against the Montgomery County voter registration board. Charging the board with racial discrimination, the federal government is asking U. S. District Judge Frank M. Johnson Jr. for an injunction to prohibit any future discriminatory practices.

GIVEN NO ASSISTANCE

One after another, the Negro witnesses testified, as others had yesterday, that they were given no assistance in filling out their application papers and were given no instructions on where to sign their names. And again, most of the Negroes who took the stand and told of being denied registration were those with college degrees and most of them were schoolteachers.

By contrast, a white sawmill employe who said he had only a fifth-grade education recalled getting help from his wife when he applied successfully for registration.

CAN'T READ WRITING

When he was questioned about a signed statement he gave FBI agents and recorded in their handwriting over his signature, the white man, Oscar Gray, was unable to read the statement because he said "I can't read writing, I read printing."

The two witnesses who said they were advised to omit their signature on one portion of the application papers were Mrs. Lilly Belle Goldston, a nurse, and Mrs. Vivian Womack, a resident of Montgomery who said she teaches school in Dallas County.

The midwife, Mrs. Julia Culpepper, who said she does not know how old she is, testified she applied at least 15 times for voter registration since 1956 and was never accepted. She said "it seems real strange to me that I can fill out a birth certificate but can't get these application blanks right."

On cross-examination, even though she said she does not know her age, it was brought out that she gave the date of her birth as December, 1897, and December, 1901, on another.

The question of the signatures has played a prominent part in the trial thus far because of the Justice Department's contention that Negroes who failed to sign the papers in every required place were rejected but that white applicants were instructed to sign.

Johnson ordered a Grand Jury investigation of whether one witness (See VOTE CASE, Page 2-A)

VOTE CASE

1-4-62

(Continued From Page 1)

ness—a white housewife—told the FBI she had received assistance, and then switched her story.

Mrs. Neoma Deason denied from the witness stand that she received instructions from registration officials when she applied to register.

Attorney John Doar of the Justice Department confronted her with a statement she signed after an interview with FBI agents last month. On one page of the statement, which bore her initials, Mrs. Deason purportedly told the agents that she had been instructed where to sign her name on the application blank.

However, she angrily declared Wednesday: "That wasn't what was on the papers when the FBI read them to me."

The 32 witnesses included a score of Negroes who testified they received no instructions from board members on where to sign their names on application papers. Under questioning by defense attorneys, most said they were turned down for failure to sign an oath to support the constitution.

A half-dozen white voters called by federal attorneys testified that one board member or another called their attention to omissions on their application papers. The Negroes said they received no such help.

In some cases, the state tried to show in cross-examination that Negroes who had made previous efforts to register had answered "No" when, in a subsequent application, they were asked whether they had previously been denied registration.

One witness, Mrs. Frances Belser, testified that a board member, Mrs. C. B. Willis, told her that when no notification of disposition of earlier applications had been received, the applicant should indicate he or she had not been turned down earlier.

Mrs. Belser, a church secretary who said she had applied nine or ten times, said she first answered the question "no," but replied "yes" on subsequent applications after attending a registration school.

While virtually all Negro witnesses testified they got no help from the board, most testified they asked for none. And the defense produced evidence that the board frequently assisted Negroes in answering the question about when they became residents of the state.

County Vote Suit Set Tomorrow

200 Witnesses
A/2 Journal
Subpoenaed
1/2/62
By Registrars

By JUDITH RUSHIN

The Justice Department will seek to prove tomorrow in U.S. District Court here that the Montgomery County Board of Registrars has discriminated against Negro voter applicants.

Federal Judge Frank M. Johnson Jr. will hear the case, scheduled to begin at 10 a.m.

In preparation for defense of the suit, the board's attorney, Circuit Solicitor William F. Thetford, has subpoenaed more than 100 witnesses, including an Air Force general and a number of prominent Montgomery businessmen.

In its suit asking a court order forbidding discrimination against Negroes, the Justice Department has charged that board members gave help to white applicants.

AID ALLEGED

Last November the government filed in the court a list of 1,598 white persons alleged to have been given aid and 1,115 others whom it claimed had been advised by the registrars where to sign their names.

A number of persons on the lists denied that they had received assistance when contacted by reporters and expressed indignation that their names were included.

The government has also charged the board with registering whites who made errors identical to those made by Negroes who were rejected.

Registrars Mrs. C. B. Willis and George Penton have denied that they practiced discrimination of any kind.

Two other voter suits brought by the Justice Department resulted in orders by Judge Johnson to registrar boards in Macon and Bullock Counties to speed up the registration of Negroes.

Johnson ruled that the evidence showed a pattern of discrimination in both counties.

Similar suits are on file awaiting trial in Wilcox and Dallas Counties.

AF General Advertiser Cites Vote 1/9/62 Hurdle Here

BY ARTHUR OSGOODE

Attorneys for Montgomery county registrars Monday capped a series of educated white people who testified they were rejected as voters with a retired Air Force major general and West Point graduate.

Maj. Gen. Matthew K. Deichmann, who is president of the local Security Federal Savings and Loan Assn., said he had never sought to find out why he was not registered.

The reason came to light as he testified during the fifth day of a U. S. District Court hearing in which the federal government has sought to show discrimination against Negro voter applicants. He had failed to list his education and business experience on his application form.

SECOND APPLICATION

After being rejected on his application in July 1960, Deichmann was registered on a second application six months later. He testified that he had never been registered as a voter prior to that time in any state.

Up to the time of Deichmann's testimony, the evidence brought forward by both sides has followed the same pattern—persons with college degrees were denied and persons with meager educations were accepted.

Government attorneys presented an array of educated Negroes who failed in attempts to register and a number of whites who had little education but were registered.

Attorney for the registrars took the same tack, presenting educated whites who were rejected and Negroes with no more than (See VOTE HEARING, Page 2A)

Vote Hearing 1/9/62 Advertiser (Continued From Page 1)

grammar school education who were accepted.

Among the whites who were turned down were Richard F. Madison, son of Asst. Atty. Gen. Gordon Madison, who is involved in the hearing; and Nick Germanos, former University of Alabama football player.

Another white witness, Mrs. Ruth Vowell, testified that she voted in a statewide referendum though not notified officially she had been accepted as a voter.

When she went to the polls and was told her name was not on the list, she said she "got a little upset." She produced the certificate she had received before she was informed it was canceled because she had not lived in the county the required 12 months. Then, she testified, an election official made a phone call, and she was allowed to vote.

OTHER COUNTIES

Two other white witnesses said they had voted in other counties after being turned down on applications here, though they had lived here the required length of time. They indicated they did not know this was not permissible under the law.

A number of Negroes who successfully registered, some after repeated applications, testified Monday.

Most of them said they had attended clinics for prospective Negro voter applicants, where they had the opportunity to study the application form.

Several said they were encouraged by Rufus Lewis, head of the local Negro voter registration drive.

Several of the Negro witnesses said the procedure was the same in their registration attempts over a span of years. Questioned by government attorneys, they said no one had indicated that they should sign a written oath incorporated in the application.

The hearing recessed until 9 a.m. Tuesday. It is expected to continue into Thursday.

A large number of the white witnesses who testified were turned down after the filing of the government suit in June of 1960.

When the state offered applications from 14 college-educated whites who were rejected, U. S. District Judge Frank M. Johnson Jr. asked if any of them were from persons rejected prior to the filing of the suit. There were two such applications.

Rejected Negroes protest to Kennedy

12' News 3-11-62

Two Negro attorneys who were denied approval to run for the Jefferson County Democratic Executive Committee Friday asked President John F. Kennedy to help them.

The attorneys, Auther Shores and Orzell Billingsley Jr., were among 11 Negroes who submitted qualification papers for committee posts.

Copies of the letter were sent to Atty. Gen. Robert Kennedy, U. S. Sens. Lister Hill and John J. Sparkman, Rep. George Huddleston, John Bailey, chairman of the Democratic National Committee, and Louis Martin, deputy chairman of the Democratic committee.

Some of the Negroes in areas where the Negro vote is much larger than the white vote, would be sure to win places on the county committee.

THE COUNTY elections subcommittee rejected their qualification papers, claiming the Democratic Party in Alabama subscribes to the white supremacy theory and the Negroes don't.

Following is the text of the letter to President Kennedy:

"DEAR MR. PRESIDENT:

"Yesterday, March 9th, 1962, each of the Negro candidates for membership on the Democratic Executive Committee of Jefferson County, Ala. (including the undersigned Orzell Billingsley, Jr., a candidate for election from Precinct 21, District 6 and the undersigned Arthur D. Shores, a candidate for election from Precinct 9, District 1, who write to you on behalf of all 11) received a letter, a photocopy of which is attached hereto.

our initial attempt to file our application or declaration to run for the offices we sought, the representative of the Democratic County Committee arbitrarily rejected both our applications and qualifying fees and refused to accept them. This refusal was based on the fact that we were Negroes. On the next day, February 23, 1962, after a hurriedly called meeting of a committee of the County Committee our application or declarations were allowed to be filed. The last day for filing such applications or declarations under the law of Alabama was March 1, 1962.

IN JEFFERSON COUNTY, Ala., the voting districts within precincts have been so gerrymandered by the Board of Registrars in cooperation with the county committee, that Negro voters have been successfully ghettoed. But, by these very acts of gerrymandering by Negroes vote in a majority in the districts from which the undersigned are candidates. Because we might have been elected this action was taken.

"We do hereby call upon you and specifically call upon each person to whom copies of this letter are addressed for whatever action you may deem advisable under the circumstances, whether such action be of a criminal or civil nature, with respect to the obtaining for us of our right to be members of your political party, for we can respectfully assure you of this: No man can continue to serve a master who wants him not. We do not intend to try.

Sincerely,
ARTHUR D. SHORES.
ORZELL BILLINGSLEY, JR.

"We address ourselves to you for relief, for you of course, are the voice and leader of the Democratic Party, as well as President of the United States of America. Each of us supported you in your efforts to make a better America. Each of us for many years past has voted for and has been a part of the Democratic Party because we have sincerely felt that our party was the voice and conscience for the truly good things in American life.

"WE STILL BELIEVE that this is true.

"We know that you recognize that the Democratic primary election in Alabama has been held by the courts to be equivalent to the general election. We also know that you know that the right to run for office and to participate in cooperation with the county constitutional right, fundamental in its nature, guaranteed all men.

"Although this be true, upon

Negro Seeks Jefferson Office

BIRMINGHAM (AP) — Wilbur R. Rollins, a Negro real estate man and former school teacher, filed qualification papers Wednesday as a candidate for the Jefferson County Board of Education.

Gus Thompson, clerk of the Democratic Executive Committee, said he accepted the papers "subject to the action of the election subcommittee," which meets Friday.

Negroes Claim 1/4/62 Advertiser Discrimination

By ARTHUR OSGOOD

Government attorneys Wednesday produced a series of Negro witnesses who said they were not told they had failed to sign an application, and several white witnesses who said the registrars had called similar omissions to their attention.

And one white witness faced a possible perjury charge after angrily disclaiming a statement given FBI agents which quoted her as saying she had received the same assistance.

Mrs. Neoma Thrower Deason was the next to last witness in the opening day of a hearing in which the government charges the local registrars with discriminating against Negro applicants.

Shown the statement, Mrs. Deason at first denied she had signed her name to it. Then, as Justice Department attorney John Doar questioned her on details of the statement, she conceded she had signed it.

WHERE TO SIGN

But she continued to maintain defiantly that she did not tell FBI agents that she was told where to sign her name on her application to become a voter here.

As Doar ended his examination, U. S. District Judge Frank M. Johnson Jr. directed him to question Mrs. Deason further on her statement to FBI men.

In response to Doar's questions, she reiterated that: "I told them (the FBI) that they (the registrars) did not help me, or tell me where to sign, or anything."

Johnson then told U. S. Atty. Hartwell Davis:

"Mr. Davis, you will present this matter to the grand jury."

Mrs. Deason could be charged with either perjury or making a false statement to a federal agent.

LEFT OFFICE

Six other white witnesses testified they had been told they had failed to make out their applications correctly or shown where to sign their names.

One of the white witnesses, Cecil David Boyd, a mechanic from LaPine near the Crenshaw County line, said he had left the registration office and been called back to add an omitted signature.

He also said that some of the writing on the application was not his, as did several other of the white witnesses.

Another witness, Sam Schuffert, a 56-year-old carpenter who failed to complete the first grade, said that a woman in the office of Circuit Judge Walter B. Jones had filled out his application for him when he was successful in a second attempt to register.

CALLED BACK

Schuffert said he was unable himself to fill it out.

He said he did not know the woman who aided him, but believed her to be a state court employee.

A third white witness, Arthur Skelton, ranch hand from Pike Road, said he was registered after a registrar called him back to sign his name. The government produced the application to show that it bore someone else's handwriting than Skelton's.

The government presented more than 20 Negro witnesses, mostly schoolteachers, who said they were not registered despite their college degrees.

They were also almost united (See VOTE HEARING, Page 2A)

Vote Hearing

2/4/62 H-10
(Continued From Page 1)

in saying they received no help, particularly on where to sign an oath in the application. But all testified they were treated courteously by the registrars.

Deputy Solicitor Maury Smith confronted them on cross-examination with their application forms, on several of which the witnesses had failed to sign the oath, which pledges allegiance to the U. S. Constitution.

DIFFERENT ANSWERS

Several other of the Negro witnesses said they gave different answers on separate applications because one of the registrars, Mrs. C. B. Willis, told them it would be incorrect to say that they had been turned down in previous attempts to register.

Frances Belser, secretary of the Holt Street Baptist Church, said she first put down in the application that she had not been denied, but changed it in a later application when she was told in a school for prospective voters that this answer was wrong.

Mrs. Belser and several other Negro witnesses said they had seen the registrars speak with white applicants who desired help. Almost all testified they could not hear the conversation clearly enough to tell if the registrars had actually aided them. But Mrs. Belser said she heard a registrar answer a question by one white applicant.

The hearing is to be resumed at 9 a.m. Thursday.

Registrar's office under investigation?

By PATRICIA GORMIN

U.S. Attorney Gerald Gallinhouse says his office knows nothing of an alleged federal investigation of the Orleans Parish Registrar of Voters office.

Reportedly an investigator from the U.S. Department of Justice met with local civil rights leaders, who claim blacks are being discriminated against by registrar Antonio E. Papale and his office.

Carl Galmon, a member of the advisory board of the Louisiana Voter Education Project, said he met with John MacCoon, a lawyer in the Civil Rights Division of the department, to air complaints about the annual removal of voters from the rolls and the choice of locations for branch registration offices.

The rolls annually are canvassed and those persons who have not cast a ballot in two years or have moved are removed from the parish voting lists. Papale said that in recent years, more white voters have been removed from the rolls than black, because an exodus from Orleans to Jefferson Parish by whites.

RECORDS SHOW that when Papale took office in 1970, there were 156,052 registered white voters and 67,316 black voters. In July, 1976, there were 120,629 whites and 81,226 blacks.

Papale said the figures on racial breakdowns are guesses, at best. "You have to take a calculated guess," he said, because the office cannot request information about race.

Although Section 5 of the 1965 Voting Rights Act demands that each location for a registration office be approved by the state attorney general, Papale received special approval from the Justice Department in August, 1975, to establish satellite stations which can be requested by anyone.

J. Stanley Pottinger, assistant attorney general, civil rights division, wrote specific departmental approval to Papale. His go-ahead made it possible for Papale to dispatch deputies to places around town, as requested.

THE REGISTRAR said that during July, August and September, satellite stations are being established at locations requested by the Urban League of Greater New Orleans, the Louisiana League of Good Government, the youth council of the National Association for the Advancement of Colored People, Women for Progressive Action, and an outfit called Brothers and Sisters From Around the Way.

Papale said that former state Rep. Dorothy Mae Taylor was instrumental in securing legislation which allowed establishment of temporary registration offices in the First and Second Congressional Districts. Under that plan, an office was operated three days a week in each district, and the locations rotated every three months.

"When the cycle was complete," Papale said, "every person had the opportunity to register in his own backyard."

The Times-Picayune
New Orleans, Louisiana
APRIL, 1976

3 Voter Signup Offices in Feb.

By JOE MASSA

Three new voter registration offices in predominately black neighborhoods will be opened sometime in February, according to Robert H. Tucker Jr., executive assistant to Mayor Moon Landrieu.

Tucker said Tuesday that the "bureaucratic machinery" was responsible for delaying the opening of the offices at 3330 Florida Ave., 2312 Louisiana Ave. and 3940 Paris Ave.

Registrar of Voters Antonio E. Papale had said last month that the new outlets would be in operation by Feb. 1. But Tucker said the city administration was unable to meet that deadline because it has to go before the City Council to obtain money to finance the new offices.

Papale has told the administration that he needs a supplemental appropriation of \$1,000 to pay for additional office supplies and \$500 for postage stamps. The registrar also asked for tables, chairs, filing cabinets, heaters, air-conditioners and typewriters necessary to set the three registration outlets into operation.

Tucker said he expects to have Papale's requests placed on the agenda for Thursday's City Council meeting. If the funding is approved by the council, Tucker said he could have the registration offices opened within 30 days. The council must also approve the Paris Avenue site as a registration location.

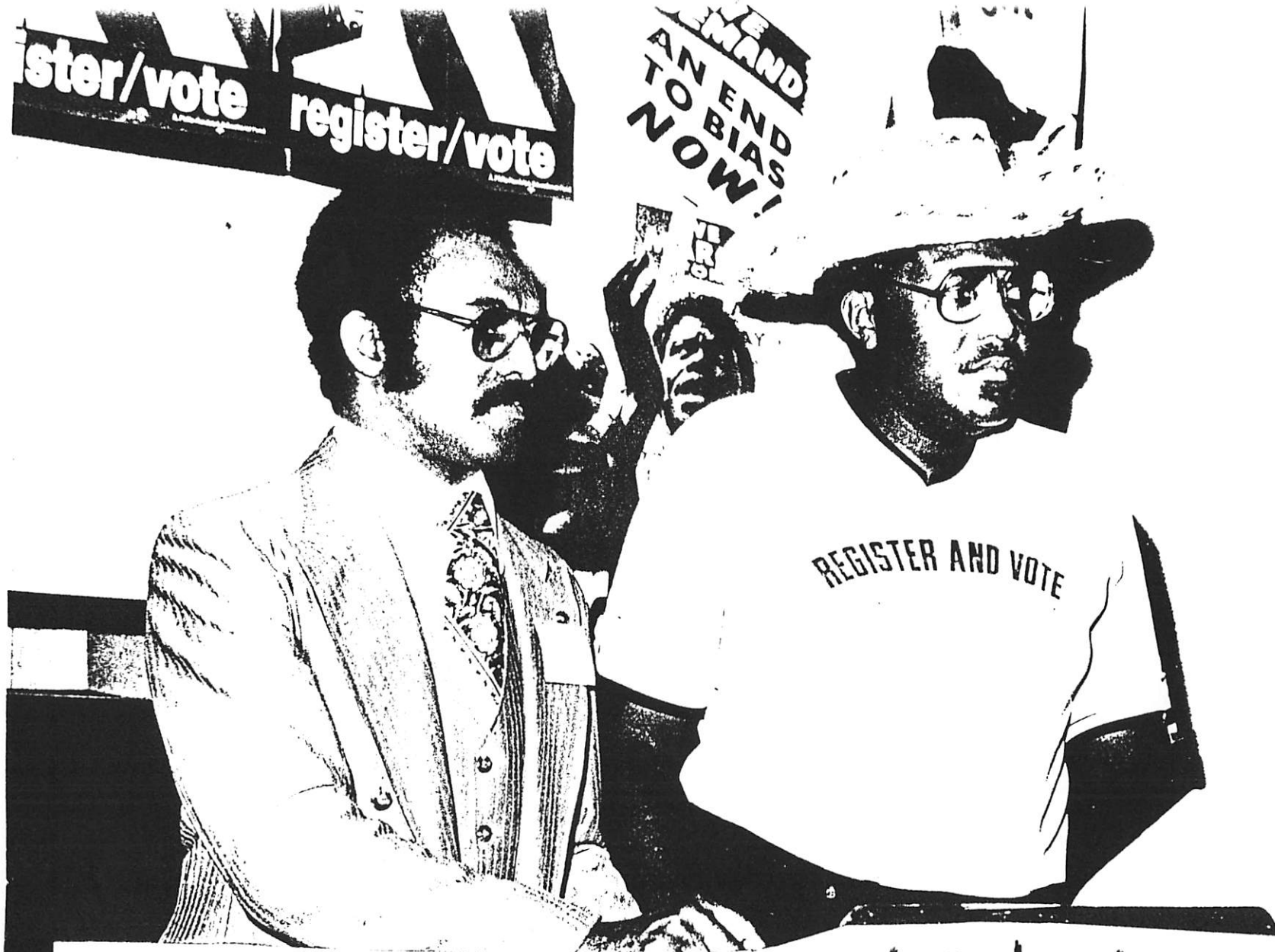
The new offices, which are to be permanent, originated when state Atty. Gen. William J. Guste advised Papale in a letter to open voter registration sites in predominately black neighborhoods. Guste wrote the letter when he was advised that a 23-member coalition of black community groups had filed a discrimination complaint with the U. S. Justice Department, because the present voter registration branch offices were located in predominately white neighborhoods. Besides City Hall, voter registration units are located at 6900 Downman Road, 4300 St. Claude Ave. and 2529 Gen. Meyer in Algiers.

All of the three new offices will be situated in fire houses.

Tucker said there has been no "intentional delay" in the opening of the new offices.

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AN END
TO BIAS
NOW!



Rev. Jerome Owens
A. P. R. I.

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