

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

U. S. DISTRICT COURT
Western District of Louisiana

FILED ✓

AUG 6 - 1962

ALTON L. CURTIS, Clerk

By *Alton L. Curtis*
Deputy

UNITED STATES OF AMERICA, :
Plaintiff, :

vs. :

CIVIL ACTION NO. 8 2 5 7

CECIL MANNING AS REGISTRAR :
OF VOTERS OF EAST CARROLL :
PARISH, LOUISIANA, AND THE :
STATE OF LOUISIANA, :
Defendants. :

INTERLOCUTORY ORDER

An ex parte hearing having been held this day on 28 applications made pursuant to 42 U.S.C.A. 1971(e) for orders of qualification to vote in East Carroll Parish, Louisiana, all received by this Court between July 31, and August 6, 1962, the Court makes the following findings based upon the record in this case, the applications for orders of qualification, the affidavits of disposition towards the laws of Louisiana, the registration application forms, the writing tests, the citizenship tests and the oral testimony of the applicants:

1. Defendant Cecil Manning, the Registrar of Voters for East Carroll Parish, Louisiana, resigned his office on June 14, 1962, and no successor has been inducted into office to perform the duties of Registrar of Voters in the aforesaid Parish.

2. Each applicant whose name appears on List A, which is attached hereto and made a part hereof:

- (a) Is a member of the Negro race,
- (b) has since May 30, 1962, been deprived and denied of the opportunity to register to vote or otherwise to qualify to vote in East Carroll Parish, Louisiana, by virtue of the vacancy in the office of the Registrar of Voters; within the meaning and intent of 42 U.S.C.A. 1971(e),

(c) is qualified under Louisiana Law to vote in East Carroll Parish, Louisiana.

3. Each applicant whose name appears on List B, which is attached hereto and made a part hereof:

(a) is a member of the Negro race,

(b) has since May 30, 1962, been deprived and denied of the opportunity to register to vote or otherwise to qualify to vote in East Carroll Parish, Louisiana, by virtue of the vacancy in the office of Registrar of Voters; within the meaning and intent of 42 U.S.C.A. 1971(e),

(c) is not presently qualified under Louisiana Law to vote in East Carroll Parish, Louisiana.

4. No finding is made with respect to David Lee Washington because he did not appear at this hearing; his application for an order of qualification will be dismissed without prejudice.

5. Based upon these findings it is the conclusion of this Court that the persons whose names appear on List A have met the requirements of 42 U.S.C.A. 1971(e) and are entitled to vote in elections in East Carroll Parish, Louisiana, as if they had been registered to vote by local registration officials. This includes, for those who have declared their affiliation with the Democratic party, the Democratic primary election to be held on September 1, 1962. This Order should be made final prior to that election. Before this Order is made final, all parties will have an opportunity to file exceptions to these findings and conclusions and will have an opportunity to be heard on these exceptions. Once a final order is entered, the only remedy available to any party who feels aggrieved is to appeal.

In accordance with these findings and conclusions:

IT IS HEREBY ORDERED that each person whose name appears on List A is declared qualified to vote in East Carroll Parish in all elections, including the Democratic primary election scheduled to be held on September 1, 1962, to the same extent as if such

person had been registered to vote by local registration officials. The Clerk shall prepare a Certificate of Qualification for each such person and it is to be available to the Court on August 20, 1962.

IT IS FURTHER ORDERED that the persons whose names appear on List B are not presently qualified to vote in East Carroll Parish and their applications to do so are denied.

IT IS FURTHER ORDERED that the application of David Lee Washington for an order of qualification is hereby denied without prejudice.

IT IS FURTHER ORDERED that the Attorney General of the United States shall, no later than August 10, 1962, serve upon the Attorney General of the State of Louisiana and upon the District Attorney for the 6th Judicial District of Louisiana copies of this order, together with copies of each application, all documents written or filled out by the applicants at the hearing and a transcript of all oral testimony taken at the hearing. The Clerk shall make available to the representatives of the Attorney General of the United States all documents and papers on file in this case so that copies for service can be made.

IT IS FURTHER ORDERED that this Order shall become final on August 20, 1962, unless exceptions are filed and served on or before August 17, 1962, in the manner and form prescribed by 42 U.S.C.A. 1971(e) for filing exceptions to the report of a voting referee. Such exceptions shall be served upon the attorneys of record of the parties to the original action. In the event exceptions are filed, a hearing will be had thereon at the United States Courthouse and Post Office Building in Shreveport, Louisiana, on August 20, 1962 at 9:30 A M.

Provided no exceptions are filed by August 17, 1962, the United States Marshal shall serve on or before September 1, 1962, a copy of this Order upon each election official in East Carroll Parish.

Done this 6th day of August, 1962, at Monroe, Louisiana.

Bern C. Darbinski
UNITED STATES DISTRICT JUDGE

L I S T A

1. Rev. B. F. Alexander, 1207 First Street, Lake Providence, Louisiana
2. Otis T. Blockwood, 134 Hudson Street, Lake Providence, Louisiana
3. Richard Colemon, 132 Harden Street, Lake Providence, Louisiana
4. Marguree C. Davis, Route 1, Box 231, Soudheimer, Louisiana
5. Tellis Davis, Route 1, Box 231, Soudheimer, Louisiana
6. Lehman H. Griffin, Sr., Rt. #3, Box 278, Lake Providence, Louisiana
7. Mrs. Mary S. Henderson, 1206 Fischer Street, Lake Providence, Louisiana
8. Rev. Percy Howard Henderson, 1206 Fischer Street, Lake Providence, La.
9. James Holman, Route 1, Box 239, Soudheimer, Louisiana
10. J. C. House, Church and Foster Streets, Lake Providence, Louisiana
11. Lizzie Lee Kelly, Rt. 1, Box 2, Lake Providence, Louisiana
12. James Levi, Route 1, Box 228, Soudheimer, Louisiana
13. Watson Sanders, Route 1, Box 227, Soudheimer, Louisiana
14. Rebecca Stevenson, Rt. 3, Box 295, Lake Providence, Louisiana
15. Benton L. Shoemaker, Jr., 814 Fourth St., Lake Providence, Louisiana
16. Mrs. Mary D. Shorter, P. O. Box 392, 704 9th St., Lake Providence, La.
17. Irene Ware, Rt. 3, Box 568, Lake Providence, Louisiana

L I S T B

1. Jessie B. Foley, Route 3, Box 568, Lake Providence, Louisiana
2. Daisy Lee Hadden, Rt. 3, Box 90, Lake Providence, Louisiana
3. Wesley Johnson, 107 Lake Street, Lake Providence, Louisiana
4. George King, Rt. 3, Box 390, Lake Providence, Louisiana
5. Otis Virgil, Jr., P. O. Box 574, Lake Providence, Louisiana
6. Otis L. Virgil, Sr., P. O. Box 574, Lake Providence, Louisiana
7. Nathan Watkins, Sr., Rt. 3, Box 560 C, Lake Providence, La.
8. Mrs. Annie Wiggins, 115 Ransdell St., Lake Providence, La.
9. Idell Weaver, Rt. 3, Box 568, Lake Providence, La.
10. Eugene Young, Rt. 3, Box 568, Lake Providence, La.