

U. S. DISTRICT COURT
 Western District of Louisiana
FILED
 JUL 25 1962
 ALTON L. CURTIS, CLERK
 By *[Signature]* Deputy

UNITED STATES DISTRICT COURT
 WESTERN DISTRICT OF LOUISIANA
 MONROE DIVISION

UNITED STATES OF AMERICA, :
 Plaintiff, :
 vs. : CIVIL ACTION NO. 8 2 5 7
 CECIL MANNING AS REGISTRAR : FINDINGS OF FACT, CONCLUSIONS OF
 OF VOTERS OF EAST CARROLL : LAW AND DECREE WITH RESPECT TO THE
 PARISH, LOUISIANA, AND THE : OBJECTIONS TO THE COURT'S ORDER OF
 STATE OF LOUISIANA, : JULY 12, 1962
 Defendants. :

On May 30, 1962, this Court found that Negro citizens of East Carroll Parish, Louisiana, had been deprived of the right to vote without distinction of race in violation of 42 U.S.C. 1971(e), and that the deprivations were pursuant to a pattern and practice.

Forty - four applications for Orders of qualification to vote were received by this Court on June 19, 1962, and an additional thirty-four applications were received on July 7, 1962. On July 12, 1962, an ex parte hearing was held on all seventy-eight applications in Monroe, Louisiana, and on that date the Court entered an Interlocutory Order, finding twenty-eight applicants entitled to an Order declaring them qualified to vote in East Carroll Parish and denying the remaining fifty applications. The State of Louisiana filed Objections to the Court's finding with respect to all twenty-eight applicants found qualified and the United States filed an Objection to the Court's finding with respect to one of the applications that had been denied. The Court on its own motion decided to review its denial of one application.

On July 23, 1962, the objections of the parties to this Court's Interlocutory Order of July 12, 1962 were heard. The Court makes the following findings and conclusions based upon the entire record in this case, including all application forms and other documents made a part of the record at the ex parte hearing held on July 12, 1962, and the exhibits and testimony adduced at the hearing held on July 23, 1962.

FINDINGS OF FACT

1. On June 14, 1962, defendant, Cecil E. Manning resigned his office as Registrar of Voters of East Carroll Parish.
2. Since June 15, 1962, there has been no Registrar of Voters of East Carroll Parish.
3. Under Louisiana Law, June 27, 1962, was the last day for registration for a Democratic Primary election which is scheduled to be held throughout the State on July 28, 1962.
4. Each of the applicants named in the attached List A are:
 - a. Negroes,
 - b. Residents of East Carroll Parish,
 - c. Persons who have since May 30, 1962, been deprived of or denied the opportunity to register to vote within the meaning of 42 U.S.C. 1971(e),
 - d. Qualified under Louisiana Law to vote in the Ward and Precinct of East Carroll Parish designated in the List,
 - e. Affiliated with the party designated in the List.
5. Each of the applicants named on the attached List B were unable to establish that they are presently qualified under Louisiana Law to vote in East Carroll Parish.

CONCLUSIONS OF LAW

1. This Court has jurisdiction of this matter under 42 U.S.C. 1971.
2. Where the Court has found that Negroes have been deprived of the right to vote pursuant to a pattern or practice of racial discrimination, residents of the parish in which the deprivations occurred who are of the race found to have been discriminated against, have a right under 42 U.S.C. 1971(e) to apply to the Court for Orders declaring them qualified to vote and to the issuance of

such Orders, upon proof that:

- a. They are qualified under State Law to vote, and,
- b. They have, since the Court's findings of a pattern of discrimination, been
 - (1) deprived of or denied under color of law the opportunity to register to vote or otherwise to qualify to vote, or,
 - (2) found not qualified to vote by any person acting under color of law.

3. The vacancy in the office of Registrar of Voters of East Carroll Parish constitutes a denial to each and every Negro who resides in the Parish of the opportunity to register to vote within the meaning of 42 U.S.C. 1971(e).

4. The requirements of 42 U.S.C. 1971(e) have been satisfied with respect to each of the persons named in List A and each of them is entitled to vote in all elections held in the Ward and Precinct of East Carroll Parish, Louisiana, designated by his name on the list, including all Primary Elections of the party he has declared himself to be affiliated with as designated on the List.

DECREE

Pursuant to the Findings of Fact and Conclusions of Law entered this date, it is the ORDER, JUDGMENT and DECREE of this Court that:

1. Each person whose name appears on List A is declared qualified to vote in East Carroll Parish in all elections held in the Ward and Precinct designated on the List, including all Primary Elections held by the Party he has designated himself to be affiliated with as designated on the List. This includes, for those designated in the List as being affiliated with the Democratic Party, the Democratic Primary Election scheduled to be held on July 28, 1962.

2. A Certificate of Qualification shall be issued forthwith to each person declared by this Court to be qualified.
3. The applications of the persons named in List B are denied.
4. Certified copies of this Order shall be served upon each election official in East Carroll Parish. Said persons should note the following provisions of the Civil Rights Act of 1960:

"Notwithstanding any inconsistent provision of State law or the action of any State officer or court, an applicant so declared qualified to vote shall be permitted to vote in any such election. ...The refusal by any such officer with notice of such order to permit any person so declared qualified to vote to vote at an appropriate election shall constitute contempt of court." (42 U.S.C. 1971(e)(Para. 2))

5. The Court retains jurisdiction of this cause for the purpose of issuing any and all additional orders herein that may, in its judgment, become necessary or appropriate for the purpose of modifying and/or enforcing this decree.

THUS DONE on the 24th day of July, 1962, at Shreveport, Louisiana. Thus signed on this the 25th day of July, 1962.

s/Edwin F. Hunter, Jr.
UNITED STATES DISTRICT JUDGE

L I S T A

<u>NAME:</u>	<u>PARTY:</u>	<u>WARD:</u>	<u>PRECINCT:</u>
1. Eric L. Armstrong	Democrat	3	1
2. James Brown	Democrat	3	1
3. Charles Carson	Democrat	3	1
4. Mary E. Cole	Democrat	3	1
5. Freddie Green, Sr.	Democrat	3	1
6. Gardena H. Johnson	Democrat	3	1
7. Henry O. Simmons	Democrat	3	1
8. Francis Joseph Atlas	Democrat	3	2
9. Benjamin F. Blockwood	Democrat	3	2
10. Rosa P. Blockwood	Democrat	3	2
11. John H. Bunn	Democrat	3	2
12. Lehman H. Griffin, Jr.	Democrat	3	2
13. James L. Hadden	Democrat	3	2
14. Mary E. Johnson	Democrat	3	2
15. Percy Knighton	Democrat	3	2
16. Alease J. Scott	Democrat	3	2
17. Rev. John H. Scott	Democrat	3	2
18. Alfred Shoemaker	Democrat	3	2
19. Fred Threats, Jr.	Democrat	3	2
20. Nathan Weaver	Democrat	3	2
21. Bragg Clay	Democrat	5	1
22. Adam Millikin, Jr.	Democrat	5	1
23. Walter Henry Nash	Democrat	5	1
24. Frank Nervis, Sr.	Democrat	5	1
25. Laura Thompson	Democrat	6	1
26. C. W. Baggett	None	3	2

LIST B

1. James Levi
Route 1, Box 228
Sondheimer, Louisiana
2. Watson Sanders
Route 1, Box 227
Sondheimer, Louisiana
3. Lehman Griffin, Sr.
Route 3, Box 278
Lake Providence, La.
4. J. C. House
Box 413
Lake Providence, La.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
This is to certify that the above
and foregoing contained on this
and preceding 5 pages is a true
and correct copy of the original.

July 26 1962
ALTON L. CURTIS, CLERK

Conda Anne Mitchell
Deputy Clerk