

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE

DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CIVIL ACTION NO. 1741-N

GEORGE PENTON, MRS. SANUELLA
P. WILLIS, Registrars of Voters
of Montgomery, Alabama; and
STATE OF ALABAMA,

Defendants.

FILED

RECEIVED

AUG 28 1961

AUG 31 1961

R. C. DOBSON
Clerk

By.....
Deputy Clerk

ORDER

A 1045

This cause is now submitted upon the motion of the United States of America, to which is attached the affidavit of John Doar as one of the attorneys for the United States, wherein the United States seeks to require the defendants to produce and permit plaintiff's attorneys and agents to inspect and copy or photograph certain designated records, documents, and papers alleged to be in the possession, custody or control of the defendants.

Upon consideration of said motion, the affidavit in support thereof, and the answer of the members of the Board of Registrars filed herein on August 23, 1961, to said motion, and for good cause, it is the ORDER, JUDGMENT and DECREE of this Court that said motion be and the same is hereby granted.

It is the further ORDER, JUDGMENT and DECREE of this Court that the defendants on or before the 5th of September, 1961, and during the regular business hours thereof and from day to day thereafter until said inspection, copying or photographing by the plaintiff is completed, produce for inspection, copying or photographing by the plaintiff, pursuant to Rule 34, Federal Rules of Civil Procedure, each of the following designated documents that may be in defendants' custody, control or possession:

1. All applications for registration, questionnaires and oaths received by, or filed with, the Board of Registrars of Montgomery County, Alabama, or any member thereof, since October 4, 1960.

2. All applications for registration, questionnaires and oaths of white applicants for registration to vote approved by the Board of Registrars of Montgomery County, Alabama, or any member thereof, since January 1, 1956.

[72-2-19]

3. Copies of all rules or regulations adopted or used by the Board of Registrars of Montgomery County, Alabama, or any member thereof, since January 1, 1956.

4. All lists of qualified electors of Montgomery County, Alabama, which were compiled after October 18, 1960.

5. Any Official List of Qualified Electors of Montgomery County, Alabama, compiled or published during 1956.

6. All records in the possession of the Board of Registrars, or any member thereof, showing criminal indictments, charges or convictions of persons in Montgomery County, Alabama.

7. All registration books and other documents maintained by the Board of Registrars, or any member thereof, containing the names and races of persons who have applied for registration in Montgomery County, Alabama, since January 1, 1956.

Done, this the 28th day of August, 1961.

FRANK M. JOHNSON, JR.

UNITED STATES DISTRICT JUDGE