

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF ALABAMA and JULIUS PASCHAL  
THOMPkins, JOHN WESLEY GUTHRIE, JR.,  
and KEITTE SANDERS YON, Members of  
the Board of Registrars of Bullock  
County, Alabama,

Defendants.

CIVIL ACTION

No. \_\_\_\_\_.

COMPLAINT

The United States of America alleges that:

1. This action is instituted by the Attorney General in the name of the United States, pursuant to the provisions of Part IV of the Civil Rights Act of 1957 (42 U.S.C. 1971, 71 Stat. 637), as amended by the Civil Rights Act of 1960 (74 Stat. 86).

2. This Court has jurisdiction of this action under 42 U.S.C. 1971(d) and 28 U.S.C. 1345.

3. The State of Alabama is joined as a party defendant pursuant to Section 601(b) of the Civil Rights Act of 1960.

4. The principal executive and legislative offices of the State of Alabama are located in Montgomery, Alabama.

5. Julius Paschal Thompkins is a member and Chairman of the Board of Registrars of Bullock County (hereinafter sometimes referred to as the Board), an agency of the State of Alabama, consisting of three members. He resides in Fitzpatrick, Alabama.

6. John Wesley Guthrie, Jr., and Keitte Sanders Yon are members of the Board, and each resides in Union Springs, Alabama.

7. Under Alabama law registration is a prerequisite to voting in any election.

8. Under Alabama law the defendant members of the Board receive and pass upon application for registration to vote in elections in Bullock County. In passing upon such applications the Board members determine whether each applicant is qualified to vote.

9. The qualifications for voting in Alabama are fixed by the provisions of Article 8 of the Alabama Constitution and of Title 17, Article 2, of the Alabama Code. There is no requirement in the constitution or laws of Alabama that a person, to register as a voter, must produce a registered voter as a supporting witness to give testimony regarding the character, morals, education, habits and fitness of the applicant to be registered.

10. The defendant board members require, and their predecessors have required, applicants for registration to produce a registered voter of Bullock County as a supporting witness to give, under oath, information regarding the character, morals, education, habits and fitness of the applicant to be registered as a voter. Pursuant to this policy the members of the Board have denied and do deny registration to applicants failing to provide such supporting witness.

11. As a part of the policy referred to in the preceding paragraph the members of the Board refuse to permit a registered voter to act as a supporting witness for more than two applicants during any one calendar year.

12. The policy and practice described in paragraphs 10 and 11 have been adopted and promulgated by the members of the Board in written rules and regulations, a copy of which is attached hereto as an Appendix.

13. Persons of voting age in Bullock County, Alabama, number approximately 5,000 Negroes and 2,500 whites. Of these, five Negroes and approximately 2,200 whites are registered to vote.

14. At no time during the past ten years has the number of Negroes registered to vote in Bullock County exceeded six.

15. The purpose and effect of the policy and practice described in paragraphs 10, 11, and 12 was and is to make registration to vote in Bullock County dependent upon the assistance of registered white voters of the county. Pursuant to customs, practices and usages prevailing in Bullock County, Alabama, white citizens of the county can more freely procure the assistance of white registered voters in connection with the

applications of such citizens to register, than can Negro citizens of the county.

16. By reason of the policy and practice described in paragraphs 10, 11, and 12, and the practices, customs and usages prevailing generally in Bullock County, Alabama, Negro citizens of the county qualified by law to vote at elections in Bullock County have been and are being prevented and discouraged from registering to vote and from exercising their right to vote without distinction of race or color.

17. The practice and policy of the defendant members of the Board described in paragraphs 10, 11, and 12 restrict the opportunity of Negro citizens of Bullock County to register as voters and to vote, but do not similarly restrict white citizens of Bullock County.

18. The acts and practices of the Board and the defendant members of the Board in enforcing the policy described in paragraphs 10, 11, and 12 deprive Negro residents of Bullock County, Alabama, who are citizens of the United States qualified by law to vote in elections in Bullock County, of their right and privilege to be entitled and allowed to vote at all such elections without distinction of race or color.

19. The deprivations referred to in the preceding paragraph have been and are pursuant to a pattern and practice.

20. The defendants will, unless restrained by order of this court, continue to engage in the acts and practices and to enforce the policy described in paragraphs 10, 11, and 12.

WHEREFORE, plaintiff prays:

(1) That the Court enjoin the defendants, their agents, employees, successors, and all persons in active concert and participation with them, from:

(a) requiring that applications for registration by Negro citizens of Bullock County be supported by statements of registered voters;

(b) engaging in any acts or practices which involve or result in distinction on the basis of

race or color between Negro citizens and other citizens in registration for voting in Bullock County, Alabama; and

(c) illegally denying to any Negro citizen of Bullock County, Alabama, any of his rights under the election laws of Alabama or under the Constitution or laws of the United States touching the matter of suffrage by reason of his race or color.

(2) That the Court grant such additional relief as justice may require, or as may be necessary or appropriate in aid of the jurisdiction of this Court.

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HAROLD R. TYLER, JR.  
Assistant Attorney General

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HARTWELL DAVIS  
United States Attorney