

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)

v.)

CIVIL ACTION NO. _____

COMPLAINT

ESTELLE WILDER, REGISTRAR)
 OF VOTERS OF JACKSON PARISH,)
 LOUISIANA; THE STATE OF)
 LOUISIANA; THE CITIZENS)
 COUNCIL OF JACKSON PARISH,)
 LOUISIANA; G. W. ACKLIN;)
 LOUIS C. BOSS; JOSEPH W.)
 DARK, JR.; HAROLD C. HAILE;)
 RUFUS G. PIPES; R. L. SALTER;)
 INDIVIDUALLY AND AS MEMBERS)
 OF THE CITIZENS COUNCIL OF)
 JACKSON PARISH, LOUISIANA,)
)
 Defendants.)
 _____)

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 42 U.S.C. 1971, as amended by Part IV of the Civil Rights Act of 1957 (71 Stat. 637) and Title VI of the Civil Rights Act of 1960 (74 Stat. 90).

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 Louisiana is joined as a party defendant pursuant to Section 601(b) of the Civil Rights Act of 1960 (42 U.S.C. 1971(c)).

4. Defendant Estelle Wilder (hereafter referred to as defendant registrar) is, and has been since 1951, the Registrar of Voters of Jackson Parish, Louisiana. She resides in Chatham, Louisiana.

5. Defendant registrar is an official and agent of the defendant State of Louisiana.

6. Defendant registrar receives and passes upon applications for registration to vote in Jackson Parish and determines whether each applicant is qualified to register to vote.

7. Defendant Citizens Council of Jackson Parish, Louisiana (hereafter referred to as defendant Council) is and has been since April 18, 1956, incorporated under the laws of Louisiana. Defendant Council carries on its activities in Jackson Parish, Louisiana.

8. Defendants G. W. Acklin; Louis C. Boss; Joseph W. Dark, Jr.; Harold C. Haile; Rufus G. Pipes; and R. L. Salter (hereafter referred to as the individual defendants) were members of defendant Council at all times pertinent to this action. They reside in Jackson Parish, Louisiana.

9. One of the purposes of defendant Council is to maintain white political supremacy and the segregation

of races in Jackson Parish, Louisiana and in the State of Louisiana. Among the means adopted by the defendant Council to further this purpose is the elimination of Negroes from the voter rolls.

10. Under Louisiana law, registration is a prerequisite to voting in any election.

11. On January 1, 1957, Jackson Parish adopted the permanent registration system under which a registered voter is not required to re-register unless his name is cancelled from the registration rolls in accordance with procedures provided by law. Persons registered to vote at the time of the adoption of permanent registration were not required to re-register but were required only to sign a duplicate card for the precinct register in order to be placed on the permanent registration rolls.

12. In Jackson Parish, Louisiana, there are approximately 2,535 Negroes and 6,607 white persons of voting age. In August, 1956, there were 1,122 Negroes and 5,450 white persons registered to vote in Jackson Parish. As of November 30, 1961, there were 471 Negroes and 5,550 white persons registered to vote in Jackson Parish.

13. This decrease in the number of Negro voters in Jackson Parish has been brought about by racially discriminatory acts and practices of the defendants as are more fully set forth hereafter.

14. In September, 1956, the defendant Council and the individual defendants decided and agreed to challenge the registration status and cause the removal from the registration rolls of Negroes registered to vote in Jackson Parish.

15. In October, 1956, the defendant Council and the individual defendants, acting under the authority of Louisiana law, examined certain registration application forms in Jackson Parish and prepared affidavits challenging the registration status of 953 registered Negro voters. Defendants Louis C. Boss and Rufus G. Pipes signed said affidavits and filed them with the defendant registrar challenging the registration status of 953 of the 1,122 registered Negro voters and only 13 of the 5,450 registered white voters of Jackson Parish. These affidavits were based on alleged errors and incompletions on the application forms of the challenged voters. The same or similar errors were present on the cards of over 50% of the white voters not challenged by said defendants.

16. Defendant registrar consented to the examination of the records and accepted the affidavits of challenge. The defendant registrar did not require that these affidavits be sworn to as prescribed by Louisiana law.

17. Defendant registrar knew that the affidavits of challenge were directed against Negro voters but not against white voters similarly situated.

18. Defendant registrar, on October 8, 1956, mailed copies of these purported affidavits, together with citations to all of the challenged voters, requiring them within ten days to appear in her office to prove their right to remain on the registration rolls.

19. Defendant registrar refused to accept counter-affidavits in the form prescribed by Louisiana law from Negroes who responded to the challenge in an

effort to retain their status as voters. She required that they should produce affidavits attesting that there were no errors or incompletions on their registration forms.

20. The registration books of Jackson Parish were closed on October 6, 1956, and no registrations were permitted from that date until after the Presidential election on November 6, 1956. In October, 1956, defendant registrar removed from the registration rolls of Jackson Parish all of the 953 Negro voters named in the said affidavits of challenge.

21. The acts and practices described in paragraphs 14 through 20 were engaged in for the purpose and with the effect of depriving Negro voters, on account of their race or color, of the right to vote.

22. During the period from 1956 to the date of the filing of this Complaint, the defendant registrar and defendant State, in conducting registration for voting in Jackson Parish, have engaged in racially discriminatory acts and practices which include, but are not limited to, the following:

- (a) Applying to Negro applicants different and more stringent standards than those applied to white applicants in determining whether such applicants are qualified to register to vote.
- (b) Rejecting qualified Negro applicants for registration in Jackson Parish.

23. The acts and practices described in paragraphs 14 through 22 deprive, and have deprived, Negro citizens of Jackson Parish, who are otherwise qualified to vote,

of the right secured by 42 U.S.C. 1971(a) to be entitled and allowed to vote without distinction of race or color.

24. The deprivations of the right referred to in the preceding paragraph have been and are pursuant to a pattern and practice of discrimination.

25. The defendants will, unless restrained by order of this Court, continue to engage in acts and practices the same as or similar to those set forth in this Complaint.

WHEREFORE, plaintiff prays:

1. That this Court make a finding that the acts and practices engaged in by the defendants, as described in this Complaint, constitute deprivations of the right secured by 42 U.S.C. 1971(a), and that these deprivations were and are pursuant to a pattern and practice of racial discrimination in Jackson Parish, Louisiana.

2. That this Court issue a preliminary and permanent injunction enjoining the defendants, their officers, agents, employees and successors, and all persons acting in concert with them from:

- (a) Engaging in any act which would deprive any citizen in Jackson Parish of the right to register and the right to vote without distinction of race or color.
- (b) Applying to Negro applicants for registration different or more stringent standards than those applied to white applicants for registration in determining whether such applicants are qualified to register to vote in Jackson Parish.

3. That this Court issue an order requiring defendant registrar and defendant State of Louisiana forthwith

to place upon the current and permanent voter registration rolls in Jackson Parish and otherwise to register all Negroes who were removed from the voter rolls in October, 1956, and who are not now on the rolls.

4. That this Court issue an order requiring defendant registrar and defendant State of Louisiana to register all other Negroes who have applied for registration in Jackson Parish since October, 1956, whose applications have been denied and who possessed the qualifications required of white persons who were registered during the same period.

5. That this Court issue appropriate orders which will insure the fair, equal, and non-discriminatory operation of the office of the Registrar of Voters of Jackson Parish, Louisiana.

6. That this Court grant such additional relief as justice may require together with the costs and disbursements of this action.

BYRON R. WHITE
DEPUTY ATTORNEY GENERAL

BURKE MARSHALL
ASSISTANT ATTORNEY GENERAL

T. FITZHUGH WILSON
UNITED STATES ATTORNEY

JOHN DOAR, ATTORNEY
DEPARTMENT OF JUSTICE