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

AUG 31 1961

UNITED STATES ATTORNEY
MIDDLE DISTRICT
OF ALABAMA

UNITED STATES OF AMERICA,)

Plaintiff)

VS.)

CIVIL ACTION NO. 1741-N

STATE OF ALABAMA, GEORGE)

PENTON, MRS. SAMUELLA P.)

WILLIS, Registrars of)

Voters of Montgomery,)

Alabama)

Defendants)

DEFENDANT BOARD OF REGISTRARS

INTERROGATORIES TO PLAINTIFF

Now comes the defendant, Members of the Board of Registrars of Montgomery County, Alabama, and propound to plaintiff the following interrogatories pursuant to the Federal Rules of Civil Procedure.

1. Please state briefly, under separate heading, each and every racially discriminatory act which the Montgomery County, Alabama Board of Registrars practice or has practiced in applying different and more stringent registration procedures and standards to Negro applicants than to white applicants.

- (a) List the name and address of each person who has been allegedly discriminated against by the use of different and more stringent registration procedures and standards in attempting to register to vote in Montgomery County, Alabama.
- (b) Give the date when each of the persons listed in your answer to Interrogatory No. 1 (a) was discriminated against by the use of different and more stringent registration procedures and standards.
- (c) List the name and address of each person having knowledge of the relevant facts which constitute each act of discrimination by the use of different and more stringent registration procedures and standards.

(d) List the name and address of each person contained in your answer to Interrogatory No. 1 (c) who has given a written statement of the relevant facts constituting such discrimination, and state the name and address of the person who took such statement and the date when same was taken.

(e) State whether any person listed in your answer to Interrogatory No. 1 (c) has given an oral statement of the relevant facts showing the Montgomery County, Alabama Board of Registrars has used different and more stringent registration procedures and standards to Negro applicants than to white applicants.

(f) If your answer to Interrogatory No. 1 (e) is affirmative, state the name and address of each person who has made an oral statement of relevant facts, together with the name and address of the person to whom such statement was made, and the date of such oral statement.

(g) State concisely the text of any such oral statement.

2. State specifically and in detail what registration procedures and standards are applied to Negro applicants by the defendant board members.

3. State specifically and in detail what registration procedures and standards are applied to white applicants by the defendant board members.

4. Does plaintiff rely on any record, paper or document in the possession of the defendant board members which you have heretofore inspected, copied or photographed, as evidence that the defendant board members apply, or have applied, different or more stringent registration procedures and practices to Negro applicants than to white applicants.

(a) If so, please identify each such record, paper or document.

5. Does plaintiff rely on any record, paper or document in the possession of the Judge of Probate of Montgomery County, Alabama, which you have heretofore inspected, copied or photographed, as evidence that defendant board members

apply, or have applied, different or more stringent registration procedures and practices to Negro applicants than to white applicants.

- (a) If so, please identify each such record, paper or document.

6. Does plaintiff rely on any record, paper or document kept by any other person or official as evidence that defendant board members apply or have applied different or more stringent registration procedures and practices to Negro applicants than to white applicants.

- (a) If so, please identify each such record, paper or document, and state who has the possession, custody or control thereof.

7. List the name and address of each Negro applicant who was unreasonably delayed by the defendant board members in registering to vote in Montgomery County, Alabama.

- (a) State the relevant facts concerning each particular delay.
- (b) State the time and date of each particular delay.
- (c) List the name and address of each person having knowledge of the relevant facts pertaining to each particular delay.
- (d) State whether or not such person or persons have given written statements of the relevant facts pertaining to each particular delay.
- (e) State the name and address of the person or persons who took any such written statements and state the name and address of the person now in possession of such written statements.
- (f) State whether or not any person named in your answer to Interrogatory No. 7 (c) has given any oral statement of relevant facts pertaining to each particular delay.
- (g) If your answer is affirmative, state the name and address of each person or persons to whom such oral statements were given.

- (h) State concisely the text of each such oral statement.

8. Does plaintiff rely on any record, paper or document kept by the defendant board members which you have heretofore inspected, copied or photographed as evidence that defendant board members are unreasonably delaying Negro applicants for registration, solely because of their race or color.

- (a) If so, please identify each such record, paper or document.

9. Does plaintiff rely on any record, paper or document kept by the Judge of Probate of Montgomery County, Alabama, which you have heretofore inspected, copied or photographed as evidence that defendant board members are unreasonably delaying Negro applicants for registration, solely because of their race or color.

- (a) If so, please identify each such record, paper or document.

10. Does plaintiff rely on any record, paper or document kept by any other person or official as evidence that defendant board members are unreasonably delaying Negro applicants for registration, solely because of their race or color.

- (a) If so, please identify each such record, paper or document, and state who has the possession, custody or control thereof.

11. State whether or not you have evidence showing differences based on race as to the time required to register white and Negro applicants.

- (a) List the name and address of each person having knowledge of the relevant facts showing a difference based on race, as to the time required to register white and Negro applicants.

- (b) State whether or not such person or persons have given any written statements of the relevant facts showing a difference in time required to register white and Negro

- (c) State the name and address of the person or persons who took such written statements and state the name and address of the person who is in possession of such statement.
- (d) State whether or not persons having knowledge of the relevant facts pertaining to a difference based on race as to the time required to register white and Negro applicants have given oral statements.
- (e) State the name and address of each person or persons to whom such oral statements were given.
- (f) State concisely the text of each such oral statement.

12. List the name and address of each Negro applicant who is qualified to be registered as an elector under the Constitution and Laws of the State of Alabama and who has been denied registration, solely because of his or her color or race.

- (a) List the date said person applied for registration.
- (b) State whether or not such person has given a written statement of the relevant facts pertaining to his or her being denied the right to register as a voter because of race or color.
- (c) State the name and address of any person or persons who took such written statements.
- (d) State the name and address of any person or persons who is in possession of such statements.
- (e) State whether or not any person who has been denied registration solely because of his or her race or color, and who is listed above in answer to Question No. 12 (a), has given an oral statement.
- (f) State the name and address of any person or persons to whom any such oral statements were given.
- (g) State concisely the text of such oral statements.

13. Does plaintiff rely on any record, paper or document kept by the defendant board members, which you have

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that the defendant board has denied registration to Negroes who were qualified to be registered solely because of their race or color.

(a) If so, please identify each such record, paper or document.

14. Does plaintiff rely on any record, paper or document in the possession of the Judge of Probate of Montgomery County, Alabama, which you have heretofore inspected, copied or photographed, as evidence that the defendant board has denied registration to Negroes who were qualified to be registered, solely because of their race or color.

(a) If so, please identify each such record, paper or document.

15. Does plaintiff rely on any record, paper or document in the possession of any other person or official as evidence that the defendant board has denied registration to Negroes who were qualified to be registered, solely because of their race or color?

(a) If so, please identify each such record, paper or document and state who has the possession, custody or control thereof.

16. List the name and address of any white applicant to register as a qualified elector in Montgomery County, Alabama who was notified of the rejection of his or her application and the reasons for such rejection.

17. List the name and address of each person, who has been refused registration, whom you are requesting the Court to order registered, showing the date such persons applied for registration.

18. Does plaintiff rely on any record, paper or document kept by the defendant board members which you have heretofore copied, inspected or photographed as evidence that persons listed in your answer to Interrogatory No. 17 should be ordered registered by the Court?

- (a) If so, please identify each such record, paper or document.

19. Does plaintiff rely on any record, paper or document kept by the Judge of Probate of Montgomery County, Alabama, which you have heretofore copied, inspected or photographed, as evidence that persons listed in your answer to Interrogatory No. 17 should be ordered registered by the Court?

- (a) If so, please identify each such record, paper or document.

20. Does plaintiff rely on any record, paper or document kept by any other person or official as evidence that persons listed in your answer to Interrogatory No. 17 should be ordered registered by the Court?

- (a) If so, please identify each record, paper or document and state who has the possession, custody or control thereof.

21. In proving a pattern or practice of discrimination, does plaintiff rely on other racially discriminatory acts or practices by the Montgomery County, Alabama Board of Registrars which are not mentioned in Plaintiff's complaint and which does not include:

- (a) Applying different and more stringent registration procedures and standards to Negro applicants than to white applicants for registration in determining whether or not such applicants are qualified to register to vote;
- (b) Unreasonably delaying the registration of Negroes;
- (c) Refusing to register qualified Negro applicants;
- (d) Failing to notify Negro applicants of the rejection of their applications and the reasons for such rejection.

22. If your answer to Interrogatory No. 21 is affirmative, state separately each other or different act of discrimination, including the person discriminated against;

the facts constituting the act of discrimination, and the time and place of such discrimination.

- (a) List the name and address of each person having knowledge of the relevant facts which constitute each act of discrimination, other than that mentioned in your complaint.
- (b) List the name and address of each person contained in your answer to Interrogatory No. 22 (a) who has given a written statement of the relevant facts constituting such other discrimination, not shown in your complaint.
- (c) State the name and address of any person or persons who took such written statements and state the name and address of any person or persons who are in possession of such written statements.
- (d) State whether or not any person who has knowledge of the relevant facts which constitute each act of discrimination, other than that mentioned in your complaint, and who is listed above in answer to Question No. 22 (a), has given an oral statement.
- (e) State the name and address of any person or persons to whom any such oral statements were given.
- (f) State concisely the text of such oral statements.

23. Does plaintiff rely on any record, paper or document in the possession of defendant board members which you have heretofore inspected, copied or photographed as evidence that defendant board members practice or have applied different registration procedures or have practiced racial discrimination, other than such discrimination as is set forth specifically in your complaint?

- (a) If so, please identify each record, paper or document.

24. Does plaintiff rely on any record, paper or document in the possession of the Judge of Probate of Montgomery County, Alabama, which you have heretofore

inspected, copied or photographed as evidence that defendant board members practice or have applied different registration procedures, or have practiced racial discrimination, other than such discrimination as is set forth specifically in your complaint?

(a) If so, please identify each such record, paper or document.

25. Does plaintiff rely on any record, paper or document in the possession of any other person or official as evidence that defendant board members practice or have applied different registration procedures, or have practiced racial discrimination, other than such discrimination as is set forth specifically in your complaint?

(a) If so, please identify each such record, paper or document and state who has the possession, custody or control thereof.

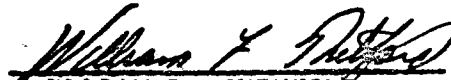

WILLIAM F. THETFORD,
Attorney for Defendant
Board Members.

STATE OF ALABAMA)
MONTGOMERY COUNTY)

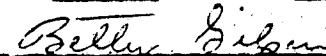
I, William F. Thetford, having been duly sworn, say:

1. I am an attorney of record for Defendant Board Members, George Jenton and Mrs. Samuella P. Willis, and that I am familiar with the pleadings filed in this cause;

2. That the answers to the attached Interrogatories constitute evidence material and relevant to the proper defense of the allegations of the original bill of complaint, and are necessary to properly defend this cause.


WILLIAM F. THETFORD
Attorney for Defendant
Board Members.

Subscribed and sworn to before me
this 31st day of August, 1961.


Betty Gibson
Notary Public, Montgomery County

My Commission expires May 27, 1963

CERTIFICATE OF SERVICE

STATE OF ALABAMA)
)
MONTGOMERY COUNTY)

I heroby certify that I have this day served
three copies of the foregoing Interrogatories on the
Honorable Hartwell Davis, United States Attorney, Federal
Building, Montgomery, Alabama; and one copy on the Honorable
MacDonald Gallion, Attorney General for the State of
Alabama, Montgomery, Alabama, by placing same in the
United States mail, postage prepaid, properly addressed
on this the 31 day of August, 1961.


WILLIAM F. THETFORD
Attorney for Defendant
Board Members.