

FILED

APR 24 1967

R. C. DOBSON, CLERK

By _____
Deputy Clerk

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

ANTHONY T. LEE, et al.,)
Plaintiffs,)
UNITED STATES OF AMERICA,)
Plaintiff-Intervenor)
and Amicus Curiae,)
v.)
MACON COUNTY BOARD OF)
EDUCATION, et al.,)
Defendants.)

CIVIL ACTION NO. 604-E

ORDER ADDING PARTIES DEFENDANT, REQUIRING
ALL DEFENDANTS TO SHOW CAUSE WHY THE ADDED
DEFENDANTS SHOULD NOT BE REQUIRED TO
ADOPT DESEGREGATION PLANS CONFORMING
TO THE COURT'S DECREE AND GRANTING
FURTHER RELIEF

The United States, as plaintiff-intervenor
and amicus curiae, having filed its motion to
add as parties defendant certain officials of
the Autauga County, Bibb County, Cullman County,
and Pickens County school systems, for an order
to show cause why such additional defendants
should not be required to adopt desegregation
plans conforming to the standard embodied in

the decree of this Court of March 22, 1967,
and for further relief against the defendant
Ernest Stone, and good cause appearing,

It is ORDERED that:

The Autauga County Board of Education;
James T. Powell, President, and O. C. Bruner,
B. H. Atchison, Walter C. Evans, and Ralph
Mims, members of the Autauga County Board of
Education; John R. Hargis, Superintendent of
Schools of Autauga County;

The Bibb County Board of Education;
S. E. Belcher, Jr., President, and Ellington P.
Jones, Henry Bolding, Britt Cox, and C. E.
Hornsby, Jr., members of the Bibb County Board
of Education; Francis B. Pratt, Superintendent
of Schools of Bibb County;

The Cullman County Board of Education;
Hoyt Perdue, President, and Jack Sterling,
Lawton Willoughby, Derlan Harbison and Buel
Hale, members of the Cullman County Board of
Education; Earl T. York, Superintendent of
Schools of Cullman County;

The Pickens County Board of Education;
L. D. Vail, President, and J. L. Stone, Marvin
Elmore, J. V. Park and Billie F. McCool, members
of the Pickens County Board of Education, and
Alan C. Burns, Superintendent of Schools of
Pickens County, each be, and they hereby are,
added as defendants to this action.

It is FURTHER ORDERED that all defendants, including those added by this order, appear before this Court on May 13th, 1967 at 9:30 a.m. in the courtroom of the United States District Court for the Middle District of Alabama in the United States Courthouse, Montgomery, Alabama, to show cause, if any they have, why the above-named boards and officials of the school systems of Autauga County, Bibb County, Cullman County, and Pickens County should not be ordered to adopt desegregation plans for their respective school systems meeting the standards embodied in the plan attached as exhibit "A" to this Court's decree of March 22, 1967, and why they should not be ordered to transmit such plans to the State Superintendent of Education for submission to this Court.

It is FURTHER ORDERED that the defendant Ernest Stone, as State Superintendent of Education, forthwith notify each of the following school systems that the desegregation plan which such system has adopted for all grades commencing with the 1967-68 school year and which was submitted to this Court by the State Superintendent on April 17, 1967, fails to meet the standards embodied in the plan attached as Exhibit "A" to the

decree of March 22, 1967, and that a plan meeting such standards should be adopted and submitted to the State Superintendent:

Andalusia	Franklin County
Athens	Geneva County
Attalla	Greene County
Brewton	Henry County
Butler County	Houston County
Carbon Hill	Jackson County
Cherokee County	Jasper
Chilton County	Lauderdale County
Clarke County	Limestone County
Clay County	Linden
Colbert County	Marengo County
Conecuh County	Marion City
Covington County	Marion County
Dale County	Morgan County
Dallas County	Muscle Shoals
DeKalb County	Piedmont
Demopolis	Scottsboro
Etowah County	Selma
Eufaula	Shelby County
Floralala	Talladega City
Florence	Tallapoosa County
Tarrant	Tuscaloosa City
Thomasville	Tuscaloosa County
Troy	Tuscumbia

and, more specifically, advising said school systems that their desegregation plans should be revised in the following regards:

1. Those of the above-named systems that have patterned their plans upon the model attached to the Court's decree but have omitted from their plans any of the provisions of the Court's decree or have changed any of the provisions of the Court's decree shall revise their plans to include all provisions of the Court's decree without material change except where specific variations from the model plan are required by circumstances peculiar to the particular school system making such change. If any ^{such} ~~school~~ changes are retained in a plan as amended, the school system should set forth the particular justification for the change.

2. Those school systems that have submitted plans adopted to meet HEW standards for the 1965-66 school year or have submitted a copy of the explanatory notice commonly used in connection with HEW plans, should revise their plans to pattern them after the Court's model plan and should include all provisions of the model plan.

3. The Jasper and Muscle Shoals systems should supplement their plans by a specific assurance that they will enroll in the schools of their respective systems all Negro students residing therein and by including in their plans all provisions of the model plan that are applicable to a system that has discontinued operation of its traditionally Negro schools.

The defendant Ernest Stone shall complete the above-ordered action and shall submit a report of the results thereof to the Court and to the parties by May 4, 1967.

The Clerk is directed to issue summons for the additional defendants named in this order and to take the necessary and appropriate steps to have the United States Marshal for this District serve a copy of such summons upon the added defendants together with this order and with copies of the following orders and papers heretofore filed in this case:

1. The motion for an order to show cause or, in the alternative, for further relief filed by the plaintiffs on September 22, 1966;

2. The order of this Court of September 30, 1966, denying the issuance of a contempt citation and setting a hearing on that part of the motion

of the plaintiffs of September 22, 1966, seeking the desegregation of all the public schools of the State of Alabama;

3. This Court's memorandum, opinion, decree, and writ of injunction of March 22, 1967.

4. The motion of the United States to add parties defendant, for an order to show cause and for further relief, filed on April 22, 1967.

The Clerk shall also, upon the request of the said added defendants, make available copies of any pleadings, orders or decrees heretofore filed or entered in this cause.

DONE this 24th day of April, 1967.

/s/ Richard T. Rives
UNITED STATES CIRCUIT JUDGE

/s/ H. Hobart Grooms
UNITED STATES DISTRICT JUDGE

/s/ Frank M. Johnson, Jr.
UNITED STATES DISTRICT JUDGE