

and entitled to vote at an election, a certificate identifying the holder thereof as a person qualified and entitled, pursuant to the court's original decree or supplementary decree, to vote at any such election.

"The court may authorize such person or persons appointed pursuant to this subsection (or may appoint any other person or persons) (1) to attend at any time and place for holding any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any such person has been denied the right to vote, and (2) to attend at any time and place for counting the votes cast at any election at which any person named in the court's original decree or any supplementary decree is entitled to vote and report to the court whether any vote cast by any such person has not been properly counted.

"Any person or persons appointed by the court pursuant to this subsection shall have all the powers conferred upon a master by rule 53(c) of the Federal Rules of Civil Procedure. The compensation to be allowed to any person or persons appointed by the court pursuant to this subsection shall be fixed by the court and shall be payable by the United States.

"The court shall have authority to take any other actions, consistent with the provisions of this subsection, reasonably appropriate or necessary to enforce its decrees."

(b) Add the following sentence at the end of subsection (c):

"When any official of a State or subdivision thereof has resigned or has been relieved of his office and no successor has assumed such office, any act or practice of such official constituting a deprivation of any right or privilege secured by subsection (a) or (b) hereof shall be deemed that of the State and the proceeding may be instituted or continued against the State as party defendant."

The CHAIRMAN. The reason, as I understand it, Judge, why you prefer the voting referee proposal in contradistinction to the Federal registrars proposal is, among other things, that the voting referees proposal would cover the State as well as Federal elections.

Mr. WALSH. Yes, sir.

The CHAIRMAN. And you base the application of the voting referees to State elections on the 15th amendment.

Mr. WALSH. Yes, sir.

The CHAIRMAN. It is a general prohibition against State or Federal action which interferes with the right to vote because of race, color, or previous condition of servitude.

Mr. WALSH. Either the United States or any State interfering with the right to vote. Race or color or previous condition of servitude, I think it is.

The CHAIRMAN. Also, if I understand it, the Federal registrar provision is limited to registration of voters, and it does not concern actual voting.

Mr. WALSH. That is correct.