

and know the rules of the game under the rules of court and under other proceedings affecting the vast number of administrative agencies, the rules before the examiners are spelled out. What I wanted to know is, did I understand this thing properly, that you trust, of course, sincerely, that the judge will guide the referee?

Mr. WALSH. Yes, sir.

Mr. WILLIS. All right.

Mr. WALSH. But I say we have no objection to something like this underlying portion. (Displaying mimeographed paper.)

Mr. WILLIS. I understand, and we might use the recommendations of that thing if we must act on this bill.

Mr. WALSH. Incidentally, if you think that the standard of 53(e) is too high a standard to give the referee's report under these circumstances, we have no objection to what change you make in that.

For example, if the statute spells out that the proceeding should be an ex parte proceeding, you may want to say that it is not entitled to that protection.

Mr. WILLIS. Now let me see if this job of the referee is so simple as that, that it just implements the court order. I do not understand it that way, and would like enlightenment.

Mr. WALSH. I appreciate the opportunity.

Mr. WILLIS. I am now speaking of persons in the area in the whole county, if you please, who are not parties to that original action. They read about it in the paper, and they see where the judge adjudicated that nine people—if we adopt that figure from thin air like the Commission did—were discriminated against. Then, instead of 9, 900 in the area, seeing that a voting referee has been appointed, want to vindicate their rights that they honestly believe have been trampled upon.

Mr. WALSH. Yes, sir.

Mr. WILLIS. Let us see if this is just an implimentation.

As I understand your explanation of the bill, these third parties can get relief ex parte upon proof that they applied to the registrar of voters for registration and they had been denied that right.

Mr. WALSH. Yes, sir; and that they are qualified voters.

Mr. WILLIS. And that they are qualified voters.

Well, wait a minute.

Mr. WALSH. That they are qualified to vote, I should say.

Mr. WILLIS. Yes, qualified to vote. That is the point, my friend. That is the point.

The 15th amendment talks about disqualification because of racial discrimination.

Suppose a person, a third party, has been denied the right to vote, which is the only thing he has to represent to the referee—not because of racial discrimination, but because he is not 21, is nonresident, or because of other rules that would apply to the white men and everybody else, and then he makes the representation, "I have applied to vote, and I have been denied the right to vote."

Suppose the denial is on grounds other than racial grounds exclusively?

Mr. WALSH. In other words, he is qualified to vote, but he is denied the right to vote? What other grounds are there?

Mr. WILLIS. Well, he may not have been of age.