

such an intrusion on historic States rights—

but to make an even greater intrusion, an intrusion beyond the wildest machinations of Thad. Stevens and Wade and Butler, and other noted wavers of the bloody shirt.

Why is such an intrusion—such an unwarranted invasion of the rights of the States—requested at this time by the executive branch, of the legislative branch?

Sixty-six years ago, the Congress solemnly stated that the laws enacted by the States to protect the voter and purify the ballot were working efficiently, satisfactorily, and beneficently.

Georgia was one of the States which enacted such statutes. When did they cease to work efficiently, satisfactorily and beneficently? If and when they ceased to work efficiently, satisfactorily, and beneficently, was any complaint ever made to any court of Georgia complaining of any lack of efficiency, dissatisfaction, malevolence, fraud, or wrongdoing in the administration of Georgia's laws?

Oh—I know that in recent months—the last 4 or 5 years—at the instigation of some one or ones, a few suits have been filed in Federal courts, but has any Negro citizen, alleging that he was wrongfully deprived of his right to register, ever appealed from the decision of the board of registrars of any county in Georgia to the supreme court and thence to the court of appeals or Supreme Court? This is not a rhetorical question. I am asking for information. I know of no such case. If there be one, certainly the efficient legal staff of the Department of Justice or that of the NAACP knows of it.

Let us examine 42 U.S.C. 1971 as amended by the Civil Rights Act of 1957, and see just what the Attorney General is asking the legislative branch of the Government to enact into law in these United States of America—supposed to constitute a constitutional republic.

In making that examination, remember that the portion of the Civil Rights Act of 1957 sought here to be amended was declared unconstitutional by a Federal district judge in Georgia last April (*United States v. Raines*, 172 F. Supp. 552). An appeal by the Government was argued before the Supreme Court of the United States, with the Attorney General appearing in person on behalf of the United States in an unprecedented appearance, for him, on January 12, 1960. As this is written, that case has not been decided. If it is affirmed on the basis of the decision of the trial judge, this proposed legislation automatically would fall with it.

Why is the Congress asked to receive and pass on this legislation while the fate of the basic legislation is at issue before the highest court of the land?

Is there some sort of a contest or game being played in which the rival opponents of the two major political parties are vying to see which can strike the South the sooner and the harder? As I read the bills, I thought of Admiral Farragut entering Mobile Bay, and saying; "Damn the torpedoes; go ahead," for these bills seem to be saying "Damn the Constitution—go ahead."

Under title 42, United States Code, section 1971(c), if it should be held valid, whenever any person, whether or not his acts constitute abridgements or denials by a State, has engaged in or is about to engage in acts or practices which would deprive any other person of any right or privilege secured by title 42, United States Code, section