

Federal voting referees are not even required to take an oath, and, for all the bill requires, they may be just as ignorant as those whom they might permit to register.

Let us assume that a proceeding under subsection (c) were filed in the District Court of the United States for the Middle District of Georgia, Americus Division, against registrars of Terrell County, and that the court makes the findings required by the proposed bill, and appoints Tom, Dick, and Harry as "voting referees."

What are those voting referees authorized by the proposed bill to do?

Their first authorization is—

to receive applications from any person claiming such deprivation as to the right to register or otherwise to qualify to vote at any election * * *

First, I ask, applications for what?

Under that language, if a decree were had as to Terrell County registrars, would the phrase "any person" from whom applications might be received, include a resident of Randolph County, or even Bibb or Fulton or Chatham? Is this language to be used as the basis of creation of a board of voting referees having statewide powers though appointed on the basis of alleged wrong doings by some one in only one county? Don't think these fears are farfetched imaginings. I have observed it solemnly argued by the Department of Justice in a Federal court the word "person" in the statute as it now reads was intended by the Congress to include a sovereign State (*U.S. v. State of Alabama*, 171 F. Supp. 720, 267 F. 2d 808).

I have no reason to believe that the phrase "any person" would be limited so as to mean "any person resident of the county involved in the action," particularly in the light of the fact that the quoted language uses the phrase, "any election." "Any election" means what it says. I do not anticipate any voluntary restriction of its meaning if this legislation should be passed.

These persons so appointed as voting referees would "take evidence." Where? Upon what notice to interested parties? Under oath? Would the witnesses giving evidence be subject to cross-examination? Would anyone have the right to oppose those applications? Or would the proceedings be "ex parte"; "star chamber."

These "voting referees" would report to the court findings as to whether such applicants or any of them (1) are qualified to vote at any election, (2) have been (a) deprived of the opportunity to register to vote or otherwise to qualify to vote at any election, or (b) found by State election officials not qualified to register to vote or to vote at any election.

By the application of what standards will the "voting referees" determine whether the applicants are qualified to vote? Must the applicants have the qualifications requisite for electors of the most numerous branch of the State legislature? What age must they have attained?

This report will be reviewed by the court, and the court shall accept the findings unless clearly erroneous. Does anyone have the right to except to it? The court shall then enter a supplementary decree which shall specify which persons named in the report are qualified and entitled to vote at any election within such period as