

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1965

No. 655

EVELYN BUTTS, APPELLANT,

vs.

ALBERTIS HARRISON, GOVERNOR, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

INDEX

	Original	Print
Record from the United States District Court for the Eastern District of Virginia		
Complaint	3	1
Order granting leave to proceed in forma pauperis	14	9
Designation of a three-judge court	15	9
Answer of defendants, Miss Mary Dudley, City Registrar, Alex H. Bell, City Treasurer and William Prieur, Clerk of Corporation Court of the City of Norfolk	17	10
Pre-trial order, dated June 2, 1964	18	11
Motion of defendant, Albertis Harrison to dismiss	22	14
Plaintiff's interrogatories addressed to defendant Albertis Harrison	26	16
Answer of defendant, Albertis Harrison to the complaint	31	22
Motion of defendant, Albertis Harrison objecting to interrogatories with notice attached	36	24
Defendants' statement of exhibits and witnesses	41	27
Answers to interrogatories filed by defendant, Albertis Harrison	44	28

Record from the United States District Court for the Eastern District of Virginia—Continued		
	Original	Print
Plaintiff's statement of exhibits and witnesses.....	51	32
Plaintiff's request for admission of facts and genuineness of documents	53	34
Answers and objections to the request for admission of facts and genuineness of documents with notice attached	57	38
Defendants' answers to plaintiff's request for admission of facts and genuineness of documents	60	41
Transcript of proceedings had on October 21, 1964 except arguments of counsel.....	64	44
Appearances	66	44
Colloquy between court and counsel.....	69	47
Reporter's certificate	79	52
Clerk's certificate (omitted in printing).....	80	

PLAINTIFF'S EXHIBITS:

No. A—1960 Census of Population, Volume I—Characteristics of the Population, Part 48—Virginia	81	53
Table 16, pp. 48-32 through 48-36	82	55
Table 27, pp. 48-75 through 48-107.....	87	60
Tables 65-67, pp. 48-166 through 48-172....	120	93
Table 86, pp. 48-257 through 48-267.....	127	100
No. B—Typed text of pages 110 and 111 of 1961 United States Commission on Civil Rights Report—VOTING	138	111
No. C—Article, Sudden Drive on "Poverty"—Why? from U.S. News & World Report, January 20, 1964, page 36	139	112
No. D—Article, "The World American Survey, A Fifth of a Nation", page 407, The Economist, February 1, 1964	140	113
Nos. E(1) through E(9)—Tables taken from the Statistical Abstract of the United States, 1963, Published by the Department of Commerce, Bureau of the Census	141	114
E(1)—Table No. 364, page 273 (Veterans Benefits)	141	114
E(2)—Table No. 377, page 285 (Federal Grants)	142	115
E(3)—Table Nos. 388 & 389, pages 292 & 293 (Social Insurance and Welfare Services) (Old Age, Survivors and Disability Insurance)	143	116
E(4)—Table Nos. 403 & 404, pages 301 & 302 (Unemployment Insurance).....	145	118

Record from the United States District Court for the Eastern District of Virginia—Continued

PLAINTIFF'S EXHIBITS—Continued	Original	Print
E(5)—Table No. 407, page 304 (Workmen's Compensation)	147	120
E(6)—Table Nos. 411 & 412, pages 307 & 308 (Public Assistance)	148	121
E(7)—Table No. 421, page 313 (Disabled Persons)	150	123
E(8)—Table No. 491 through 494, pages 370 through 373 (Elections)	151	124
E(9)—Table No. 502, page 379 (Vote for Governor)	155	128
No. F—Report of the Proceedings and Debates of the Constitutional Convention of the State of Virginia, held in the City of Richmond, June 12 to June 26, 1902, the Hermitage Press, Inc., pages 20, 293, 2960-2962, 2967-2969 and 2971-2973	156	129
No. G—Table F-1. United States District Courts. Bankruptcy Cases Commenced and Terminated During the Fiscal Year Ending June 30, 1962, By District	167	140
No. H—Table F-1. United States District Courts. Bankruptcy Cases Commenced and Terminated During the Fiscal Year Ended June 30, 1963, By District	168	141
No. I—Pages 55 through 59 entitled "Chapter 2—The Problem of Poverty in America" of Economic Report of the President Transmitted to the Congress January, 1964 Together With The Annual Report of the Council of Economic Advisers	169	142
Opinion, Per Curiam	174	147
Final Order	177	150
Notice of appeal of Mrs. Evelyn Butts to the Supreme Court of the United States	178	151
Docket entries	181	153
Certification re exhibits	183	154
Clerk's certificate	184	155
Order granting motion for leave to proceed in forma pauperis	185	155
Order noting probable jurisdiction	186	156

[fols. 1-2] [File endorsement omitted]

[fol. 3]

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA, NORFOLK,
VIRGINIA.**

Civil Action No. 4658

MRS. EVELYN BUTTS, Plaintiff,

vs.

ALBERTIS HARRISON, Governor, Capitol Square, Richmond,
Virginia, MISS MARY DUDLEY, City Registrar, City Hall
Annex, Norfolk, Virginia, ALEX H. BELL, City Treasurer,
City Hall, Norfolk, Virginia, WILLIAM PRIEBUR, Clerk,
The Corporation Court, Norfolk, Virginia, Defendants.

COMPLAINT—Filed May 19, 1964

1. The jurisdiction of this Honorable Court is invoked under the following constitutional and statutory provisions:

- A. The First, Thirteenth, Fourteenth and Fifteenth Amendments to the Constitution of the United States of America.
- B. Title 28, United States Code, Sections 1331, 1332, 1343, 2201, 2202, 2281 and 2284.
- C. Title 42, United States Code, Sections 1981, 1982, 1983, 1984.

2. The Plaintiff is a citizen of the United States, the Commonwealth of Virginia, and the City of Norfolk. Further she is a member of the Negro Race as well as a member of the community, who possesses all of the qualifications for voting, including age, intelligence, residence, character, citizenship, etc., but is presently unable to pay the poll tax penalty which is required in order to vote in Virginia.

[fol. 4] 3. Defendant *Albertis Harrison* is the Governor of the Commonwealth of Virginia, its Chief Executive and Administrative Officer whose duty is to administer and re-

quire the administration of the poll tax penalty laws of the Commonwealth of Virginia.

Defendant *Miss Mary Dudley* is the Registrar for the City of Norfolk, Virginia whose duty is to record and maintain racially segregated voting records for use by political officials, and to deny for registration all persons who have not paid the poll tax penalty.

Defendant *Alex H. Bell* is the Treasurer for the City of Norfolk, Virginia, whose duties include collection of the poll tax penalty and the preparation of racially segregated poll tax payment lists, copies of which are provided the Clerk of the Corporation Court of the City of Norfolk, Virginia.

Defendant *William Prieur* is the Clerk of the Corporation Court of the City of Norfolk, whose duties include certifying and preparing copies of the poll tax lists received from Defendant Treasurer Alex H. Bell, for use by election officials to determine what persons are qualified to vote.

4. Plaintiff is an adult Negro citizen of small financial means barely adequate to provide for the necessities of living. There are uncounted and unknown other adult Virginia citizens, Negro and White, who are recipients of welfare, social security, unemployment compensation, small pensions, who can ill afford to pay money for other than food, clothing and shelter. There are also great numbers of citizens who are employed in sub-marginal jobs and who must support families on salaries of less than \$25.00 per [fol. 5] week. In fact, the great majority of the citizens of Virginia receive income barely sufficient to pay for the absolute necessities of life such as food, shelter and medical care, but are otherwise qualified to vote. The imposition of the poll tax prevents many of these people from voting and constitutes an economic hardship on those who do vote.

5. This action is brought pursuant to Rule 23(A) of the Federal Rules of Court Procedure on behalf of all such citizens of Virginia whose numbers make it impracticable to have them joined as Plaintiffs.

For a First Claim

6. Although the named Plaintiff meets all of the other requirements for voting under the laws of Virginia, she

cannot exercise her right to vote because she is unable to pay the poll tax penalty required by the Virginia Constitution and statutes enacted pursuant thereto, the relevant portions of which are as follows:

The Virginia Constitution

1. *Section 18* “Every citizen of the United States, twenty-one years of age, who has been a resident of the State one year, of the County, City or Town six months, and of the precinct in which he offers to vote, has been registered, and has paid his State poll taxes, as hereinafter required, shall be entitled to vote for members of the General Assembly and all officers elective by the people; but removal from one precinct to another, in the same county, city or town shall not deprive any person of his right to vote in the precinct from which he has moved until the expiration of thirty days after such removal.

The right of citizens to vote shall not be denied or abridged on account of sex.”

[fol. 6] 2. *Section 20* “Every citizen of the United States, having the qualifications of age and residence required in section eighteen, shall be entitled to register, provided.

First. That he has personally paid to the proper officer all State poll taxes legally assessed or assessable against him for the three years next preceding that in which he offers to register; or, if he come of age at such time that no poll tax shall have been assessable against him for the year preceding the year in which he offers to register, has paid one dollar and fifty cents, in satisfaction of the first year’s poll tax assessable against him; and

Second. That unless physically unable, he make application to register in his own handwriting, without aid, suggestion or memorandum, in the presence of the Registration Offices, stating therein his name, age, date and place of birth, residence and occupation at the time and for the one year next preceding, and whether he has previously voted, and if so, the State, County and Precinct in which he voted last; and

Third. That he answer on oath any and all questions affecting his qualifications as an elector, submitted to him by the Registration Officer, which questions and his answers

thereto shall be reduced to writing, certified by the said officer, and preserved as a part of his official records.

3. *Section 21* “A person registered under the general registration of voters during the years nineteen hundred and two and nineteen hundred and three, or under the last section, shall have the right to vote for all officers elected by the people, subject to the following conditions :

[fol. 7] That unless exempted by section twenty-two, he shall as a prerequisite to the right to vote, personally pay, at least six months prior to the election, all State poll taxes assessed or assessable against him, under this Constitution, during the three years next preceding that in which he offers to vote.

If he shall have registered after the first day of January, nineteen hundred and four, he shall, unless physically unable, prepare and deposit his ballot without aid, on such printed form as the law may prescribe; but any voter registered prior to the date may be aided in the preparation of his ballot by such officer of election as he himself may designate.”

4. *Section 38.* “The Treasurer of each county and city shall, at least five months before each regular election, file with the clerk of the Circuit Court of his county, or of the corporation court of his city, a list of all persons in his county or city who have paid not later than six months prior to such election, the State poll taxes required by this Constitution during the three years next preceding that in which such election is held; which lists shall be arranged alphabetically, by magisterial districts in the counties, and in such manner as the General Assembly may direct in the cities shall state the white and colored persons separately, and shall be certified by the oath of the treasurer. The Clerk, within ten days from the receipt of the list shall make and certify a sufficient number of copies thereof, and shall deliver one copy for each voting place in his county or city, to the sheriff of the county or sergeant of the city, whose duty it shall be to post one copy, without delay, at each of the voting places, and within ten days from the [fol. 8] receipt thereof, to make return on oath to the clerk, as to the places where and dated at which said copies were respectively posted, which return the clerk shall

record in a book kept in his office for the purpose; and he shall keep in his office, for public inspection, for at least sixty days after receiving the list, not less than ten certified copies thereof, and also cause the list to be published in such other manner as may be prescribed by law. The original list returned by the treasurer shall be filed and preserved by the clerk among the public records of his office for at least five years after receiving the same.

Within thirty days after the list has been posted, any person who shall have paid his capitation tax, but whose name is omitted from the certified list, may after five days written notice to the treasurer, apply to the circuit court of his county, or corporation court of his city, or to the judge thereof in vacation, to have the same corrected and his name entered thereon, which application the court or judge shall promptly hear and decide.

The clerk shall deliver, or cause to be delivered, with the poll tax books, at a reasonable time before every election, to one of the judges of election of each precinct of his county or city, a like certified copy of the list, which shall be conclusive evidence of the facts therein stated for the purpose of voting. The clerk shall also, within sixty days after the filing of the list by the treasurer, forward a certified copy thereof, with such corrections as may have been made by order of the court or judge, to the officer designated by law, who shall exchange the amount of the poll taxes stated therein to such treasurer unless previously accounted for.

[fol. 9] Further evidence of the prepayment of the capitation taxes required by this Constitution, as a prerequisite to the right to register and vote, may be prescribed by law.”

The Code of Virginia

1. *Section 24-17.* “Every citizen of the United States twenty-one years of age, who has been a resident of the State one year, of the county, city or town six months, and of the precinct in which he offers to vote thirty days next preceding the election, in which he offers to vote, has been duly registered, and has paid his poll taxes, as required by law, and is otherwise qualified, under the constitution and laws of this State, shall be entitled to vote for members of the General Assembly and all officers elective by the people.

Removal from one precinct to another in the same county, city or town, shall not deprive any person of his right to vote in the precinct from which he has moved, until the expiration of thirty days from such removal.”

2. *Section 24-22.* “The qualification of voters at any special election shall be such as are hereinbefore prescribed for voters at general elections, but at any such special election, held before the second Tuesday in June of any year, any person shall be qualified to vote who was so qualified at the last preceding regular November election, or who is otherwise qualified to vote, and has personally paid, at least six months prior to the second Tuesday in June of that year, all State poll taxes assessed or assessable against him during the three years next preceding that in which such special election is held, and at any such special election, held on or after the second Tuesday in June in any year, any person shall be qualified to vote who is or was qualified [fol. 10] to vote at the regular election held on the Tuesday after the first Monday in November of that year. The “special election” as used in this section shall be deemed to include such elections as are held in pursuance of any special law, and also such as held to fill a vacancy in any office, whether the same be filled by the qualified voters of the State, or any county, city, magisterial district or ward.”

3. *Section 24-67.* Each registrar shall register every citizen of the United States, of his election district, who shall apply to be registered at the time and in the manner required by law, who shall be twenty-one years of age at the next election, who has been a resident of the state one year, of the county, city or town six months, and of the precinct in which he offers to register thirty days next preceding the election, who, at least six months prior to the election, has paid to the proper officer all State poll taxes assessed or assessable against him for three years next preceding such election, or if he come of age at such time that no poll taxes shall be assessable against him for the year preceding the year in which he offers to register, has paid one dollar and fifty cents in satisfaction of the first years poll tax assessable against him.”

7. Defendants and their agents have and will strickly enforce payment of the poll tax as a prerequisite to voting.

8. The subject laws recognize that payment of a poll tax

penalty works a hardship on those citizens without financial means by exempting widows of Confederate Soldiers (Section 22 of the Virginia Constitution), and by providing that the poll tax penalty shall not constitute a lien and cannot be collected save when a citizen wishes to vote (Section 173, the Constitution of Virginia).

[fol. 11] 9. A prime purpose and design of the Virginia laws requiring the payment of a poll tax penalty to vote, is to invalidate the protections of citizenship provided under the United States Constitution, especially the Fourteenth Amendment thereof.

10. The laws requiring the payment of the poll tax penalty to vote deny your Plaintiff the right of petition, redress and freedom of speech under the First Amendment to the United States Constitution.

11. The laws requiring the payment of the poll tax penalty to vote deny to Plaintiff the equal protection of the laws, and deprive her of liberty and property without due process of law under the Fourteenth Amendment to the United States Constitution in that those citizens of financial means are afforded a right which is denied to the Plaintiff solely because she is without financial means.

12. The effect of poll tax is to prevent a substantial number of otherwise eligible citizens of the Commonwealth of Virginia from voting in elections of the Commonwealth and the political subdivisions thereof, and to inhibit in a substantial way the participation in elections of many of the citizens who possess all the other qualifications but, because of their economic class, are prevented from fulfilling their duty as citizens to exercise their right to vote and to participate in the political life of the Commonwealth.

For a Second Claim

13. The laws attacked in this action have clearly indicated that racial discrimination is one prime purpose of the poll tax laws by insisting that the poll tax payment list be segregated by race (The Constitution of Virginia, Section 38), and by providing punishment and fines for those officials who do not racially segregate the poll tax payments (Section 24-126; Code of Virginia, 1950 Amended).

[fol. 12] 14. The laws requiring the payment of the poll tax penalty to vote violate the Thirteenth Amendment to the

United States Constitution in that it burdens your Plaintiff with one of the badges of slavery, arbitrary denial of the right to participate in government.

15. These laws are further discriminatory within the prohibition of the Fourteenth Amendment because they provide that the revenue derived the poll tax shall be used for the public schools of Virginia, which are required by the Virginia Constitution to be segregated, this being a clearly illegal and unconstitutional purpose.

16. The said laws also violate the Fifteenth Amendment, which guarantees to citizens freedom from denial or abridgment to the right to vote on account of race, color or previous condition of servitude.

17. A. Unless this Honorable Court act at once, your Plaintiff and the thousands of her class will be denied their right to participate in every special election, and the election for councilman to be held in the City of Norfolk, Virginia in June of 1964.

B. The Plaintiff and her class are without any remedy or relief at law, and they are suffering and will continue to suffer irreparable and immediate injury of the first magnitude.

Wherefore, your Plaintiff prays that this Honorable Court will:

1. Immediately convene a Three-Judge District Court.
2. Issue a declaratory judgment finding the subject laws to be null and void.
3. Issue—after hearing of this action—a permanent injunction against enforcement of the subject laws, and
4. Issue such other and further orders as to this Honorable Court shall seem just and meet.

Mrs. Evelyn Butts, By J. A. Jordan, Jr., Counsel.

[fol.13] *Duly sworn to by Mrs. Evelyn Butts, jurat omitted in printing.*

[fol. 14] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT, EASTERN
DISTRICT OF VIRGINIA, NORFOLK DIVISION

Civil Action No. 3346

[Title omitted]

ORDER GRANTING LEAVE TO PROCEED IN FORMA PAUPERIS—
May 19, 1964

Upon the motion of the plaintiff for leave to file this action without the payment of fees and costs, or the giving of security as may be otherwise required.

It is Ordered that the motion be granted, and the Clerk of this Court is directed to receive and file the petition in this action without the payment of fees and costs; and further, to proceed with service upon the named defendants.

John D. Butzner, Jr., District Judge, May 19, 1964.

[fol. 15] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, NORFOLK DIVISION

Civil Action No. 3346

[Title omitted]

DESIGNATION OF A THREE-JUDGE COURT—May 25, 1964

It appearing to the undersigned Chief Judge of the Fourth Judicial Circuit of the United States that a civil action as above entitled has been instituted in the United States District Court for the Eastern District of Virginia by the plaintiff seeking a declaration that the constitutional and statutory provisions of the Commonwealth of Virginia requiring the payment of a poll tax as a qualification for the right to vote be declared in violation of the Constitu-

tion of the United States and void, and that the defendants be enjoined from denying the plaintiff the right to vote solely by reason of her failure to pay a poll tax;

and the Honorable John D. Butzner, Jr., United States District Judge for the Eastern District of Virginia, to whom application for said relief was made, having notified the undersigned of the pendency of said action, to the end that a court of three judges may be constituted, pursuant to sections 2281 and 2284 of Title 28, United States Code;

Now, therefore, I do hereby designate the Honorable Albert V. Bryan, United States Circuit Judge, Fourth Judicial Circuit, and the Honorable Oren R. Lewis, United States [fol. 16] District Judge for the Eastern District of Virginia, to serve with the Honorable John D. Butzner, Jr., as a District Court of three judges as provided by section 2284 of Title 28, United States Code, in the hearing and determination of this action.

This 25th day of May, 1964.

Simon E. Sobeloff, Chief Judge, Fourth Circuit.

[fol. 17] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, NORFOLK DIVISION

Civil Action No. 3346

[Title omitted]

ANSWER OF MISS MARY DUDLEY, CITY TREASURER, ALEX H. BELL, CITY TREASURER, and WILLIAM PRIEUR, CLERK OF CORPORATION COURT OF THE CITY OF NORFOLK—filed May 28, 1964.

These defendants for their answer to the Complaint filed against them answer and say:

1. That said complaint fails to state a claim against them upon which relief can be granted.
2. That their respective duties are prescribed by the Con-

stitution and Laws of the State of Virginia, which are valid and which they comply with in the performance of their duties.

3. That they are advised that pleadings will be filed in opposition to said complaint on behalf of the other defendant by the Attorney General of Virginia, and that they hereby adopt the same as a part of this answer in so far as the same may be material to the duties of their offices.

4. Wherefore they pray that this complaint may be dismissed as to them.

Alfred W. Whitehurst, Commonwealth's Attorney
for the City of Norfolk, Virginia.

CERTIFICATE OF SERVICE (omitted in printing.)

[fol. 18] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

Civil Action No. 3253, Alexandria Division

ANNIE E. HARPER, et al, Plaintiffs,

v.

VIRGINIA STATE BOARD OF ELECTIONS, et al, Defendants

Civil Action No. 4658, Norfolk Division

MRS. EVELYN BUTTS, Plaintiff,

v.

ALBERTIS HARRISON, Governor, et al, Defendants

PRE-TRIAL ORDER—June 2, 1964

It appearing to the Court that common questions of law and fact are pending in these actions and that the convenience of the parties and the Court dictates that they should be the subject of a joint hearing and trial; it is

Ordered that these actions, to the extent that common questions of law and fact may exist, are consolidated.

[fol. 19] The Clerk is directed to transfer the file in *Butts v. Harrison, et al*, Norfolk Civil Action No. 4658, to the Alexandria Division of this Court and all pleadings, motions, requests for subpoenas, etc., shall hereafter be filed in the Alexandria Division.

With respect to *Butts v. Harrison, et al*, Norfolk Civil Action No. 4658:

(a) The defendants are directed to file their respective answers if not already filed, together with such additional pleadings as they deem proper, on or before June 22, 1964.

(b) The taking of pre-trial depositions, the filing of interrogatories, requests for admissions and other pre-trial procedures should be concluded on or before July 20, 1964. No additional motions, other pleadings or further pre-trial procedures may be filed or indulged in after July 20, 1964 except by leave of Court for good cause shown.

(c) All proposed exhibits and names and addresses of all witnesses who may be called to testify shall be filed with the Clerk of this Court in Alexandria on or before August 1, 1964. If the exhibits are voluminous they shall be marked by the Clerk at least two days prior to the date [fol. 20] of trial. Formal proof of exhibits will be deemed waived unless objected to in writing seven days prior to the date of trial. Copies of all exhibits, lists of witnesses and briefs should be mailed to all parties of record and the members of the three-judge court at their respective addresses.

(d) Hearing on all motions unless otherwise ordered by the Court will be deferred until the date of the hearing on the merits.

(e) Plaintiffs' briefs should be filed on or before August 7, 1964. Defendants' briefs should be filed on or before September 1, 1964. Plaintiffs' reply briefs, if any, should be filed on or before September 10, 1964.

The plaintiffs and the defendants in these consolidated actions may submit their respective briefs jointly if they be so advised.

These actions will be heard upon the merits and upon all motions in the United States District Court, Post Of-

rice Building, Alexandria, Virginia, at a date to be determined by the Court.

Let the Clerk at Norfolk forward copies of this order to all counsel of record in Norfolk Civil Action No. 4658, [fol. 21] and the Clerk at Alexandria forward copies of this order to all counsel of record in Alexandria Civil Action No. 3253.

John D. Butzner, Jr., United States District Judge.

June 2, 1964

[fol. 22] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, NORFOLK DIVISION

Civil Action No. 3346

[Title omitted]

MOTION OF DEFENDANT ALBERTIS HARRISON TO DISMISS--Filed
June 8, 1964

Now comes the defendant, Albertis Harrison, aka Albertis S. Harrison, Jr., Governor of the Commonwealth of Virginia, by counsel, and moves the Court to dismiss this action for the following reasons :

1. The plaintiff lacks the capacity and standing to bring this suit;
2. The Court lacks jurisdiction over the persons and over the subject matter;
3. The complaint fails to state a claim upon which relief can be granted.

This Motion is based upon the pleadings and upon the exhibits to be filed in this action and upon the authorities attached hereto.

Albertis Harrison, Aka Albertis S. Harrison, Jr.,
Governor of the Commonwealth of Virginia, By :
Richard N. Harris, Of Counsel.

[fol. 23] Robert Y. Button, Attorney General of Virginia,
Supreme Court—State Library Building, Richmond, Virginia 23219, Richard N. Harris, Assistant Attorney General,
Drawer 1395, Richmond, Virginia 23211.

CERTIFICATE OF SERVICE, (omitted in printing.)

[fol. 24] *Authorities Relied upon in Support of this Motion:*

CONSTITUTIONAL PROVISIONS:

Constitution of Virginia, Sections 23, 173

STATUTORY PROVISIONS:

Title 24, Code of Virginia, 1950, as amended

FEDERAL RULES OF CIVIL PROCEDURE:

Rule 12

CASES:

Opinion of the Justices to the Senate, 28 Mass. 538, 11 Pick. 538 (1832)

Opinion of the Justices to the House, 7 Me. 497 (1831)

Alleghany County v. City of Pittsburgh, 281 Pa. 300, 127 A. 724 (1924)

Estate of Hoffen, 70 Wis. 522, 36 N.W. 407 (1888)

Lee County v. Lackie, 30 Ark. 764 (1875)

Hutchings v. Thompson, 10 Cush. 238 (Mass. 1852)

Breedlove v. Suttles, 302 U.S. 277, 58 S.Ct. 205, 82 L.Ed. 252 (1937)

Butler v. Thompson, 97 F. Supp. 17 (E.D. Va. 1951), *aff'm'd per curiam* 341 U.S. 937, 71 S.Ct. 1002, 95 L.Ed. 919

Saunders v. Wilkins, 152 F. 2d 235 (4th Cir. 1945), *cert. den.* 328 U.S. 870, 66 S.Ct. 1362, 90 L.Ed. 1640

Pirtle v. Brown, 118 F. 2d 218 (6th Cir. 1941), *cert. den.* 314 U.S. 621, 62 S.Ct. 64, 86 L.Ed. 499

[fol. 25] *Wheeler v. State*, 219 Miss. 129, 63 So. 2d 517 (1953) *app. disp'd. and cert. den.* 346 U.S. 852, 74 S.Ct. 67, 98

L.Ed. 367, *reh. den.* 346 U.S. 905, 74 S.Ct. 216, 98 L.Ed. 404.

Thomas v. Chamberlain, 143 F. Supp. 671 (E. D. Tenn. 1955), *aff'm'd. per curiam* 236 F. 2d 417.

Hewitt v. City of Jacksonville, 188 F. 2d 423 (5th Cir. 1951) *cert. den.* 342 U.S. 835, 72 S.Ct. 58, 96 L.Ed. 631

Forssenius v. Harman, et al and *Henderson v. Harman*, et al Civil Actions Nos. 3897 and 3898, U.S.D.C. ED Va., Richmond, Opinion of May 29, 1964.

[fol. 26] IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA, NORFOLK, VIRGINIA

[Title omitted]

PLAINTIFF'S INTERROGATORIES ADDRESSED TO DEFENDANT
ALBERTIS HARRISON—Filed June 19, 1964

To the Above Named Defendant Albertis Harrison, Govern-
nor of the Commonwealth of Virginia:

The Plaintiff requests that the following interrogatories be answered under oath by you or any of your subordinates competent to testify on your behalf who know the facts about which inquiry is made, or who have under their control the records containing such facts, and that the answers be served on Plaintiff within 15 days from the time these interrogatories are served on you.

Interrogatory No. 1. State number of Negro citizens and white citizens over the age of twenty-one in the Commonwealth of Virginia, county by county and city by city for the years 1959 through 1963.

- (a) If such records are not kept yearly, state the requested figures for each and every time such records were compiled during the years referred to.
- (b) State the sources from which you obtained such figures.

[fol. 27] *Interrogatory No. 2.* State for the years 1940 through 1963 the number of white registered voters and the number of Negro registered voters in each of the counties and cities referred to in your Answers to Interrogatory No. 1.

- (a) If such records are not kept yearly, then state the requested figures for the periods during which such records were kept during the years referred to.
- (b) State also the number of white citizens and the number of Negro citizens who actually paid their poll tax during said years or other periods.

- (c) State the number of white citizens and the number of Negro citizens who actually voted during said years or other periods.

Interrogatory No. 3. Were separate lists of registered voters qualified to vote segregated by race and denominated “white” and “colored” filed by the treasurers of the various political subdivisions of the Commonwealth of Virginia and furnished its electoral officials?

- (a) Of what use and of what importance are such separate lists?

Interrogatory No. 4. Is a capitation tax in the amount of \$1.50 per annum assessed against every resident not less than 21 years of age, as provided in Section 173 of the Constitution of the Commonwealth of Virginia?

- (a) Year by year since 1954, how much has been collected?
- (b) In each year, what percentage has this amount been of the total revenue of the Commonwealth of Virginia?
- (c) In each year, what percentage has the amount of the poll tax which has gone into the school fund been of the total school budget of the Commonwealth of Virginia?

Interrogatory No. 5. Pursuant to Sections 135 and 173 of the Constitution of the Commonwealth of Virginia, is that portion of the capitation tax paid into the State Treasury and not returnable to Counties and Cities applied exclusively in aid of public free schools?

Interrogatory No. 6. In the years of 1959, 1960, 1961, 1962 and 1963 how many were exempted from the payment of the capitation tax?

- (a) How many are pensioned for military service?
- (b) Were there any other groups or classes which were exempted from the capitation tax during these years?
- (c) If the answer to subdivision (b) is “Yes”, name these groups or classes.

- (d) How many persons were in each named group or class?

[fol. 28] *Interrogatory No. 7.* In keeping with the Constitution of the Commonwealth of Virginia Article IX Section 140, is it still the State policy of said Commonwealth to oppose the education of white and colored children in the same school?

- (a) Does the State Treasurer of the Commonwealth of Virginia transmit a portion of the capitation tax to a local school district or other governmental subdivision which maintains a racially segregated school?
- (b) Name any such other governmental subdivision.

Interrogatory No. 8. State from the records kept since 1954 relating to state assistance to the needy, whether through old age assistance programs or welfare programs, year by year, county by county and city by city, the number of white persons and colored persons over the age of 21 who have received such aid.

- (a) Were any of the above persons disqualified from voting because they were paupers?
- (b) If the answer to (a) is "Yes", state how many.
- (c) Were any of the above persons disqualified from voting because they were unable to pay the capitation tax?
- (d) If the answer to (c) is "Yes", state how many.
- (e) Have the public assistance programs as described above ever included in the recipient's budget a sum of money for the purpose of paying the capitation tax?

Interrogatory No. 9. State for each of the years 1950 through 1963 the total number of persons who received unemployment compensation.

- (a) State the number of them who were white.
- (b) State the number who were colored.
- (c) State the various amounts of weekly benefits paid.
- (d) State the number of persons who received such amounts.

Interrogatory No. 10. State for each of the years 1959 through 1963, the total number of individual bankruptcies filed in the Federal Courts in Virginia, if you have such information within your control.

Interrogatory No. 11. State for each of the years 1959 through 1963 the total number of persons who received social security benefits, if you have such information within your control.

- (a) State the number of white people receiving such benefits in each of said years.
- (b) State the number of colored people receiving such benefits in each of said years.

[fol. 29] *Interrogatory No. 12.* State for the years 1860 and 1865 the number of slaves in the Commonwealth of Virginia.

- (a) Give the number of white slaves in each of said years.
- (b) Give the number of colored slaves in each of said years.
- (c) Give the number of colored freedmen in each of said years.

Interrogatory No. 13. For any purpose, does the Commonwealth of Virginia compile its own cost of living index or adopt the figures of any federal agency?

- (a) If the answer is "Yes", state the name and address of the publishers of such information.
- (b) What figures did the office of the Governor and other state agencies use as the family income figure for a subsistence living in the years 1959 through 1963?

Interrogatory No. 14. State the compiled statistics for each of the years from 1959 through 1963 showing the total number of persons in the Commonwealth of Virginia who received Federal Veteran benefits, if such information is available.

- (a) State the total number of white recipients.
- (b) State the total number of colored recipients.

- (c) If you do not have such information within your control, state where it can be obtained.

Interrogatory No. 15. Has the Federal Internal Revenue Service ever furnished any department of the Commonwealth of Virginia a statistical survey showing the income of residents of the Commonwealth?

- (a) If so, please attach a copy.

Interrogatory No. 16. For each of the years 1959 through 1963 state the total number of persons in the labor force of the Commonwealth of Virginia.

- (a) State the number of unemployed colored persons for each of such years.
 (b) State the number of unemployed white persons for each of such years.
 (c) State the number of white persons employed by the State, County and Municipal governments for each of said years.
 (d) State the number of colored persons employed by the State, County and Municipal governments for each of said years.

[fol. 30] *Interrogatory No. 17.* State the total number of persons enrolled in all educational institutions above high school level in the Commonwealth of Virginia.

- (a) State the number of white persons so enrolled.
 (b) State the number of colored persons so enrolled.
 (c) State the same statistics for State supported or aided institutions.
 (d) State the number of white persons in each of the professional schools or colleges of the Commonwealth of Virginia.
 (e) State the number of colored persons in each of the professional schools or colleges of the Commonwealth.

Interrogatory No. 18. The Federal Census of 1960 shows the number of Virginia residents in various income brackets. Does any State agency have similar figures on a County and City basis?

- (a) If so, please furnish such information for the year 1959.
- (b) State the source of such figures.

Interrogatory No. 19. Does the Commonwealth of Virginia compile statistics similar to those contained in the Federal Census figures?

- (a) Does it utilize the published results of the Federal Census?
- (b) Does it accept them as being the most accurate figures available?

Interrogatory No. 20. In the case of any of the above interrogatories, if you were unable to answer the question because you do not have the information requested please state where such information is available.

- (a) Please state the source for all information which you supply, even though not specifically requested in the particular interrogatory involved.

Respectfully submitted, /s/ J. A. Jordan, Jr.,
Counsel for Plaintiff, 1228 Virginia Beach Boulevard, Norfolk, Virginia.

Dated: June 18, 1964.

CERTIFICATE OF SERVICE, (omitted in printing.)

[fol. 31] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, AT ALEXANDRIA

[Title omitted]

ANSWER OF THE DEFENDANT, ALBERTIS HARRISON, GOVERNOR—
Filed June 22, 1964.

First Defense

The complaint fails to state a claim against defendants upon which relief can be granted.

Second Defense

The plaintiff has no right to bring this suit *in forma pauperis*.

Third Defense

In the alternative, this defendant alleges and avers that the plaintiff lacks the capacity and standing to bring this suit.

Fourth Defense

This Court lacks jurisdiction over the persons and over the subject matter of this action.

[fol. 32] Fifth Defense

1. This defendant denies that this Court has jurisdiction under any of the amendments, titles or code sections cited in paragraph 1 of the complaint.

2. This defendant is without information sufficient to form a belief as to the truth or falsity of the averments of paragraph 2 of the complaint.

3. With reference to the averments in paragraph 3 of the complaint, said defendant

(a) admits that Albertis Harrison is the Governor of the Commonwealth of Virginia, its Chief Executive and Administrative Officer, whose duty it is to administer and require the administration of the laws of the

Commonwealth, but denies the remaining averments concerning Albertis Harrison;

(b) admits that Miss Mary Dudley is the Registrar for the City of Norfolk, Virginia, whose duty it is to record and maintain certain records, but denies the remaining averments concerning Miss Mary Dudley;

(c) admits that Alex H. Bell is the Treasurer for the City of Norfolk, Virginia, whose duties include the collection of certain taxes, the preparation of certain tax payment lists and the providing of the same lists to the Clerk of the Corporation Court, but denies the remaining averments concerning Alex H. Bell;

[fol. 33] (d) admits that William Prieur is the Clerk of the Corporation Court of the City of Norfolk, Virginia, whose duties include making and certifying copies of certain lists received from the Treasurer for use by certain election officials, but denies the remaining averments concerning William Prieur.

4. This defendant is without information sufficient to form a belief as to the truth or falsity of the averments of paragraph 4 of the complaint.

5. This defendant denies that the plaintiff is entitled to bring this action under Rule 23 (a) of the Federal Rules of Civil Procedure, as averred in paragraph 5 of the complaint. Further, this defendant alleges that the remainder of paragraph 5 does not require an answer.

6. This defendant is without information sufficient to form a belief as to the truth or falsity of the averments, down to the colon, in the first paragraph of paragraph 6 of the complaint. With reference to the remainder of paragraph 6, this defendant admits that the plaintiff attempts to set forth therein various provisions of the Constitution and Code of Virginia, but denies that the purported quotations of the designated portions thereof are completely accurate. Further, this defendant avers that Sections 18, 20, 21, and 38 of the Constitution of Virginia and Sections 24-17, 24-22, and 24-67 of the Code of Virginia speak for themselves and, therefore, the remaining averments, if any, of paragraph 6 do not require an answer.

[fol. 34] 7. With reference to the averments of paragraph 7 of the complaint, this defendant admits that as Governor

it is his duty and responsibility to enforce the laws of the Commonwealth, but states that he is without information sufficient to form a belief as to the truth or falsity of the remaining averments in said paragraph.

8. This defendant denies the averments of paragraphs 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 A, and 17 B of the complaint.

Wherefore, said defendant demands that this Court refuse to grant any of the prayers of the plaintiff and further demands that this action against the named defendants be dismissed with costs and counsel fees herein incurred paid by the plaintiff.

Albertis Harrison, aka Albertis S. Harrison, Jr.,
Governor of the Commonwealth of Virginia, By:
/s/ Richard N. Harris, Of counsel.

Robert Y. Button, Attorney General of Virginia, Supreme Court—State Library Building, Richmond, Virginia 23219,
Richard N. Harris, Assistant Attorney General, Drawer 1395, Richmond, Virginia 23211.

[fol. 35] CERTIFICATE OF SERVICE, (omitted in printing.)

[fol. 36] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, AT ALEXANDRIA

[Title omitted]

MOTION OF DEFENDANT ALBERTIS HARRISON OBJECTING TO
INTERROGATORIES—Filed June 26, 1964.

Now comes the defendant, Albertis Harrison, Governor, Commonwealth of Virginia, by counsel, in the above styled cause and makes the following objections to the written interrogatories served herein by the plaintiff:

1. All the interrogatories propounded are objected to on the ground that obtaining the answers thereto will require an excessive and oppressive amount of investigation, compilation, collation and analysis of great masses of material, all of which will be expensive and excessively time consuming for this defendant; that the information sought is all a matter of public record to which records the plaintiff has access and the burden and effort of gathering it should fall on the plaintiff, not on the defendants; that, in blunt terms, the de-[fol. 37] fendants are being asked to prepare the plaintiff's case for her and provide her with a convenient means of introducing her evidence and this they cannot be compelled to do, and that for these reasons these interrogatories are a calculated annoyance and oppression of the defendants.

2. All the interrogatories propounded except Nos. 4 and 5 are objected to on the ground that they are not relevant or material to the subject matter of this action. Oral argument on this motion is requested.

Wherefore, this defendant moves this Court for an order striking out said interrogatories and excusing him from answering them.

Albertis Harrison, aka Albertis S. Harrison, Jr.,
Governor of the Commonwealth of Virginia, By
/s/ Richard N. Harris, Of Counsel.

Dated: 25 June, 1964.

Robert Y. Button, Attorney General of Virginia, Supreme Court Building, Richmond, Virginia 23219, Richard N. Harris, Assistant Attorney General, Drawer 1395, Richmond, Virginia 23211, Of Counsel.

[fol. 38] CERTIFICATE OF SERVICE, (omitted in printing.)

[fol. 39] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, AT ALEXANDRIA

[Title omitted]

NOTICE OF MOTION

To: Joseph A. Jordan, Jr., Esquire, Attorney at Law, 1228
Virginia Beach Boulevard, Norfolk 4, Virginia. Len
W. Holt, Esquire, 250 Nicholson, N.E., Washington 11,
D. C. Max Dean, Esquire, Robert L. Segar, Esquire,
804 Detroit Street, Flint, Michigan.

Please take notice that at the earliest practicable time set
by the Court at which counsel may be heard, the under-
signed will move this Court at the United States Post Office
Building, Alexandria, Virginia, to hear the attached objec-
tions to the interrogatories served on him by you.

/s/ Richard N. Harris, Assistant Attorney General
Of Counsel for the Defendant, Albertis Harrison,
Governor.

Dated: 25 June, 1964.

[fol. 40] Robert Y. Button, Attorney General of Virginia,
Supreme Court Building, Richmond, Virginia 23219, Rich-
ard N. Harris, Assistant Attorney General, Drawer 1395,
Richmond, Virginia 23211.

CERTIFICATE OF SERVICE, (omitted in printing.)

[fol. 41] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

Civil Action No. 3253, Alexandria Division

ANNIE E. HARPER, et al, Plaintiffs,

v.

VIRGINIA STATE BOARD OF ELECTIONS, et al, Defendants

Civil Action No. 3346, Norfolk Division

MRS. EVELYN BUTTS, Plaintiff,

v.

ALBERTIS HARRISON, Governor, et al, Defendants

DEFENDANTS' STATEMENT OF EXHIBITS AND WITNESSES—Filed
June 29, 1964.

The defendants in the above styled actions come by counsel and state that they intend to introduce the following exhibits:

1. 1961 Report of the United States Commission on Civil Rights, Vol. 1, Voting; see p. 22. Oct. 21, 1946, admitted.
2. Copy of p. 118 of the 1959 Report of the United States Commission on Civil Rights. Oct. 21, 1964, admitted.
3. Report of the Comptroller to the Governor of Virginia for fiscal year ended June 30, 1963. See pp. 17 and 233. Oct. 21, 1964, admitted.

[fols. 42-43] These defendants expect to call no witnesses on their behalf.

Virginia State Board of Elections, et al and Albertis Harrison, Governor, et al, By /s/ Richard N. Harris, Of Counsel.

Dated: 26 June, 1964.

Robert Y. Button, Attorney General of Virginia, Supreme Court Building, Richmond, Virginia 23219, Richard N. Harris, Assistant Attorney General, Drawer 1395, Richmond, Virginia 23211.

CERTIFICATE OF SERVICE, (omitted in printing.)

[fol. 44] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

[Title omitted]

ANSWERS TO INTERROGATORIES BY ALBERTIS HARRISON—
Filed July 23, 1964.

To: Joseph A. Jordan, Jr., Esquire, 1228 Virginia Beach
Boulevard, Norfolk 4, Virginia.

Len W. Holt, Esquire, 250 Nicholson, N. E., Washing-
ton 11, D. C.

Max Dean, Esquire, Robert L. Segar, Esquire, 804
Detroit Street, Flint, Michigan.

The following are the answers of the defendant, Govern-
or, to those interrogatories directed to the defendant by
the plaintiff pursuant to Rule 33, which the defendant was
required to answer by order of this Court of July 9, 1964.

Answer to Interrogatory No. 1: The specific information
requested is not available, not having been compiled.

(a) See answer above.

Answer to Interrogatory No. 2: Attached are the follow-
ing:

[fol. 45] Exhibit 1—Estimated number of Registered
Voters in Virginia as of April, 1964.

Exhibit 2—Estimated number of Registered Voters in
Virginia as of April, 1963

Exhibit 3—Estimated number of Registered Voters in Virginia as of April, 1962.

- (a) See answer above.
- (b) The information requested is not available, not having been compiled.
- (c) The information requested is not available, not having been compiled.

Answer to Interrogatory No. 4:

- (a) For fiscal year ended June 30, 1963: \$1,837,646.47.
For fiscal year ended June 30, 1962: \$1,709,612.01.
For fiscal year ended June 30, 1961: \$1,697,721.82.
- (b) For fiscal year ended June 30, 1963: 25%.
For fiscal year ended June 30, 1962: 26%.
For fiscal year ended June 30, 1961: 28%.
- (c) The information requested is not available, not having been compiled.

Answer to Interrogatory No. 6: The information requested is not available, not having been compiled.

- (a) Same as answer above.
- (b) Same as answer above.
- (c) Same as answer above.
- (d) Same as answer above.

[fol. 46] *Answer to Interrogatory No. 8:* The information requested is not available, not having been compiled.

- (a) Same as answer above.
- (b) Same as answer above.
- (c) Same as answer above.
- (d) Recipients are granted specific sums of money, but no designation is made as to the use to which specific portions thereof are to be put.

Answer to Interrogatory No. 9:

1963—56,036
1962—60,485
1961—83,901

- (a) The information requested is not available.
- (b) The information requested is not available.

- (c) and (d) 1963—See Exhibit 4, attached.
 1962—See Exhibit 5, attached.
 1961—See Exhibit 6, attached.

Answer to Interrogatory No. 13: When needed, the figures of the Federal government are used. The Commonwealth does not compile such information. The figures used when needed are the cost of living indices for the entire United States. They are national averages.

- (a) Bureau of Labor Statistics, Department of Labor, Washington, D. C.
 (b) No such figures as described are used by the office of the Governor or agencies of the Commonwealth.

[fol. 47] *Answer to Interrogatory No. 16:*

1963—1,513,700
 1962—1,482,350
 1961—1,457,150

- (a) The information requested is not available.
 (b) The information requested is not available.
 (c) The information requested is not available.
 (d) The information requested is not available.

Answer to Interrogatory No. 17: The information requested is not available, not having been compiled. However, listed below are those figures which are compiled by the Commonwealth. This by no means includes the “total number of persons enrolled in all educational institutions above high school level in the Commonwealth.” No figures are available on private institutions not of the college or university type, such as vocational, business, cosmetology, mechanical, barbering, etc. Also these figures do *not* include many adult night enrollments in both public and private institutions, or other adult education programs operated by various educational institutions.

State colleges and universities—estimate as of Fall 1963—41,108.

Private colleges and universities—estimate as of Fall 1963—18,000.

Area Vocational Technical Schools (State)—estimate as of June 1, 1964—2,180.

- [fol. 48] (a) The information requested is not available, not having been compiled.
- (b) The information requested is not available, not having been compiled.
- (c) The information requested is not available, not having been compiled.
- (d) The information requested is not available, not having been compiled.
- (e) The information requested is not available, not having been compiled.

Answer to Interrogatory No. 18: No.

- (a) See answer above.
- (b) See answer above.

Answer to Interrogatory No. 19: No. However, from time to time fragmentary figures are compiled by the Bureau of Population and Economic Research, University of Virginia. This organization is in no way related to the government of the Commonwealth, being primarily a research group under the administration of the University.

- (a) Yes, the Governor's office does. Whether this is true of all agencies of the Commonwealth is unknown.
- (b) Yes, the Governor's office does. Whether this is true of all agencies of the Commonwealth is unknown.

[fol. 49-50] Subscribed and sworn to by me this 22nd day of July, 1964.

/s/ Richard N. Harris, Assistant Attorney General,
Commonwealth of Virginia.

Duly sworn to by Richard N. Harris, jurat omitted in printing.

CERTIFICATE OF SERVICE [omitted in printing.]

[fol. 51] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA, AT ALEXANDRIA

[Title omitted]

PLAINTIFF'S STATEMENT OF EXHIBITS AND WITNESSES—
Filed July 30, 1964.

Now Comes the Plaintiff in the above entitled cause, by
counsel, and states that she intends to introduce into evi-
dence the following exhibits and to call the following wit-
nesses:

Witnesses

- (1) Mrs. Evelyn Butts, 1070 Kennedy Street, Norfolk
13, Virginia
- (2) Professor Frederic D. Ogden, Department of Po-
litical Science, Eastern Kentucky State College,
Richmond, Kentucky.
- (3) Mr. John Brooks, 404½ North Second Street,
Richmond, Virginia.
- (4) Mr. Arthur T. Freeman, 7903 Greenleaf Drive,
Norfolk, Virginia.
- [fol. 52] (5) Honorable Moses A. Riddick, Board of
Supervisors, 2333 Norfolk Road, Suffolk, Virginia.
- (6) Mr. Joseph Speller, 6418 Sedgefield Drive, Norfolk,
Virginia.

Exhibits

- A. 1960 Census of Population, Vol. I: Characteristics of
the Population, Part 48—Virginia (Published by
United States Department of Commerce, Bureau of the
Census). See, especially, Tables 16 and 65-69. Oct. 21,
1964, admitted.
- B. Typed text of pages 110 and 111 of 1961 Report of the
United States Commission on Civil Rights. (Defend-
ants' Exhibit 1). Oct. 21, 1964, admitted.
- C. Copy of Page 36, U.S. News and World Report, Janu-
ary 20, 1964. Oct. 21, 1964, admitted.
- D. Copy of page 407, The Economist, February 1, 1964.
Oct. 21, 1964, admitted.

- E. Statistical Abstracts of the United States, 1963—Published by United States Department of Commerce, Bureau of the Census; E(1) p. 273 (Veteran's Benefits); E(2) p. 285 (Federal Grants); E(3) pp. 292-3 (Social Insurance and Welfare); E(4) pp. 301-2 (Unemployment Insurance); E(5) p. 304 (Workmen's Compensation); E(6) pp. 307-8 (Public Assistance); E(7) p. 313 (Disabled Persons); E(8) pp. 370-3 (Elections); E(9) p. 379 (Elections). Oct. 21, 1964 Admitted.
- F. Report of the proceedings and debates of the Constitutional Convention of the State of Virginia, held in the City of Richmond, June 12 to June 26, 1902, the Hermitage Press Inc: Copies of pages 20 (Mr. Goode); 293 (Mr. Carter Glass); 2960-2 (Mr. Thom); 2967-9 (Mr. Thom); 2971-3 (Mr. Thom); 2998-9 (Mr. Mcilwaine); 3002 (Mr. Mcilwaine); 3014-5 (Mr. Dunaway); 3061-2 (Mr. R. L. Gordon); 3076-7 (Mr. Carter Glass). Oct. 21, 1964, Admitted.
- G. Annual Report of the Director, 1963, Administrative Office of the United States Courts, Table F1, p. 1. Oct. 21, 1964, Admitted.
- H. Annual Report of the Director, 1962, Administrative Office of the United States Courts, Table F1, p. 1. Oct. 21, 1964, Admitted.
- I. Economic Report of the President transmitted to the Congress January, 1964 together with the Annual Report of the Council of Economic Advisors, U. S. Government Printing Office, Washington; and copies of pages 55-9. Oct. 21, 1964, Admitted.
- Ia. Economic Report of the President—January, 1964. Oct. 21, 1964, Admitted.

I certify that a true copy of the foregoing pleading was delivered to all counsel of record this 30th day of July 1964.

/s/ J. A. Jordan, Jr., 1228 Virginia Beach Boulevard Norfolk, Virginia, Len W. Holt, 250 Nicholson, N.E., Washington 11, D.C.

J. A. Jordan, Jr., Robert L. Segar and Max Dean, Leitson, Dean, Dean & Abram, 804 Detroit Street, Flint, Michigan.

[fol. 53] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

Civil Action No. 3346, Norfolk Division

[Title omitted]

PLAINTIFF'S REQUEST FOR ADMISSION OF FACTS AND GENUINE-
NESS OF DOCUMENTS—Filed August 4, 1964

Plaintiff, Evelyn Butts, requests Albertis Harrison, Governor, Miss Mary Dudley, City Registrar, Alex H. Bell, City Treasurer, and William Prieur, Clerk within fifteen (15) days after service of this request, to make the following admissions for the purpose of this action only, and subject to all pertinent objections to admissibility which may be interposed at the trial:

1. That each of the following documents previously furnished to you is genuine:

- (a) 1960 Census of Population: Vol. I, "Characteristics of the Population", part 48, Virginia. (Plaintiff's Exhibit A).
- (b) Economic report of the President transmitted to the Congress January, 1964 together with the annual report of the Council of Economic Advisors.

(Plaintiff's Exhibit I).

2. That each of the following statements is true:

- (a) Plaintiff Evelyn Butts is eligible to vote in state elections in all particulars except that she has not paid the poll tax.
- (b) Plaintiff Evelyn Butts registered and voted in the last Federal elections.
- (c) 1. The constitution and laws of Virginia require all people who wish to vote in state elections to pay a capitation or poll tax of \$1.50 each year [fol. 54] except those people exempted by statutory or constitutional provision.

2. Said poll tax is legally required to be paid for the three years next preceding the year in which a person offers to register to vote.
- (d) Said poll tax cannot be collected by legal action for three years after it becomes due.
 - (e) The Supreme Court of Virginia stated in the case of *Campbell v. Goode*, 172 Va. 463, 2 S.E. 2d 456 (1939):

“While the Constitution gave to the General Assembly the right to impose a poll tax, it specifically provides against its enforced collection by legal process until three years after it has become due. Its imposition was not intended primarily for the production of revenue, but to limit the right of suffrage to those who took sufficient interest in the affairs of the state to qualify themselves to vote.”
 - (f) The legal requirement of the payment of a poll tax as a prerequisite to registration and voting has caused some otherwise eligible persons not to vote.
 - (g)
 1. The legal requirement of the payment of a poll tax as a prerequisite to voting has a tendency to cause some otherwise eligible persons not to vote.
 2. The legal requirement of the payment of a poll tax as a prerequisite to voting exists for the purpose of causing some otherwise eligible persons not to vote.
 - (h) Mrs. Butts has not paid her current poll tax.
 - (i) The fact that Mrs. Butts has not paid her current poll tax disqualifies her from voting.
 - (j) Payment of a poll tax of \$1.50 constitutes a greater percentage of the income of a person earning \$1,000.00 a year than it does for a person earning \$10,000.00 a year.
 - (k) \$1.50 equals .0015% of \$1,000.00.
 - (l) \$1.50 equals .00015% of \$10,000.00.
 - [fol. 55] (m) 1. There are a substantial number of Virginia citizens over twenty-one who have not paid their poll tax for three years.

2. There are a substantial number of Virginia citizens over twenty-one who have not paid their current poll tax.
 - (n) Such people in arrears for three years have to pay at least \$4.50 in order to be eligible to vote.
 - (o) Prior to 1863, nearly all Negroes residing in Virginia were slaves.
 - (p) Slaves, as a class, could own no property.
 - (q) At page 30 of the brief filed by defendant Albertis Harrison, Governor, in Federal Civil Action No. 3912, said party stated in part:

“It must also be noted that although the sole purpose of the imposition of the poll tax by the General Assembly of Virginia as a prerequisite to voting was to limit the right of suffrage to those who took sufficient interest in the affairs of the state to qualify themselves to vote and not to produce revenue. . . .”
 - (r) Admit that the 1960 Federal Census of Population (being the 18th decennial census of the United States), Vol. I, Part 48, dealing with the characteristics of the population of Virginia, states the following information in Table 65 thereof dealing with income in 1959 of families and unrelated individuals:
 1. 15.3% of families and unrelated individuals in the State of Virginia earned under \$1,000.00 in 1959.
 2. 12.5% of same earned from \$1,000.00 to \$1,999.00.
 3. 10.9% of same earned from \$2,000.00 to \$2,999.00.
 4. 10.8% of same earned from \$3,000.00 to \$3,999.00.
 5. 10.2% of same earned from \$4,000.00 to \$4,999.00.
 6. 7.5% of same earned from \$10,000.00 to \$14,999.00.

7. 12.8% of the white families and unrelated individuals of the State of Virginia earned less than \$1,000.00 in 1959.
 - [fol. 56] 8. 11.0% of same earned from \$1,000.00 to \$1,999.00.
 9. 9.6% of same earned from \$2,000.00 to \$2,999.00.
 10. 10.3% of same earned from \$3,000.00 to \$3,999.00.
 11. 10.4% of same earned from \$4,000.00 to \$4,999.00.
 12. 8.8% of same earned from \$10,000.00 to \$14,999.00.
 13. 26.6% of the non-white families and unrelated individuals in the State of Virginia earned under \$1,000.00 in 1959.
 14. 19.5% of same earned from \$1,000.00 to \$1,999.00.
 15. 17.0% of same earned from \$2,000.00 to \$2,999.00.
 16. 13.2% of same earned from \$3,000.00 to \$3,999.00.
 17. 9.4% of same earned from \$4,000.00 to \$4,999.00.
 18. 1.2% of same earned from \$10,000.00 to \$14,999.00.
 19. The median income for white families and unrelated individuals in the State of Virginia for the year 1959 was \$4,608.00.
 20. The median income for non-white families and unrelated individuals in the State of Virginia for the year 1959 was \$2,231.00.
- (s) Table 16 of the aforesaid volume of said Federal Census states the following information:
- (1) The total number of white citizens in the State of Virginia in 1959, 21 years of age and over, was 1,876,167.
 - (2) The total number of non-white persons in the

State of Virginia in 1959, 21 years of age and over, was 436,720.

/s/ Joseph A. Jordan, Jr., Attorney for Plaintiff, 1228 Virginia Beach Boulevard, Norfolk 4, Virginia. Len W. Holt, Attorney for Plaintiff, 250 Nicholson, N.E., Washington 11, D.C. Max Dean, Robert Segar (Attorneys for Plaintiff), 804 Detroit St., Flint, Michigan.

CERTIFICATE OF SERVICE (omitted in printing.)

[fol. 57] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

[Title omitted]

ANSWERS AND OBJECTIONS TO THE REQUEST FOR ADMISSION OF
FACTS AND GENUINENESS OF DOCUMENTS—Filed August 17,
1964

The following are the answers and the objections of the defendants in the above styled cause to the request for admission of facts and genuineness of documents directed by the plaintiff to the defendants pursuant to Rule 36:

1. (a) & (b):

The defendants admit the genuineness of the documents listed, reserving their right to object to the admissibility of such documents as irrelevant. (See Rules 26(e) and 32(c).

2. (a):

The defendants object to the requested admission on the ground that it is improper under Rule 36.

(b) :

The defendants object to the requested admission on the ground that it is irrelevant and otherwise improper under Rule 36.

(c)1. & 2., (d), (e), (f), & (g)1. & 2. :

The defendants object to the requested admissions on the ground that they are irrelevant and otherwise improper.

(h) :

The defendants admit that the plaintiff did not pay [fol. 58] her Capitation tax for the year 1963, but allege that she did pay it for the years 1955 through 1962.

(i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s) :

The defendants object to the requested admissions on the ground that they are irrelevant and otherwise improper.

Albertis Harrison, Governor, Miss Mary Dudley, City Registrar, Alex H. Bell, City Treasurer, William Prieur, Clerk, Defendants, Of Counsel.

Robert Y. Button, Attorney General of Virginia, Supreme Court Building, Richmond, Virginia 23219, Richard N. Harris, Assistant Attorney General of Virginia, Drawer 1395, Richmond, Virginia 23211, Alfred W. Whitehurst, Commonwealth's Attorney, City of Norfolk, Virginia, Norfolk, Virginia.

CERTIFICATE OF SERVICE (omitted in printing).

[fol. 59] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

[Title omitted]

NOTICE OF MOTION

To: Joseph A. Jordan, Jr., Esquire, Attorney at Law, 1228
Virginia Beach Boulevard, Norfolk 4, Virginia.

Len W. Holt, Esquire, 250 Nicholson, N. E., Wash-
ington 11, D. C.

Max Dean, Esquire, Robert L. Segar, Esquire, 804
Detroit Street, Flint, Michigan.

Please take notice that at the earliest practicable time set by the Court at which counsel may be heard, the undersigned will move this Court at the United States Post Office Building, Alexandria, Virginia, to hear the attached objections to the Request for Admission of Facts and Genuineness of Documents served on them by you.

Robert Y. Button, Attorney General of Virginia,
Richard N. Harris, Assistant Attorney General,
Alfred W. Whitehurst, Commonwealth's Attorney,
City of Norfolk, By Richard N. Harris, Counsel for
the Defendants.

Date: August 14, 1964.

[fol. 60] [File endorsement omitted]

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF VIRGINIA AT ALEXANDRIA

Civil Action No. 3346

[Title omitted]

DEFENDANTS' ANSWERS TO PLAINTIFF'S REQUEST FOR ADMIS-
SION OF FACTS AND GENUINENESS OF DOCUMENTS—Filed
September 25, 1964

Following are those answers which the court required of the defendants to the request for admission of facts and genuineness of documents, directed by the plaintiff to the defendants. These answers were required by the court after hearing defendants' objections to the said request on September 9, 1964. Note, however, that paragraphs 1 (a) and (b) and (2 (h) were not objected to and were originally admitted by the defendants:

1. (a) & (b):

The defendants admit the genuineness of the documents listed, reserving their right to object to the admissibility of such documents as irrelevant.

2. (a):

The defendants admit that except for the fact that the plaintiff is totally excluded from registering and [fol. 61] voting by Section 23 of the Constitution of Virginia because she is a "pauper," she "is eligible to vote in State elections in all particulars, except that she has not paid the poll tax."

(b):

The defendants admit that the plaintiff has registered to vote and understand that the plaintiff will provide an affidavit relating to voting in the last Federal election.

(c) :

1. & 2., (d), (e), (f) & (g) 1. & 2. :

The defendants' objections thereto were sustained.

(h) :

The defendants admit that the plaintiff did not pay her capitation tax for the year 1963, but allege that she did pay it for the years 1955 through 1962.

(i), (j), (k) and (l) :

The defendants' objections thereto were sustained.

(m) 1 :

The defendants admit that there are a number of Virginia citizens over twenty-one (21) who have not paid their poll tax for three years :

[fol. 62] 2 :

The defendants admit that there are a number of Virginia citizens over twenty-one (21) who have not paid their current poll tax.

(n) :

The defendants' objections thereto were sustained.

(o) :

The defendants admit that prior to 1863, slavery of Negroes existed in Virginia.

(p) :

The defendants' objections thereto were sustained.

(q) & (r) :

The defendants admit that these statements are true.

(s) :

The defendants admit that this statement is true except that the year should be 1960 instead of 1959.

Albertis Harrison, Governor, Miss Mary Dudley, City Registrar, Alex H. Bell, City Treasurer, William Prieur, Clerk, Defendants, Of Counsel.

Robert Y. Button, Attorney General of Virginia, Supreme Court Building, Richmond, Virginia 23219, Richard N. Harris, Assistant Attorney General, Drawer 1395, Richmond, Virginia 23211, Alfred W. Whitehurst, Commonwealth's Attorney, City of Norfolk, Norfolk, Virginia.

CERTIFICATE OF SERVICE (omitted in printing).

[fol. 64] [File endorsement omitted]

[fol. 65] IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA, ALEXANDRIA DIVISION

Civil Action No. 3253

ANNIE E. HARPER, et al, Plaintiffs,

v.

VIRGINIA STATE BOARD OF ELECTIONS, et al, Defendants

Civil Action No. 3346

MRS. EVELYN BUTTS, Plaintiff,

v.

ALBERTIS HARRISON, Governor, et al, Defendants.

Courtroom No. 1
U.S. Post Office and
Courthouse
Alexandria, Virginia

Transcript of Hearing—October 21, 1964

Met, pursuant to notice, at 10:00 o'clock a. m.

Before: Honorable ALBERT V. BRYAN, Circuit Judge,
Honorable OREN R. LEWIS, District Judge, Honorable JOHN
D. BUTZNER, JR., District Judge.

[fol. 66] APPEARANCES:

J. A. JORDAN, JR., Norfolk, Virginia, LEN W. HOLT, Wash-
ington, D. C., and MAX DEAN and ROBERT L. SEGAR, both of
Flint, Michigan, counsel for plaintiffs in No. 3346; and IRA
M. LECHNER and ALLISON W. BROWN, JR., both of Washing-
ton, D. C., and PHILIP SCHWARTZ, Arlington County, Vir-
ginia, counsel for plaintiffs in No. 3253.

ROBERT Y. BUTTON, Attorney General of Virginia, and
RICHARD N. HARRIS, Assistant Attorney General of Virginia,

both of Richmond, Virginia, counsel for defendants Virginia State Board of Elections in No. 3253 and counsel for Albertis Harrison, Governor, in No. 3346; DONALD C. CROUNSE, Assistant Commonwealth's Attorney, Fairfax County, Virginia, counsel for Electoral Board of Fairfax County and Waneta M. Buckley, General Registrar of Fairfax County, Virginia, in No. 3253; ALFRED W. WHITEHEAD, Commonwealth's Attorney, City of Norfolk, Norfolk, Virginia, counsel for Mary Dudley, City of Norfolk, Alex H. Bell, City Treasurer, City of Norfolk, and William Prieur, Clerk, the Corporation Court of Norfolk, City of Norfolk, all of Norfolk, Virginia, in No. 3346.

[fol. 67]

PROCEEDINGS

The Clerk: The first case this morning is Civil Action No. 3253, that is, Annie E. Harper, Gladys A. Berry, Curtis Burr and Myrtle L. Burr, on behalf of themselves and others similarly situated, vs. Virginia State Board of Elections, Electoral Board of Fairfax County and Waneta M. Buckley, General Registrar of Fairfax County; the pending case of Civil Action No. 3346, that is, Mrs. Evelyn Butts vs. Albertis Harrison, Governor of the Commonwealth of Virginia, Miss Mary Dudley, City Registrar of Norfolk, Virginia, Alex H. Bell, City Treasurer of Norfolk, Virginia, and William Prieur, Clerk of the Corporation Court of Norfolk, Virginia.

Are you ready, Mr. Jordan? Is Mr. Jordan present?

Mr. Jordan: Yes, we are ready.

Judge Bryan: Now, let's see, gentlemen. The cases have been consolidated for hearing.

Are counsel here representing each of the plaintiffs in No. 3253, that is the Harper case?

Mr. Schwartz: Yes, Your Honor. My name is Philip Schwartz, of the Arlington Bar.

I would like to introduce Mr. Allison Brown, of the Washington Bar, and also a member of the Fourth Circuit Court of Appeals and the Supreme Court Bar.

[fol. 68] Judge Bryan: And he will be associated with you in representing the plaintiffs in 3253?

Mr. Schwartz: The Harper case, yes, Your Honor.

Judge Bryan: All right. Let Mr. Brown's name be entered of record as counsel.

Now, in 3253, are the appearances by counsel here for each of the three defendants?

Mr. Harris: Yes, sir. I and Mr. Button are representing the State Board of Elections, and Mr. Donald Crouse, Assistant Commonwealth's Attorney for the County of Fairfax, is representing the local election officials in that case.

Judge Bryan: Does that include the General Registrar—

Mr. Harris: Yes, sir.

Judge Bryan: —of Fairfax?

Mr. Harris: Yes, sir.

Judge Bryan: Now, in what was Civil Action 4658 on the Norfolk docket is—

Mr. Harris: 3346.

Judge Bryan: —is 3346 on the Alexandria docket, and the plaintiff is Mrs. Evelyn Butts.

Is counsel here representing her?

Mr. Jordan: Yes, Your Honor.

I am Joseph Jordan, Norfolk, Virginia. This is Mr. [fol. 69] Max Dean, of Detroit, and Mr. Robert Segar, of Detroit, associated counsel.

Judge Bryan: I see. They will be associated with you?

Mr. Jordan: That is correct, sir.

Judge Bryan: In representing the plaintiff, Butts?

Mr. Jordan: That is correct, sir.

Judge Bryan: All right. Let their names be entered of record, then, as counsel.

Mr. Dean: Then, Your Honor, we of Flint, Michigan.

Mr. Jordan: Flint, rather than Detroit.

Mr. Dean: Flint, rather than Detroit.

Judge Bryan: Now, Mr. Harris, in the Butts case, you represent the governor?

Mr. Harris: Yes, sir.

Judge Bryan: And who represents Miss Dudley and Mr. Bell and Mr. Prieur?

Mr. Harris: Mr. Alfred Whitehead, the Commonwealth Attorney for the City of Norfolk.

COLLOQUY BETWEEN COURT AND COUNSEL

Judge Bryan: All right, sir.

Now, I take it that no evidence is required here. There seems to be no factual dispute, is there?

Mr. Brown: The plaintiffs in 3253 do not have any evidence to offer, sir, and don't feel that there are any factual issues.

Mr. Dean: The plaintiffs in the Harper case, Your Honor, had intended to offer evidence. We had listed certain witnesses—Excuse me—in the Butts case, and the witnesses are here and we did intend to offer them. The testimony, I assume, will be not extensive, but, especially in view of objection to an affidavit that was filed, Mrs. Butts, I believe, will have to take the stand to support the theory of our case, and we have other witnesses.

Judge Bryan: Now, you are speaking about the Butts case?

Mr. Dean: Yes.

Judge Bryan: Now, let me go back to the Harper case.

Mr. Harris, counsel for the plaintiff, says he has no evidence to offer. Do you have any?

Mr. Harris: No, sir, we don't intend to offer any evidence, except what we have filed in the form of exhibits in either of the cases.

Judge Bryan: Now, did you file exhibits in 3253?

Mr. Harris: Yes, sir, we filed exhibits which were made applicable to both cases, since they were consolidated. We didn't file two sets, but we—

[fol. 71] Judge Bryan: Now, is there any reason why those exhibits in 3253 should not be admitted in evidence?

Mr. Brown: No, sir.

Judge Bryan: Well, they will be treated as in evidence now.

Now, tell me what type of evidence you think that you have to introduce in the Butts case.

Mr. Dean: Mrs. Butts, Your Honor, will testify that she is eligible to vote, has voted in the past and has paid the poll tax in the past; that the poll tax was an economic hardship on her, that it has been a hardship for many years, and that she finally did not pay it because of the hardship,

and that she wants to vote, and that she does not pay the poll tax solely because of her economic condition. She does not have any income of her own. She is supported solely by her disabled husband, who receives a veterans pension as his sole income. And they have supported their children, including a 15 year old daughter at home, and provide a home for a 90 year old father of Mrs. Butts.

Mr. Brooks would testify that he has been a salaried employee of the NAACP, engaged solely in voter registration and get-out-the-vote campaigns, and that he has supervised the organization of these campaigns, and has personally attempted to get people to pay their poll tax and register [fol. 72] and vote, and that the statements that are made to him, and we offer them, not for the truth or falsity, but for the wide spread reasons that are given, that they would not register and vote because they cannot pay their poll tax. He has observed the homes of these people, has seen their clothing, their personal property, their dwellings, and that he can observe and testify that these people are poverty stricken.

Another witness is Professor Ogden, of the Eastern Kentucky University, the head of the Political Science Department, who has written a book on the poll tax and conducted an extensive study of it in Texas, Mississippi, Arkansas, Virginia and Alabama. This book was published by the University of Alabama Press, and he addressed himself to the impact on elections of the poll tax, and that he has studied the census figures for the State of Virginia, which are in exhibit here. He is aware of the economic conditions, the economic groupings in the state and economic status of poor white people and poor Negro people, and that, from his studies and knowledge as a political scientist, from his investigation, personal and through the writings of others, the expert knowledge and as an expert witness, that he can testify that the poll tax is an impediment on voting, does deter people from voting and does inhibit voting.

Judge Bryan: Now, Mr. Harris, without admitting the [fol. 73] truth of the statements in this proffered testimony, would you be willing to agree that if these witnesses took the stand, they would testify to that effect?

Mr. Harris: Yes, sir, with the possible exception of one item, and that is Mrs. Butts' testimony, and I would be

inconsistent in saying that I would agree to that since I had filed a motion asking that an affidavit which she filed be stricken because, essentially, she has said the same thing in the affidavit that she stated she would say from the stand. You remember, when we argued the question for admission of facts, and the motion I filed in objection to that, Your Honor asked me, with reference to one item, I think it was Mrs. Butts having voted in a federal election, asked me if we would accept an affidavit from her as to whether or not she had voted in the last federal election, *asked me if we would accept an affidavit from her as to whether or not she had voted in the last federal election.* You will recall that I had stated we had no way of looking at the voting list, and so on, and determined that she did file an affidavit, but, instead of confining it to that one item, she managed to sneak in three or four other things, so, consequently, I was forced to file a motion objecting to the affidavit, so we are left now with nothing with reference to that feature, but, other than that, I would not object to her testimony, except as it relates to the item I have [fol. 74] just mentioned.

Judge Bryan: Subject to your objection?

Mr. Harris: I am talking about if they did testify, that they would so state.

Judge Bryan: Can't we agree that if they took the stand, they would make the statements that counsel has just said they would make?

Mr. Harris: Yes, sir, except we object to the testimony of Mr. Brooks and Professor Ogden, as being inadmissible because it is irrelevant, but, other than that,—

Judge Bryan: You do not admit the truth of it, nor do you admit the relevancy of it?

Mr. Harris: Right.

Judge Bryan: Simply they would make the statement,—

Mr. Harris: Right.

Judge Bryan: —and, with that, would you have any evidence you wanted to put in transversing it?

Mr. Harris: No, sir.

Judge Bryan: All right, then. Suppose we let the record stand in that fashion, that it is stipulated that these witnesses would make the statements that you have just recited; that you would call on them to make; but that

the truth of them is not admitted by the defendants, and [fol. 75] the defendants still press their objection to the relevancy of certain parts of it.

Mr. Dean: Well, I have no objection to that, Your Honor, and I realize the Court's purpose is to save valuable time. The only thing is, I think, my brief statement does not convey to the Court the value and depth of the study that the Professor has made in this area, and that is my only reservation.

Another feature of the study is that, due to the fact that there are proportionately twice as many poverty stricken people among the Negro group than there are among the white group, proportionately, that the economic impact and impingement upon the Negro people is, therefore, greater just because of the economic status of the people.

Judge Bryan: You can draw on that in your argument, can't you, and enlarge on the implications of this testimony, the foundations of which you have stated so as to direct our attention to such part of it as you think is salient?

Mr. Dean: I do wish to make one correction, Your Honor, in regards to our claim that I made personally at the last hearing, that Mrs. Butts had voted in a federal election without paying the poll tax; that I was in error; that she has not voted in a federal election, and there has been none since she could vote in, and I mis-spoke myself.

Judge Bryan: All right. Thank you, sir.
[fol. 76] Now, I asked you about the exhibits in 3253. I did not ask you about the exhibits in the other case, entitled the Butts case. I think that one side or the other have both offered exhibits in that case.

Mr. Harris: Yes, sir. As I stated, we offered a set of exhibits which were relevant and went to both cases.

Judge Bryan: Both cases?

Mr. Harris: So the only difference in exhibits is what has been done by the plaintiffs.

Judge Bryan: All right.

Now, then, have you offered any exhibits in the Butts case?

Mr. Dean: Yes, Your Honor. We have presented an exhibit list, and they have been supplied to the Court and to all counsel.

Judge Bryan: All right.

Is there any objection to treating those exhibits as being in evidence?

Mr. Harris: Yes, sir, we object to most of them as being irrelevant and, therefore, inadmissible. We have articles from the U. S. News and World Report, we have articles from the Economist, we have a wealth of statistical data. We have quotes from the proceedings and debates of the [fol. 77] Constitutional Convention of the State of Virginia in 1902, among other things, all of which we object to as being irrelevant to the issues in this case.

Judge Bryan: We will take them in evidence, subject to the objection. We have no other way of handling it because we can't rule on them until we read them, and after we read them, they are equivalent to being in evidence.

Now, gentlemen, these two cases have closely interwoven, if not identical issues, and, I presume, they may, in fact, should be argued together, and, I take it, since it is a narrow issue, that a half hour for the plaintiffs and a half hour for the defendants ought to be adequate time for the presentation and argument. All right?

Mr. Brown: That is right.

Judge Bryan: And if you have any preference how you want to lead off in the argument, which case comes first—

Mr. Brown: Your Honor, did I understand you to mean a half hour for the plaintiffs to use together in defense?

Judge Bryan: Yes.

Mr. Brown: I don't feel that the plaintiffs—that we could quite cover our argument in that length of time.

Judge Bryan: Whoever argues first is going to do a lot of the argument for the other plaintiff because the issue is going to be almost identical. It will not take you more [fol. 78] than a half hour together to present the case. Then, if you need a little extra time for rebuttal, well, we will provide it.

Mr. Dean: Your Honor, there are some pending motions to dismiss. I wonder if I might suggest to the Court that those motions be considered separate from the argument on the merits of the case.

Judge Bryan: What is the nature of it? It is a motion to strike the affidavit? What is the other one?

Mr. Dean: I believe there is a motion in the Butts case that she lacks the capacity and standing to bring this suit, and there are some other claims on the part—

Judge Bryan: I think Mr. Harris can include that in his argument on the merits of the case.

Do you want to open first with 3253 or with the other case?

Mr. Brown: I believe so, yes, sir.

Judge Bryan: All right.

(Whereupon, Allison W. Brown, Jr., Esquire, argued in behalf of Mrs. Evelyn Butts, which argument was stenographically reported but not transcribed at the request of counsel.)

(Whereupon, Max Dean, Esquire, argued in behalf of Annie E. Harper, et al, which argument was stenographically reported but not transcribed at the request of counsel.)

[fol. 79] (Whereupon, Richard N. Harris, Esquire, argued in behalf of the defendants, a transcription of which argument may be found in the files of the clerk.)

(Whereupon, Allison W. Brown, Jr., Esquire, argued in rebuttal in behalf of Annie E. Harper, et al, a transcription of which argument may be found in the files of the clerk.)

(Whereupon, Robert L. Segar, Esquire, argued in rebuttal in behalf of Mrs. Evelyn Butts, a transcription of which argument may be found in the files of the clerk.)

(Whereupon, at 12:10 p. m., October 21, 1964, oral arguments in the above entitled matter were concluded.)

Certificate

I certify that the foregoing transcript, consisting of the proceedings on the trial of the merits of this cause, except arguments of counsel, were transcribed at the request of Robert L. Segar, Esquire, and is a true and correct transcript from my notes taken in the above entitled matter.

Frank A. Smonskey, Jr., Official Reporter.

[fol. 80] CLERK'S CERTIFICATE TO FOREGOING TRANSCRIPT
OMITTED IN PRINTING

[fol. 81] IN THE UNITED STATES DISTRICT COURT
PLAINTIFF'S EXHIBIT No. A.

1960

CENSUS OF POPULATION

Volume 1

CHARACTERISTICS OF THE POPULATION

Part 48

VIRGINIA

[Seal]

UNITED STATES DEPARTMENT OF COMMERCE

Bureau of Census

* * * * *

Table 16.—AGE BY COLOR AND SEX, FOR THE STATE, BY SIZE OF PLACE, 1960, AND URBAN AND RURAL RESIDENCE, 1950—Con.

[Percent not shown where less than 0.1; percent and median not shown where base is less than 100. Males per 100 females not shown where number of females is less than 100]

Table with columns for AGE, COLOR, AND SEX; 1960 (TOTAL, URBANIZED AREAS, OTHER URBAN, RURAL); and 1950 (TOTAL, URBAN, RURAL). Rows include ALL CLASSES--CON, FEMALE, ALL AGES, and MALES PER 100 FEMALES.

Table 16.—AGE BY COLOR AND SEX, FOR THE STATE, BY SIZE OF PLACE, 1960, AND URBAN AND RURAL RESIDENCE, 1950—Con.

[Percent not shown where less than 0.1; percent and median not shown where base is less than 100. Males per 100 females not shown where number of females is less than 100]

Table with columns for AGE, COLOR, AND SEX; TOTAL; URBAN (CENTRAL CITIES, URBAN FRINGE, PLACES OF 10,000 OR MORE, PLACES OF 2,500 TO 10,000); RURAL (TOTAL, PLACES OF 1,000 TO 2,500, OTHER RURAL); 1960; 1950 (TOTAL, URBAN, RURAL). Rows include categories like WHITE--CON., FEMALE--ALL AGES, and various age groups (1 YEAR, 2 YEARS, etc.) for both years.

Table 16.—AGE BY COLOR AND SEX, FOR THE STATE, BY SIZE OF PLACE, 1960, AND URBAN AND RURAL RESIDENCE, 1950—Con.

[Percent not shown where less than 0.1; percent and median not shown where base is less than 100. Males per 100 females not shown where number of females is less than 100]

Table with columns for AGE, COLOR, AND SEX; 1960 (TOTAL, URBAN, RURAL); and 1950 (TOTAL, URBAN, RURAL). Rows include NONWHITE and FEMALE populations across various age groups.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.

[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1950 POPULATION (ALL CLASSES, WHITE, NONWHITE). Rows are categorized by county/city: AMHERST, APPOMATTOX, ARLINGTON, and AUGUSTA. Each county/city section contains a list of age groups and their corresponding population counts.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con. [Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for counties Cumberland, Dickenson, Dinwiddie, and Essex. Rows include age groups from 'ALL AGES' to '85 AND OVER' and 'MEDIAN AGE'.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.
[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE). Rows list counties: FAIRFAX, FAUQUIER, FLOYD, and FLUVANNA, with age groups from ALL AGES to 85 AND OVER.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.

[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for counties: GOODLAND, GRAYSON, GREENE, GREENSVILLE. Rows include age groups from ALL AGES to 85 AND OVER, and MEDIAN AGE.

1 INCLUDES PART OF POPULATION (2,645) OF GALAX TOWN MADE INDEPENDENT OF THE COUNTY IN 1955.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con. [Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for HALIFAX, HANOVER, HENRICO, and HENRY counties. Rows include age groups from ALL AGES to 85 AND OVER, and MEDIAN AGE.

1 INCLUDES POPULATION (6,057) OF SOUTH BOSTON CITY MADE INDEPENDENT OF THE COUNTY IN 1959.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.
[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for counties LOUDOUN, LOUISA, LUNENBERG, and MADISON. Rows list age groups from ALL AGES to 85 AND OVER.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.

[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for counties Northampton, Northumberland, Nottoway, and Orange. Rows list age groups from ALL AGES to 85 AND OVER.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con. [Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE). Rows include counties like PRINCE EDWARD, PRINCE GEORGE, PRINCE WILLIAM, and PRINCESS ANNE, with sub-rows for age groups from ALL AGES to 85 AND OVER.

1 INCLUDES POPULATION (5,390) OF VIRGINIA BEACH CITY MADE INDEPENDENT OF THE COUNTY IN 1952.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con. [Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for ROCKBRIDGE, ROCKINGHAM, RUSSELL, and SCOTT counties. Rows include age groups from ALL AGES to 85 AND OVER, and MEDIAN AGE.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.
[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for counties STAFFORD, SURRY, SUSSEX, and TAZEWELL. Rows list age groups from ALL AGES to 85 AND OVER, with population counts for each category.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.
[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION TOTAL, and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for counties: WARREN, WASHINGTON, WESTMORELAND, and WISE. Includes rows for ALL AGES, 1 YEAR, 2 YEARS, etc., and MEDIAN AGE.

1 INCLUDES POPULATION (4,315) OF NORTON TOWN MADE INDEPENDENT OF THE COUNTY IN 1954.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.

(Median not shown where base is less than 100)

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION (TOTAL), and 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE) for WYTHE, YORK, ALEXANDRIA, and BRISTOL. Includes sub-headers for MALE and FEMALE within each racial category.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.

[Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION, and 1950 POPULATION TOTAL. Rows include Norton (Independent City), Petersburg (Independent City), Portsmouth (Independent City), and Radford (Independent City). Data is presented in a grid format with sub-totals for 'ALL AGES' and 'MEDIAN AGE'.

1 SINGLE-YEAR-OF-AGE DATA NOT AVAILABLE.

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con. [Median not shown where base is less than 100]

Table with columns for AGE, 1960 POPULATION (ALL CLASSES, WHITE, NONWHITE), 1950 POPULATION, and 1950 POPULATION TOTAL. Rows include Richmond (Independent City), Roanoke (Independent City), South Boston (Independent City), and South Norfolk (Independent City), with sub-rows for all ages and age groups (1 year to 85 and over).

1 SINGLE-YEAR-OF-AGE DATA NOT AVAILABLE.

[fol. 119]

Table 27.—AGE BY COLOR AND SEX, FOR COUNTIES AND INDEPENDENT CITIES: 1960—Con.

[Median not shown where base is less than 100]

AGE	1960 POPULATION								1950 POPULATION-TOTAL	1960 POPULATION								1950 POPULATION-TOTAL
	ALL CLASSES				WHITE		NONWHITE			ALL CLASSES				WHITE		NONWHITE		
	TOTAL	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	TOTAL		MALE	FEMALE	MALE	FEMALE	MALE	FEMALE			
	WILLIAMSBURG (INDEPENDENT CITY)									WINCHESTER (INDEPENDENT CITY)								
ALL AGES	6 832	3 384	3 448	2 864	3 033	520	415	6 735	15 110	6 862	8 148	6 389	7 531	573	617	13 841		
UNDER 1 YEAR	96	49	47	40	37	9	10	69	291	154	137	142	124	12	13	240		
1 YEAR	70	33	37	23	24	10	13	153	286	139	147	124	137	15	10	563		
2 YEARS	72	32	40	23	28	9	12	118	266	147	119	129	105	18	14	514		
3 YEARS	48	23	25	19	18	4	7	118	305	158	147	143	134	15	13	514		
4 YEARS	60	33	33	17	26	10	7	118	269	138	131	122	120	16	11	514		
5 YEARS	53	26	27	18	21	8	6	95	273	141	132	123	117	18	15	187		
6 YEARS	52	31	21	22	17	9	4	66	278	142	136	134	120	8	16	227		
7 YEARS	50	29	21	21	13	8	8	8	286	157	129	138	114	19	15	583		
8 YEARS	48	25	23	15	17	10	6	162	262	128	134	116	123	12	11	583		
9 YEARS	49	25	24	18	15	7	9	9	245	121	124	109	109	12	15	674		
10 YEARS	41	30	31	20	23	10	8	8	224	110	114	97	104	13	10	674		
11 YEARS	63	26	37	21	26	5	11	185	258	125	133	117	124	8	9	176		
12 YEARS	49	27	22	18	19	9	3	9	280	123	157	114	146	9	11	172		
13 YEARS	78	38	40	29	33	9	7	7	286	142	144	127	138	15	6	390		
14 YEARS	64	28	36	25	26	3	10	45	217	111	106	98	93	13	13	176		
15 YEARS	52	25	27	17	20	8	7	57	189	96	93	86	86	10	7	390		
16 YEARS	60	39	21	28	19	11	2	197	228	94	134	85	128	9	6	390		
17 YEARS	94	44	50	31	40	13	10	10	235	119	116	109	102	10	14	389		
18 YEARS	555	267	288	255	279	12	9	710	189	85	104	76	99	9	5	389		
19 YEARS	622	299	323	289	321	10	2	7	178	54	124	49	115	5	9	228		
20 YEARS	484	215	229	195	222	20	7	348	157	55	102	48	96	7	6	9 498		
21 AND OVER	4 092	2 046	2 046	1 720	1 789	326	257	4 610	9 908	4 423	5 485	4 103	5 097	320	388	9 498		
UNDER 5 YEARS	346	164	182	122	133	42	49	340	1 417	736	681	660	620	76	61	1 317		
5 TO 9 YEARS	252	136	116	94	83	42	33	283	1 344	689	655	620	583	69	72	987		
10 TO 14 YEARS	315	149	166	113	127	36	39	230	1 265	611	654	553	605	58	49	850		
15 TO 19 YEARS	1 383	674	709	620	679	54	30	924	1 019	448	571	405	530	43	41	951		
20 TO 24 YEARS	1 216	640	576	559	540	81	36	1 103	906	391	515	361	479	30	36	1 150		
25 TO 29 YEARS	326	187	139	142	111	45	28	492	918	466	452	430	409	36	43	1 216		
30 TO 34 YEARS	260	127	133	93	110	34	23	395	1 064	480	584	447	536	33	48	1 165		
35 TO 39 YEARS	312	161	151	121	119	40	32	490	1 043	482	561	440	519	42	42	1 105		
40 TO 44 YEARS	317	166	151	127	120	39	31	472	1 061	501	560	463	524	38	36	1 041		
45 TO 49 YEARS	343	167	176	143	143	24	33	397	986	461	525	421	475	40	50	895		
50 TO 54 YEARS	340	180	160	155	130	25	30	324	913	424	489	403	459	21	30	729		
55 TO 59 YEARS	300	159	141	142	127	17	14	253	845	377	468	350	435	27	33	659		
60 TO 64 YEARS	282	141	141	125	132	16	9	280	651	272	379	253	357	19	22	540		
65 TO 69 YEARS	243	108	135	95	123	13	12	257	585	225	360	211	363	14	17	474		
70 TO 74 YEARS	227	94	133	91	123	3	10	223	460	168	292	156	273	12	19	37		
75 TO 79 YEARS	181	70	111	65	106	5	5	214	341	124	217	116	207	8	10	318		
80 TO 84 YEARS	113	40	73	39	72	1	1	1	191	67	124	61	120	6	4	64		
85 AND OVER	76	21	55	18	55	3	100	58	101	40	61	39	57	1	4	64		
UNDER 18 YEARS	1 119	557	562	405	422	152	144	1 067	4 678	2 345	2 333	2 113	2 124	232	209	3 726		
65 AND OVER	840	333	507	308	479	25	28	752	1 678	624	1 054	583	1 000	41	54	1 226		
MEDIAN AGE	24.6	24.4	24.8	24.3	24.6	25.6	28.7	30.0	35.2	31.5	34.7	31.9	35.0	26.5	30.7	31.9		

Table 65.—INCOME IN 1959 OF FAMILIES AND UNRELATED INDIVIDUALS, BY COLOR, FOR THE STATE, URBAN AND RURAL: 1960

[See text for source of data. Percent not shown where less than 0.1; percent and median not shown where base is less than 200]

TOTAL MONEY INCOME	TOTAL				WHITE				NONWHITE			
	THE STATE	URBAN	RURAL NONFARM	RURAL FARM	THE STATE	URBAN	RURAL NONFARM	RURAL FARM	THE STATE	URBAN	RURAL NONFARM	RURAL FARM
FAMILIES AND UNRELATED INDIVIDUALS												
TOTAL	1 250 720	763 099	361 336	106 285	1 025 316	626 466	312 549	86 301	225 404	136 633	68 767	19 984
UNDER \$1,000	191 006	99 449	66 506	25 051	131 098	67 090	46 560	17 448	59 908	32 359	19 946	7 603
\$1,000 TO \$1,999	156 931	85 155	51 147	20 629	112 973	60 879	36 882	15 212	43 958	24 276	14 265	5 417
\$2,000 TO \$2,999	136 679	71 954	49 455	15 270	98 367	49 512	36 616	12 239	38 312	22 442	12 839	3 031
\$3,000 TO \$3,999	135 229	75 853	47 154	12 242	105 466	56 561	38 220	10 685	29 765	19 272	6 934	1 557
\$4,000 TO \$4,999	127 694	75 208	42 938	9 550	106 558	60 646	37 376	8 536	21 138	14 562	5 562	1 014
\$5,000 TO \$5,999	114 328	72 254	35 362	6 712	101 759	63 206	32 365	6 188	12 569	9 048	2 997	524
\$6,000 TO \$6,999	91 303	61 067	25 571	4 665	83 865	55 600	23 929	4 336	7 436	5 447	1 642	329
\$7,000 TO \$7,999	71 285	49 735	18 326	3 224	67 050	46 660	17 355	3 035	4 235	3 075	971	189
\$8,000 TO \$8,999	55 409	39 939	13 311	2 159	52 607	37 862	12 687	2 058	2 802	2 077	624	101
\$9,000 TO \$9,999	40 249	30 087	8 537	1 625	38 374	28 686	8 150	1 538	1 875	1 401	387	87
\$10,000 TO \$14,999	93 193	73 600	16 354	3 239	90 428	71 434	15 851	3 143	2 765	2 166	503	96
\$15,000 TO \$24,999	27 679	21 701	4 690	1 288	27 156	21 298	4 598	1 260	523	403	92	28
\$25,000 AND OVER	9 733	7 117	1 985	631	9 615	7 032	1 960	623	118	85	25	8
MEDIAN INCOME	\$4 043	\$4 654	\$3 500	\$2 489	\$4 608	\$5 293	\$3 948	\$2 857	\$2 231	\$2 521	\$2 014	\$1 441
FAMILIES												
TOTAL	954 720	544 597	315 181	94 942	789 862	451 097	260 908	77 857	164 858	93 500	54 273	17 085
UNDER \$1,000	80 229	29 431	33 092	17 704	52 047	17 726	22 120	12 201	28 182	11 705	10 972	5 505
\$1,000 TO \$1,999	85 883	31 656	35 740	18 487	55 570	17 473	24 460	13 637	30 313	14 183	11 280	4 850
\$2,000 TO \$2,999	100 017	42 848	42 639	14 530	69 322	26 460	31 249	11 613	30 695	16 388	11 390	2 917
\$3,000 TO \$3,999	106 901	52 732	42 423	11 746	81 119	36 675	34 179	10 265	25 782	16 057	8 244	1 481
\$4,000 TO \$4,999	108 185	58 453	40 418	9 314	89 297	45 839	35 124	8 334	18 868	12 614	5 294	980
\$5,000 TO \$5,999	102 826	62 167	34 074	6 585	91 082	53 836	31 175	6 071	11 744	8 331	2 899	514
\$6,000 TO \$6,999	84 835	55 357	24 885	4 593	77 663	50 143	23 256	4 264	7 172	5 214	1 629	329
\$7,000 TO \$7,999	67 595	46 521	17 912	3 162	63 481	43 516	16 952	2 973	4 154	3 005	960	189
\$8,000 TO \$8,999	52 945	37 754	13 068	2 143	50 185	35 691	12 452	2 042	2 780	2 043	616	101
\$9,000 TO \$9,999	38 838	26 856	8 367	1 615	36 993	27 476	7 989	1 528	1 845	1 380	378	87
\$10,000 TO \$14,999	90 363	71 080	16 078	3 205	87 654	68 970	15 575	3 109	2 709	2 110	503	96
\$15,000 TO \$24,999	26 772	20 936	4 595	1 241	26 272	20 556	4 503	1 213	500	380	92	28
\$25,000 AND OVER	9 311	6 806	1 890	615	9 217	6 736	1 874	607	94	70	16	8
MEDIAN INCOME	\$4 964	\$5 920	\$4 091	\$2 776	\$5 322	\$6 549	\$4 525	\$3 144	\$2 780	\$3 279	\$2 429	\$1 626

Table 65.—INCOME IN 1959 OF FAMILIES AND UNRELATED INDIVIDUALS BY COLOR, FOR THE STATE, URBAN AND RURAL, 1960—Con.

[See text for source of data. Percent not shown where less than 0.1 percent and median not shown where base is less than 200]

TOTAL MONEY INCOME	TOTAL			WHITE			NONWHITE					
	THE STATE	URBAN	RURAL NONFARM	RURAL FARM	THE STATE	URBAN	RURAL NONFARM	RURAL FARM	THE STATE	URBAN	RURAL NONFARM	RURAL FARM
UNRELATED INDIVIDUALS												
TOTAL	296 000	218 502	66 155	11 343	235 454	175 349	51 641	8 444	60 546	43 133	14 514	2 89
UNDER \$1,000	110 777	70 018	33 414	7 345	79 051	49 364	24 440	5 247	31 726	20 654	8 974	2 098
\$1,000 TO \$1,999	71 048	53 499	15 407	2 142	57 403	43 406	12 422	1 575	13 645	10 093	2 988	567
\$2,000 TO \$2,999	36 642	29 106	6 816	740	29 045	23 052	5 367	626	7 617	6 054	1 449	114
\$3,000 TO \$3,999	28 328	23 101	4 731	496	24 347	18 886	4 081	420	5 981	3 215	690	76
\$4,000 TO \$4,999	19 511	16 755	2 520	236	17 261	14 877	2 252	202	2 250	1 948	268	34
\$5,000 TO \$5,999	11 502	10 087	1 288	127	10 677	9 370	1 190	117	825	717	98	10
\$6,000 TO \$6,999	6 468	5 710	686	72	6 202	5 457	673	72	266	253	13	...
\$7,000 TO \$7,999	3 690	3 214	414	62	3 609	3 146	403	62	81	70	11	...
\$8,000 TO \$8,999	2 864	2 183	283	88	2 822	2 171	236	16	24	18	6	...
\$9,000 TO \$9,999	1 411	1 231	170	10	1 381	1 210	161	10	30	21	9	...
\$10,000 TO \$14,999	2 630	2 520	276	34	2 774	2 444	276	34	56	56	...	...
\$15,000 TO \$24,999	907	765	95	47	884	742	95	47	25	25	...	...
\$25,000 AND OVER	422	311	95	16	398	296	86	16	28	15	...	...
MEDIAN INCOME	\$1 524	\$1 733	\$ 990	\$ 772	\$1 674	\$1 683	\$1 111	\$ 805	\$ 954	\$1 090	\$ 809	\$ 691
HUSBAND-WIFE FAMILIES, HEAD AN EARNER, TWO CHILDREN UNDER 18												
TOTAL	129 916	79 986	42 410	7 520	119 707	73 670	39 252	6 785	10 209	6 316	3 158	735
UNDER \$1,000	2 568	462	1 297	609	1 655	315	951	589	713	147	346	220
\$1,000 TO \$1,999	4 977	1 390	2 417	1 170	3 570	863	1 797	950	1 407	527	660	230
\$2,000 TO \$2,999	10 497	4 055	5 138	1 304	8 116	2 666	4 321	1 129	2 381	1 389	817	1 13
\$3,000 TO \$3,999	14 268	6 938	6 169	1 161	11 611	5 344	5 537	1 102	2 345	1 574	612	59
\$4,000 TO \$4,999	16 956	9 097	6 904	955	15 591	8 131	6 525	935	1 365	966	379	20
\$5,000 TO \$5,999	18 262	11 375	6 264	623	17 403	10 696	6 097	610	859	679	167	13
\$6,000 TO \$6,999	15 496	10 511	4 518	467	15 120	10 203	4 466	451	376	308	52	16
\$7,000 TO \$7,999	12 343	8 727	3 334	282	12 049	8 492	3 275	282	294	235	59	...
\$8,000 TO \$8,999	9 187	6 860	2 079	208	8 961	6 708	2 049	204	186	152	30	4
\$9,000 TO \$9,999	6 029	4 744	1 130	155	5 848	4 584	1 117	147	181	160	13	8
\$10,000 TO \$14,999	13 935	11 548	2 180	207	13 775	11 411	2 157	207	160	137	23	...
\$15,000 TO \$24,999	4 013	3 186	696	131	3 975	3 148	696	131	38	38	...	...
\$25,000 AND OVER	1 425	1 093	284	88	1 421	1 089	284	48	48	48	...	...
MEDIAN INCOME	\$5 859	\$6 635	\$4 896	\$3 411	\$6 086	\$6 862	\$5 084	\$3 657	\$3 269	\$3 696	\$2 701	\$1 670
PERCENT DISTRIBUTION												
FAMILIES AND UNRELATED INDIVIDUALS												
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
UNDER \$1,000	37.4	24.0	32.0	50.5	64.8	33.6	28.1	47.3	62.1	52.4	47.9	61.8
\$1,000 TO \$1,999	24.0	24.5	23.3	18.9	24.4	24.8	24.1	18.7	23.3	23.4	20.6	19.6
\$2,000 TO \$2,999	12.4	13.3	10.3	6.5	12.3	13.1	10.4	7.4	12.6	14.0	10.0	3.9
\$3,000 TO \$3,999	9.6	10.6	7.2	4.4	10.3	11.3	7.8	5.0	6.6	7.5	4.8	2.6
\$4,000 TO \$4,999	6.6	7.7	3.8	2.1	7.3	8.4	4.4	2.4	3.7	4.5	1.8	1.2
\$5,000 TO \$5,999	3.9	4.6	1.9	1.1	4.5	5.3	2.3	1.4	1.4	1.7	0.7	0.3
\$6,000 TO \$6,999	2.2	2.6	1.0	0.6	2.6	3.1	1.3	0.9	0.8	0.6	0.1	...
\$7,000 TO \$7,999	1.2	1.5	0.6	0.5	1.5	1.8	0.8	0.7	0.1	0.2	0.1	...
\$8,000 TO \$8,999	0.8	1.0	0.4	0.1	1.0	1.2	0.5	0.2	...	...	0.1	...
\$9,000 TO \$9,999	0.5	0.6	0.3	0.1	0.6	0.7	0.3	0.1	...	...	0.1	...
\$10,000 TO \$14,999	1.0	1.2	0.4	0.3	1.2	1.4	0.5	0.4	...	...	0.1	...
\$15,000 TO \$24,999	0.3	0.4	0.1	0.4	0.4	0.4	0.2	0.6	...	...	0.1	...
\$25,000 AND OVER	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	...	...	0.1	...
UNRELATED INDIVIDUALS												
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
UNDER \$1,000	37.4	32.0	50.5	64.8	33.6	28.1	47.3	62.1	52.4	47.9	61.8	72.4
\$1,000 TO \$1,999	24.0	24.5	23.3	18.9	24.4	24.8	24.1	18.7	23.3	23.4	20.6	19.6
\$2,000 TO \$2,999	12.4	13.3	10.3	6.5	12.3	13.1	10.4	7.4	12.6	14.0	10.0	3.9
\$3,000 TO \$3,999	9.6	10.6	7.2	4.4	10.3	11.3	7.8	5.0	6.6	7.5	4.8	2.6
\$4,000 TO \$4,999	6.6	7.7	3.8	2.1	7.3	8.4	4.4	2.4	3.7	4.5	1.8	1.2
\$5,000 TO \$5,999	3.9	4.6	1.9	1.1	4.5	5.3	2.3	1.4	1.4	1.7	0.7	0.3
\$6,000 TO \$6,999	2.2	2.6	1.0	0.6	2.6	3.1	1.3	0.9	0.8	0.6	0.1	...
\$7,000 TO \$7,999	1.2	1.5	0.6	0.5	1.5	1.8	0.8	0.7	0.1	0.2	0.1	...
\$8,000 TO \$8,999	0.8	1.0	0.4	0.1	1.0	1.2	0.5	0.2	...	...	0.1	...
\$9,000 TO \$9,999	0.5	0.6	0.3	0.1	0.6	0.7	0.3	0.1	...	...	0.1	...
\$10,000 TO \$14,999	1.0	1.2	0.4	0.3	1.2	1.4	0.5	0.4	...	...	0.1	...
\$15,000 TO \$24,999	0.3	0.4	0.1	0.4	0.4	0.4	0.2	0.6	...	...	0.1	...
\$25,000 AND OVER	0.1	0.1	0.1	0.1	0.2	0.2	0.2	0.2	...	...	0.1	...

Table 65.—INCOME IN 1959 OF FAMILIES AND UNRELATED INDIVIDUALS, BY COLOR, FOR THE STATE, URBAN AND RURAL: 1960—Con.

[See text for source of data. Percent not shown where less than 0.1; percent and median not shown where base is less than 200]

TOTAL MONEY INCOME	TOTAL				WHITE				NONWHITE			
	THE STATE	URBAN	RURAL NONFARM	RURAL FARM	THE STATE	URBAN	RURAL NONFARM	RURAL FARM	THE STATE	URBAN	RURAL NONFARM	RURAL FARM
PERCENT DISTRIBUTION--CON.												
HUSBAND-WIFE FAMILIES, HEAD AN EARNER, TWO CHILDREN UNDER 18												
TOTAL	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
UNDER \$1,000	2.0	0.6	3.1	10.8	1.5	0.4	2.4	8.7	7.0	10.0	10.0	29.9
\$1,000 TO \$1,999	3.8	1.7	5.7	15.6	3.0	1.2	4.5	14.0	13.8	8.5	20.9	29.9
\$2,000 TO \$2,999	8.1	5.1	12.1	17.3	6.8	3.6	11.0	16.6	23.3	22.0	25.9	23.8
\$3,000 TO \$3,999	11.0	8.7	14.5	15.4	10.0	7.3	14.2	16.2	22.0	24.9	19.4	8.0
\$4,000 TO \$4,999	13.1	11.4	16.3	12.7	13.0	11.0	16.6	13.8	13.4	15.3	12.0	2.7
\$5,000 TO \$5,999	14.1	14.2	14.8	8.3	14.5	14.5	15.5	9.0	8.4	10.8	5.3	1.8
\$6,000 TO \$6,999	11.9	13.1	10.7	6.2	12.6	13.8	11.4	6.6	3.7	4.9	1.6	2.2
\$7,000 TO \$7,999	9.5	10.9	7.9	3.8	10.1	11.5	8.3	4.2	2.9	3.7	1.9	***
\$8,000 TO \$8,999	7.0	8.6	4.9	2.8	7.5	9.1	5.2	3.0	1.8	2.4	0.9	0.5
\$9,000 TO \$9,999	4.6	5.9	2.7	2.1	4.9	6.2	2.8	2.2	1.8	2.5	0.4	1.1
\$10,000 TO \$14,999	10.7	14.4	5.1	2.8	11.5	15.5	5.5	3.1	1.6	2.2	0.7	***
\$15,000 TO \$24,999	3.7	4.0	1.6	1.7	3.3	4.3	1.8	1.9	0.4	0.6	***	***
\$25,000 AND OVER	1.1	1.4	0.7	0.6	1.2	1.5	0.7	0.7	***	0.1	***	***

Table 66.—INCOME IN 1959 AND 1949 OF FAMILIES AND UNRELATED INDIVIDUALS, FOR THE STATE, URBAN AND RURAL: 1960 AND 1950

[See text for source of data. Percent not shown where less than 0.1; percent and median not shown where base is less than 200 in 1960 or 500 in 1950]

TOTAL MONEY INCOME	1960			1950 ¹			PERCENT DISTRIBUTION					
	THE STATE	URBAN	RURAL	THE STATE	URBAN	RURAL	1960			1950 ²		
							THE STATE	URBAN	RURAL	THE STATE	URBAN	RURAL
FAMILIES AND UNRELATED INDIVIDUALS												
TOTAL	1 250 720	763 099	487 621	1 086 295	566 735	479 560	100.0	100.0	100.0	100.0	100.0	100.0
UNDER \$1,000	191 006	99 449	91 557	249 050	101 030	148 220	15.3	13.0	18.8	25.5	19.1	33.0
\$1,000 TO \$1,999	156 931	85 155	71 776	205 320	95 000	110 320	12.5	11.2	14.7	21.0	17.9	24.6
\$2,000 TO \$2,999	136 679	71 954	64 725	179 860	96 315	83 545	10.9	9.4	13.3	18.4	18.2	18.6
\$3,000 TO \$3,999	135 229	75 833	59 396	133 560	84 810	48 750	10.8	9.9	12.2	13.7	16.0	10.9
\$4,000 TO \$4,999	127 696	75 208	52 488	75 765	51 905	23 860	10.2	9.9	10.8	7.7	9.8	5.3
\$5,000 TO \$5,999	114 328	72 254	42 074	49 615	35 790	13 825	9.1	9.5	8.6	5.1	6.8	3.1
\$6,000 TO \$6,999	91 303	61 067	30 236	29 890	22 560	7 330	7.3	8.0	6.2	3.1	4.3	1.6
\$7,000 TO \$9,999	166 943	119 761	47 182	35 085	27 570	7 515	13.3	15.7	9.7	3.6	5.2	1.7
\$10,000 AND OVER	130 605	102 418	28 187	19 625	14 650	4 975	10.4	13.4	5.8	2.0	2.8	1.1
MEDIAN INCOME	\$4 043	\$4 654	\$3 265	\$2 192	\$2 714	\$1 689	***	***	***	***	***	***
FAMILIES												
TOTAL	954 720	544 597	410 123	785 060	396 425	388 635	100.0	100.0	100.0	100.0	100.0	100.0
UNDER \$1,000	80 229	29 431	50 798	137 900	37 765	99 735	8.4	5.4	12.4	18.5	10.0	27.1
\$1,000 TO \$1,999	85 883	31 656	54 227	137 930	48 865	89 065	9.0	5.8	13.2	18.6	13.0	24.2
\$2,000 TO \$2,999	100 017	42 848	57 169	149 545	72 295	77 250	10.5	7.9	13.9	20.1	19.2	21.0
\$3,000 TO \$3,999	106 901	52 732	54 169	119 115	73 065	46 050	11.2	9.7	13.2	16.0	19.4	12.5
\$4,000 TO \$4,999	108 185	58 453	49 732	70 830	47 855	22 978	11.3	10.7	12.1	9.5	12.7	6.3
\$5,000 TO \$5,999	102 826	62 167	40 659	47 225	33 770	13 355	10.8	11.4	9.9	6.4	9.0	3.6
\$6,000 TO \$6,999	84 835	55 357	29 478	28 730	21 615	7 115	8.9	10.2	7.2	3.9	5.8	1.9
\$7,000 TO \$9,999	159 398	113 131	46 267	33 880	26 655	7 225	16.7	20.8	11.3	4.6	7.1	2.0
\$10,000 AND OVER	125 446	98 822	27 624	18 645	13 895	4 750	13.2	18.1	6.7	2.5	3.7	1.3
MEDIAN INCOME	\$4 964	\$5 920	\$3 791	\$2 644	\$3 397	\$1 943	***	***	***	***	***	***
UNRELATED INDIVIDUALS												
TOTAL	296 000	218 502	77 498	261 235	170 310	90 925	100.0	100.0	100.0	100.0	100.0	100.0
UNDER \$1,000	110 777	70 018	40 759	111 550	63 265	48 285	37.4	32.0	52.6	47.6	41.1	59.9
\$1,000 TO \$1,999	71 048	53 499	17 549	67 390	46 135	21 255	24.0	24.5	22.6	28.8	30.0	26.4
\$2,000 TO \$2,999	36 662	29 106	7 556	30 315	24 020	6 295	12.4	13.3	9.7	12.9	15.6	7.8
\$3,000 TO \$3,999	28 328	23 101	5 227	14 445	11 745	2 700	9.6	10.6	6.7	6.2	7.6	3.3
\$4,000 TO \$4,999	19 511	16 755	2 756	4 935	4 050	885	6.6	7.7	3.6	2.1	2.6	1.1
\$5,000 TO \$5,999	11 502	10 087	1 415	2 390	1 920	470	3.9	4.6	1.8	1.0	1.2	0.6
\$6,000 TO \$6,999	6 468	5 710	758	1 160	945	215	2.2	2.6	1.0	0.5	0.6	0.3
\$7,000 TO \$9,999	7 545	6 630	915	1 205	915	290	2.5	3.0	1.2	0.5	0.6	0.6
\$10,000 AND OVER	4 159	3 596	563	980	755	225	1.4	1.6	0.7	0.4	0.5	0.3
MEDIAN INCOME	\$1 524	\$1 733	\$ 951	\$1 084	\$1 295	\$ 835	***	***	***	***	***	***

¹ TOTAL INCLUDES FAMILIES AND UNRELATED INDIVIDUALS NOT REPORTING ON INCOME.
² BASED ON TOTAL REPORTING.

Table 67.—INCOME IN 1959 AND 1949 OF PERSONS, BY COLOR AND SEX, FOR THE STATE, URBAN AND RURAL: 1960 AND 1950—Con.

[See text for source of data. Percent not shown where less than 0.1; percent and median not shown where base is less than 200 in 1960 or 500 in 1950]

MONEY INCOME, COLOR, AND SEX	1960					1950 ¹		
	THE STATE	URBAN	RURAL			THE STATE	URBAN	RURAL
			TOTAL	NONFARM	FARM			
MALE—CON.								
NONWHITE, 14 YEARS AND OVER . . .	262 322	137 532	124 790	94 392	30 398	254 525	116 640	137 885
WITHOUT INCOME	44 279	19 977	24 302	18 230	6 072	37 760	16 455	21 305
WITH INCOME	218 043	117 555	100 488	76 162	24 326	191 345	91 465	99 880
\$1 TO \$499 OR LOSS	34 281	11 924	22 357	15 706	6 651	36 275	11 395	28 880
\$500 TO \$999	31 589	12 906	18 683	12 525	6 116	42 650	13 185	29 465
\$1,000 TO \$1,499	24 869	11 183	13 684	9 631	4 053	37 875	17 040	20 835
\$1,500 TO \$1,999	22 501	10 689	11 812	9 070	2 742	33 495	20 740	12 755
\$2,000 TO \$2,499	26 631	14 914	11 717	9 781	1 936	24 495	16 730	7 765
\$2,500 TO \$2,999	18 710	12 323	6 396	5 548	848	9 010	6 660	2 320
\$3,000 TO \$3,499	18 371	12 672	5 699	5 002	697	4 305	3 390	915
\$3,500 TO \$3,999	10 808	7 667	3 141	2 760	381	1 055	1 265	275
\$4,000 TO \$4,499	12 312	8 966	3 346	3 000	346	665	460	205
\$4,500 TO \$4,999	5 726	4 553	1 173	1 027	146	210	135	75
\$5,000 TO \$5,999	7 972	6 456	1 517	1 306	211	370	260	130
\$6,000 TO \$6,999	2 252	1 767	485	388	97	240	125	115
\$7,000 TO \$9,999	1 363	1 026	337	285	52	235	135	100
\$10,000 AND OVER	649	510	139	91	48	190	145	45
MEDIAN INCOME	\$ 1 906	\$ 2 405	\$ 1 336	\$ 1 510	\$ 951	\$ 1 221	\$ 1 599	\$ 925
FEMALE								
TOTAL, 14 YEARS AND OVER	1 392 549	801 644	590 905	449 846	141 059	1 194 135	607 265	586 870
WITHOUT INCOME	662 608	341 288	321 320	238 130	83 190	671 490	293 485	378 005
WITH INCOME	729 941	460 356	269 585	211 716	57 869	448 895	281 990	166 905
\$1 TO \$499 OR LOSS	196 652	101 647	98 985	70 382	24 603	151 200	78 260	72 910
\$500 TO \$999	131 513	79 897	51 616	40 841	10 775	85 895	54 145	31 750
\$1,000 TO \$1,499	79 264	51 746	27 518	22 131	5 387	59 910	38 660	21 250
\$1,500 TO \$1,999	58 429	38 568	19 861	16 379	3 482	51 730	34 570	17 160
\$2,000 TO \$2,499	56 897	36 236	20 611	16 985	3 626	41 300	29 440	11 740
\$2,500 TO \$2,999	41 952	27 728	14 224	11 939	2 285	25 675	20 305	5 370
\$3,000 TO \$3,499	42 244	28 829	13 415	10 713	2 702	15 370	12 545	2 825
\$3,500 TO \$3,999	33 814	24 156	9 658	7 887	1 771	6 670	5 420	1 250
\$4,000 TO \$4,499	29 993	22 969	7 036	5 845	1 139	3 505	2 765	740
\$4,500 TO \$4,999	17 644	14 213	3 431	2 877	554	1 750	1 455	295
\$5,000 TO \$5,999	20 287	16 754	3 533	2 903	630	2 300	1 780	520
\$6,000 TO \$6,999	9 198	7 888	1 310	1 049	261	950	705	245
\$7,000 TO \$9,999	8 363	6 864	1 499	1 134	365	1 230	855	375
\$10,000 AND OVER	3 691	2 841	850	611	239	1 410	965	445
MEDIAN INCOME	\$ 1 232	\$ 1 470	\$ 886	\$ 934	\$ 701	\$ 926	\$ 1 111	\$ 666
WHITE, 14 YEARS AND OVER								
TOTAL, 14 YEARS AND OVER	1 121 750	648 313	473 437	360 340	113 097	938 240	476 395	461 845
WITHOUT INCOME	542 655	279 674	262 981	195 827	67 154	539 895	235 010	304 885
WITH INCOME	579 095	368 639	210 456	164 513	45 943	341 530	215 765	125 765
\$1 TO \$499 OR LOSS	138 956	74 580	64 376	47 154	17 222	99 355	52 345	47 010
\$500 TO \$999	94 119	55 965	38 154	29 625	8 529	55 405	32 285	23 205
\$1,000 TO \$1,499	56 639	35 554	21 085	16 744	4 341	46 670	28 915	17 755
\$1,500 TO \$1,999	46 694	29 837	16 857	13 750	3 107	45 405	30 060	15 345
\$2,000 TO \$2,499	49 840	30 986	18 854	15 377	3 477	38 215	27 270	10 945
\$2,500 TO \$2,999	38 960	25 644	11 520	9 248	2 166	24 530	19 360	5 150
\$3,000 TO \$3,499	39 319	26 795	12 524	10 014	2 510	14 725	12 020	2 705
\$3,500 TO \$3,999	31 098	8 779	7 189	5 900	1 289	6 400	5 180	1 220
\$4,000 TO \$4,499	27 622	21 172	6 450	5 426	1 024	3 370	2 695	675
\$4,500 TO \$4,999	16 267	13 029	3 236	2 714	524	1 690	1 430	260
\$5,000 TO \$5,999	19 075	15 775	3 300	2 685	615	2 245	1 740	505
\$6,000 TO \$6,999	8 831	7 569	1 262	1 015	247	905	685	220
\$7,000 TO \$9,999	8 048	6 624	1 424	1 072	352	1 140	815	325
\$10,000 AND OVER	3 627	2 790	837	598	239	1 390	945	445
MEDIAN INCOME	\$ 1 499	\$ 1 805	\$ 1 064	\$ 1 164	\$ 837	\$ 1 171	\$ 1 402	\$ 842
NONWHITE, 14 YEARS AND OVER . . .								
TOTAL, 14 YEARS AND OVER	270 799	153 331	117 468	89 506	27 962	255 895	130 870	125 025
WITHOUT INCOME	119 953	61 614	58 339	42 303	16 036	131 595	58 475	73 120
WITH INCOME	150 846	91 717	59 129	47 203	11 926	107 365	66 225	41 140
\$1 TO \$499 OR LOSS	57 696	27 087	30 609	23 228	7 381	51 845	25 915	25 930
\$500 TO \$999	37 394	23 932	13 462	11 216	2 246	30 405	21 860	8 545
\$1,000 TO \$1,499	22 625	16 192	6 433	5 387	1 046	13 240	9 745	3 495
\$1,500 TO \$1,999	11 735	8 731	3 004	2 629	375	6 325	4 510	1 815
\$2,000 TO \$2,499	7 057	5 250	1 807	1 608	199	3 085	2 290	795
\$2,500 TO \$2,999	2 992	2 084	908	789	119	1 145	925	220
\$3,000 TO \$3,499	2 925	2 034	891	699	192	645	525	120
\$3,500 TO \$3,999	2 716	1 837	879	698	181	270	240	30
\$4,000 TO \$4,499	2 371	1 797	574	459	115	135	70	65
\$4,500 TO \$4,999	1 377	1 184	163	163	30	60	25	35
\$5,000 TO \$5,999	1 212	979	233	218	15	55	40	15
\$6,000 TO \$6,999	367	319	48	34	14	45	20	5
\$7,000 TO \$9,999	315	240	75	62	13	40	40	50
\$10,000 AND OVER	64	51	13	13	...	20	20	...
MEDIAN INCOME	\$ 737	\$ 892	\$ 483	\$ 517	\$ 404	\$ 530	\$ 665	\$ 397
PERCENT DISTRIBUTION								
BOTH SEXES								
TOTAL, 14 YEARS AND OVER	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
WITHOUT INCOME	29.7	34.2	34.2	37.1	37.1	37.1	37.1	37.1
WITH INCOME	70.3	65.8	65.8	62.9	62.9	62.9	62.9	62.9

¹ TOTAL INCLUDES PERSONS NOT REPORTING ON INCOME; PERCENT BASED ON TOTAL REPORTING.

Table 67.—INCOME IN 1959 AND 1949 OF PERSONS, BY COLOR AND SEX, FOR THE STATE, URBAN AND RURAL: 1960 AND 1950—Con.

[See text for source of data. Percent not shown where less than 0.1; percent and median not shown where base is less than 200 in 1960 or 500 in 1950.]

MONEY INCOME, COLOR, AND SEX	1960					1950 ¹		
	THE STATE	URBAN	RURAL			THE STATE	URBAN	RURAL
			TOTAL	NONFARM	FARM			
PERCENT DISTRIBUTION--CON.								
BOTH SEXES--CON.								
TOTAL, 14 YEARS AND OVER--CON.								
TOTAL WITH INCOME	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
\$1 TO \$499 OR LOSS	15.9	12.7	20.7	19.4	24.9	18.9	15.0	23.0
\$500 TO \$999	12.2	10.6	14.5	13.5	17.9	15.0	11.8	18.8
\$1,000 TO \$1,499	9.4	8.8	10.1	9.5	12.2	13.9	12.6	15.5
\$1,500 TO \$1,999	7.2	6.7	7.7	7.6	9.0	11.6	11.4	11.9
\$2,000 TO \$2,499	7.5	6.9	8.4	8.5	8.1	11.3	11.7	10.7
\$2,500 TO \$2,999	5.9	5.8	6.2	6.5	5.2	7.9	9.3	6.2
\$3,000 TO \$3,499	6.5	6.6	6.5	6.6	5.5	7.0	8.7	4.9
\$3,500 TO \$3,999	5.1	5.4	5.8	5.1	3.7	6.0	5.2	2.5
\$4,000 TO \$4,499	5.6	6.1	4.9	5.3	3.3	2.6	3.4	1.7
\$4,500 TO \$4,999	3.9	4.5	3.1	3.4	1.9	1.6	2.2	0.9
\$5,000 TO \$5,999	6.8	8.1	5.0	5.6	2.9	2.3	3.1	1.3
\$6,000 TO \$6,999	4.3	5.3	3.8	3.1	1.7	1.8	1.8	0.6
\$7,000 TO \$9,999	5.6	7.2	3.2	3.5	1.9	1.5	2.2	0.7
\$10,000 AND OVER	4.0	5.4	2.0	2.1	1.6	1.1	1.5	0.7
WHITE, 14 YEARS AND OVER	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
WITHOUT INCOME	29.4	25.8	34.2	33.3	36.9	37.2	31.3	43.0
WITH INCOME	70.6	74.2	65.8	66.7	63.1	62.8	68.7	57.0
TOTAL WITH INCOME	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
\$1 TO \$499 OR LOSS	13.8	11.4	17.5	16.3	21.5	16.1	12.8	20.1
\$500 TO \$999	10.7	9.1	13.1	12.0	16.6	12.4	9.0	16.5
\$1,000 TO \$1,499	8.5	7.9	9.5	8.8	11.7	13.0	11.4	14.9
\$1,500 TO \$1,999	6.7	6.1	7.5	7.1	9.1	11.2	10.2	12.3
\$2,000 TO \$2,499	7.2	6.3	8.4	8.3	8.7	11.8	11.6	12.0
\$2,500 TO \$2,999	5.9	5.5	6.6	6.8	5.9	9.1	10.5	7.5
\$3,000 TO \$3,499	6.7	6.5	7.1	7.4	6.2	8.4	10.3	6.1
\$3,500 TO \$3,999	5.5	5.6	5.3	5.6	4.2	5.0	6.4	3.1
\$4,000 TO \$4,499	6.0	6.3	6.0	6.0	3.8	3.5	4.2	2.1
\$4,500 TO \$4,999	4.4	4.9	3.7	4.1	2.3	2.0	2.8	1.1
\$5,000 TO \$5,999	7.8	9.1	6.0	6.7	3.5	2.8	3.9	1.6
\$6,000 TO \$6,999	5.1	6.2	3.6	3.8	2.0	1.6	2.2	0.8
\$7,000 TO \$9,999	6.8	8.7	4.6	4.9	2.4	2.7	2.7	0.9
\$10,000 AND OVER	4.9	6.6	2.5	2.6	2.0	1.4	1.9	0.8
NONWHITE, 14 YEARS AND OVER	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
WITHOUT INCOME	30.8	28.1	34.1	32.9	37.9	36.2	32.2	40.1
WITH INCOME	69.2	71.9	65.9	67.1	62.1	63.8	67.8	59.9
TOTAL WITH INCOME	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
\$1 TO \$499 OR LOSS	24.9	18.6	32.2	31.6	38.7	29.5	23.7	36.0
\$500 TO \$999	18.7	17.6	20.1	19.3	23.1	24.5	22.2	27.0
\$1,000 TO \$1,499	12.9	13.1	12.6	12.2	14.1	17.1	17.0	17.3
\$1,500 TO \$1,999	9.3	9.5	9.3	9.5	8.6	13.3	16.0	10.3
\$2,000 TO \$2,499	9.1	9.6	9.1	9.2	9.9	12.1	12.1	12.1
\$2,500 TO \$2,999	5.9	6.9	4.6	5.1	2.7	3.4	4.8	1.8
\$3,000 TO \$3,499	5.8	7.0	4.1	4.6	2.5	1.7	2.5	0.7
\$3,500 TO \$3,999	3.7	4.5	2.5	2.8	1.6	0.5	0.8	0.2
\$4,000 TO \$4,499	4.0	5.0	3.3	3.5	1.3	0.3	0.3	0.8
\$4,500 TO \$4,999	1.9	2.7	0.9	1.0	0.5	0.1	0.1	0.1
\$5,000 TO \$5,999	2.5	3.6	1.1	1.2	0.6	0.1	0.2	0.1
\$6,000 TO \$6,999	0.7	1.0	0.3	0.3	0.3	0.1	0.1	0.1
\$7,000 TO \$9,999	0.5	0.5	0.5	0.5	0.2	0.1	0.1	0.1
\$10,000 AND OVER	0.2	0.3	0.1	0.1	0.1	0.1	0.1	...
MALE								
TOTAL, 14 YEARS AND OVER	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
WITHOUT INCOME	11.4	8.8	14.5	14.0	16.0	13.5	10.4	16.5
WITH INCOME	88.6	91.2	85.5	86.0	84.0	86.5	89.6	83.5
TOTAL WITH INCOME	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
\$1 TO \$499 OR LOSS	9.3	6.4	13.1	12.0	16.7	12.0	7.5	16.5
\$500 TO \$999	8.7	6.1	12.1	10.4	17.6	13.0	7.3	18.8
\$1,000 TO \$1,499	8.4	7.2	10.1	9.0	13.5	14.2	11.9	16.4
\$1,500 TO \$1,999	6.6	5.5	8.2	7.5	10.3	11.7	10.9	12.4
\$2,000 TO \$2,499	7.4	6.3	8.8	8.8	9.0	12.2	12.4	12.0
\$2,500 TO \$2,999	6.1	5.6	6.6	6.9	5.8	8.9	10.6	7.7
\$3,000 TO \$3,499	7.0	6.8	7.3	7.8	5.9	8.6	11.2	6.1
\$3,500 TO \$3,999	5.5	5.5	5.4	5.8	4.0	5.2	7.2	3.2
\$4,000 TO \$4,499	6.5	6.8	6.1	6.7	3.9	3.5	4.9	2.1
\$4,500 TO \$4,999	4.8	5.4	4.1	4.6	2.4	2.2	3.2	1.1
\$5,000 TO \$5,999	9.2	11.0	6.9	7.8	3.8	3.1	4.6	1.6
\$6,000 TO \$6,999	6.1	7.6	4.0	4.5	2.3	1.8	2.7	0.8
\$7,000 TO \$9,999	8.3	11.1	4.5	5.2	2.6	2.1	3.3	0.9
\$10,000 AND OVER	6.2	8.7	2.9	3.1	2.2	1.5	2.2	0.8
WHITE, 14 YEARS AND OVER	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
WITHOUT INCOME	10.0	7.6	13.2	12.6	15.0	12.8	9.1	16.2
WITH INCOME	90.0	92.4	86.8	87.4	85.0	87.2	90.9	83.8
TOTAL WITH INCOME	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
\$1 TO \$499 OR LOSS	7.9	5.7	10.9	9.9	14.0	10.2	6.3	14.2
\$500 TO \$999	7.4	5.1	10.6	9.0	15.8	10.7	5.6	15.9
\$1,000 TO \$1,499	7.8	6.7	9.2	8.1	12.7	12.7	10.3	15.2
\$1,500 TO \$1,999	5.8	4.8	7.3	6.4	10.1	10.2	8.1	12.4
\$2,000 TO \$2,499	6.3	5.0	8.1	7.8	9.2	12.1	11.0	13.1
\$2,500 TO \$2,999	5.5	4.6	6.7	6.8	6.4	10.0	11.4	8.6
\$3,000 TO \$3,499	6.7	5.9	7.7	8.1	6.6	10.3	13.0	7.5
\$3,500 TO \$3,999	5.6	5.3	5.9	6.3	4.6	6.3	8.7	4.0
\$4,000 TO \$4,499	6.6	6.6	6.0	7.4	4.5	6.5	5.9	2.7
\$4,500 TO \$4,999	5.3	5.7	4.7	5.3	2.9	2.7	3.9	1.4
\$5,000 TO \$5,999	10.5	12.2	8.2	9.3	4.5	3.8	5.6	2.0
\$6,000 TO \$6,999	7.2	8.9	4.8	5.5	2.7	2.2	3.3	1.0
\$7,000 TO \$9,999	10.0	13.2	5.3	6.3	3.1	2.6	4.1	1.2
\$10,000 AND OVER	7.5	10.3	3.5	3.8	2.7	1.9	2.7	1.0

¹ TOTAL INCLUDES PERSONS NOT REPORTING ON INCOME; PERCENT BASED ON TOTAL REPORTING.