

Done, this the 25th day of July, 1962.

- (S.) RICHARD T. RIVES,  
United States Circuit Judge,
- (S.) DANIEL H. THOMAS,  
United States District Judge,
- (S.) FRANK M. JOHNSON, JR.,  
United States District Judge.

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN  
DIVISION.**

**CIVIL ACTION No. 1744-N.**

**M. O. SIMS, FRED A. BEAM, WYLIE JOHNSON, G. R. SOUTHARD, MILES S. LEE, PAUL FRIEDMAN, WILLIAM LINDSAY WILLIAMS, WILLIAM P. SHAW, JR., PRENTICE W. THOMAS, RICHARD D. TANNEHILL, PAUL M. BYRNE, DAVID R. BAKER, CHARLES MORGAN, JR., and GEORGE PEACH TAYLOR, for themselves jointly and severally, and for all others similarly situated,**

**Plaintiffs,**

**R. E. FARR, MARSHALL MEADOWS, JACK HOPPING, JACK RYAN, MAX W. MORGAN, DAVID J. VANN, ROBERT S. VANCE, RICHARD P. HUMPHREY, JR., JOHN W. McCONNELL, JR., JOSEPH N. LANGAN, WILLIAM M. WILLIAMS, JR., and GARET VAN ANTWERP,**

**Intervening Plaintiffs,**

**versus**

**BETTYE FRINK, Secretary of State of the State of Alabama; HARRELL HAMMONDS, Judge of Probate of Lowndes County, Alabama; JOHN A. SANKEY, Judge of Probate of Montgomery County, Alabama; J. PAUL MEEKS, Judge of Probate of Jefferson County, Alabama; JOHN GRENIER, Chairman of the Alabama State Republican Executive Committee; PERRY O. HOOPER, Secretary of the Alabama State Republican Executive Committee; ROY MAYHALL, Chairman of the Alabama State Democratic Executive Committee; H. G. RAINS, Secretary of the Alabama State Democratic Executive Committee; MacDONALD GALLION, Attorney General of the State of Alabama,**

**Defendants.**

**WRIT OF INJUNCTION.**

**TO:** BETTYE FRINK, Secretary of State of the State  
of Alabama,  
JOHN GRENIER, Chairman of the Alabama State  
Republican Executive Committee,  
PERRY O. HOOPER, Secretary of the Alabama  
State Republican Executive Committee,  
ROY MAYHALL, Chairman of the Alabama State  
Democratic Executive Committee,  
H. G. RAINS, Secretary of the Alabama State  
Democratic Executive Committee,  
MacDONALD GALLION, Attorney General of  
the State of Alabama,  
JAMES A. RICE, Judge of Probate of Autauga  
County, Alabama,  
W. R. STUART, Judge of Probate of Baldwin  
County, Alabama,  
GEORGE EDWARD LITTLE, Judge of Probate of  
Barbour County, Alabama,  
G. H. STACY, Judge of Probate of Bibb County,  
Alabama,  
W. F. MAYNOR, Judge of Probate of Blount  
County, Alabama,  
FRED D. MAIN, Judge of Probate of Bullock  
County, Alabama,  
JAMES T. BEELAND, Judge of Probate of Butler  
County, Alabama,  
G. CLYDE BRITAIN, Judge of Probate of Cal-  
houn County, Alabama,  
O. D. ALSOBROOK, Judge of Probate of Chamb-  
ers County, Alabama,

CHARLES A. FORMBY, Judge of Probate of  
Cherokee County, Alabama,  
JERALD CLARK WHITE, Judge of Probate of  
Chilton County, Alabama,  
RICHARD EDWIN McPHEARSON, Judge of Pro-  
bate of Choctaw County, Alabama,  
W. CECIL JOHNSON, Judge of Probate of Clarke  
County, Alabama,  
G. W. PRUET, Judge of Probate of Clay County,  
Alabama,  
THOMAS JEFFERSON BABER, Judge of Probate  
of Cleburne County, Alabama,  
J. OSCAR ENGLISH, Judge of Probate of Coffee  
County, Alabama,  
M. GRESHAM HALE, Judge of Probate of Col-  
bert County, Alabama,  
LOYD G. HART, Judge of Probate of Conecuh  
County, Alabama,  
MAC THOMAS, Judge of Probate of Coosa County,  
Alabama,  
LELAND G. ENZOR, Judge of Probate of Coving-  
ton County, Alabama,  
JOHN M. McSWEAN, Judge of Probate of Cren-  
shaw County, Alabama,  
GRAF HART, Judge of Probate of Cullman  
County, Alabama,  
KIRKE ADAMS, Judge of Probate of Dale County,  
Alabama,  
BERNARD A. REYNOLDS, Judge of Probate of  
Dallas County, Alabama,  
J. FRANK CROLEY, Judge of Probate of DeKalb  
County, Alabama,

W. M. (WILLIE) COUSINS, Judge of Probate of  
Elmore County, Alabama,  
REO KIRKLAND, Judge of Probate of Escambia  
County, Alabama,  
WILEY J. HICKMAN, Judge of Probate of Etowah  
County, Alabama,  
CLYDE C. CARGILE, Judge of Probate of Fayette  
County, Alabama,  
W. W. WEATHERFORD, Judge of Probate of  
Franklin County, Alabama,  
R. S. WARD, Judge of Probate of Geneva County,  
Alabama,  
JAMES DENNIS HERNDON, Judge of Probate of  
Greene County, Alabama,  
ROBERT K. GREENE, Judge of Probate of Hale  
County, Alabama,  
THEODORE R. WARD, Judge of Probate of Henry  
County, Alabama,  
CARL E. SELLERS, Judge of Probate of Houston  
County, Alabama,  
ROBERT I. GENTRY, Judge of Probate of Jack-  
son County, Alabama,  
J. PAUL MEEKS, Judge of Probate of Jefferson  
County, Alabama,  
VICTOR C. PAUL, Judge of Probate of Lamar  
County, Alabama,  
ESTES R. FLYNT, Judge of Probate of Lauder-  
dale County, Alabama,  
ISAAC JOHNSON, JR., Judge of Probate of Law-  
rence County, Alabama,  
IRA H. WEISSINGER, Judge of Probate of Lee  
County, Alabama,

MASON CLIFTON FREEMAN, Judge of Probate  
of Limestone County, Alabama,  
HARRELL HAMMONDS, Judge of Probate of  
Lowndes County, Alabama,  
WILLIAM VARNER, Judge of Probate of Macon  
County, Alabama,  
ASHFORD TODD, Judge of Probate of Madison  
County, Alabama,  
R. J. WESTBROOK, Judge of Probate of Marengo  
County, Alabama,  
FRANK PEARCE, Judge of Probate of Marion  
County, Alabama,  
JESSE EPPS CORBIN, Judge of Probate of Mar-  
shall County, Alabama,  
VERNOL R. JANSEN, Judge of Probate of Mobile  
County, Alabama,  
EUGENE T. MILLSAP, Judge of Probate of  
Monroe County, Alabama,  
JOHN A. SANKEY, Judge of Probate of Mont-  
gomery County, Alabama,  
T. C. ALMON, Judge of Probate of Morgan  
County, Alabama,  
DAVID S. LEE, Judge of Probate of Perry County,  
Alabama,  
R. B. HARRIS, Judge of Probate of Pickens  
County, Alabama,  
BEN REEVES, Judge of Probate of Pike County,  
Alabama,  
STELL BENEFIELD, Judge of Probate of Ran-  
dolph County, Alabama,  
J. SHANNON BURCH, Judge of Probate of Rus-  
sell County, Alabama,

HOYT B. HAMILTON, Judge of Probate of Saint  
Clair County, Alabama,  
CONRAD M. FOWLER, Judge of Probate of  
Shelby County, Alabama,  
WILBUR ELISHA DEARMAN, Judge of Probate  
of Sumter County, Alabama,  
WILLIAM F. KILLOUGH, Judge of Probate of  
Talladega County, Alabama,  
CHARLES C. ADAMS, Judge of Probate of Talla-  
poosa County, Alabama,  
DAVID M. COCHRANE, Judge of Probate of Tus-  
caloosa County, Alabama,  
NELSON U. ALLEN, Judge of Probate of Walker  
County, Alabama,  
JOHN G. KIMBROUGH, Judge of Probate of  
Washington County, Alabama,  
WILLIAM DANNELLY, Judge of Probate of Wil-  
cox County, Alabama, and  
LOYD H. McDONALD, Judge of Probate of Wins-  
ton County, Alabama.

TAKE NOTICE that you and each of you, your suc-  
cessors in office, agents, servants, employees and per-  
sons acting on your behalf, be and you are hereby  
ORDERED and ENJOINED as more particularly set out  
in the opinion of this Court made and filed herein on  
July 21, 1962, and in the order and decree of this Court  
made and entered herein on this date.

Done, this the 25th day of July, 1962.

R. C. DOBSON,

Clerk of the District Court of the  
United States for the Middle  
District of Alabama.

**APPENDIX No. 2.**

TABLE OF STATES  
 APPORTIONED UNDER PROVISIONS REQUIRING ONE  
 SENATOR PER DISTRICT OR LIMITING A  
 SENATORIAL DISTRICT TO ONE  
 SENATOR

AUTHORITY: **BOOK OF THE STATES 1962-63**

Alabama	Nevada
California	New Jersey
Connecticut	New Mexico
Florida	South Carolina
Georgia	Texas
Idaho	Vermont
Iowa	Wyoming
Montana	

TABLE OF STATES  
 REQUIRING HOUSE REPRESENTATION OF NOT LESS  
 THAN ONE PER COUNTY

AUTHORITY: **BOOK OF THE STATES 1962-63**

Alabama	New Mexico
Arkansas	New York



Hawaii	North Carolina
Idaho	North Dakota
Iowa	Ohio
Kansas	Pennsylvania
Mississippi	South Carolina
Missouri	Utah
Montana	West Virginia
New Jersey	Wyoming

**APPENDIX No. 3.**

COMPARISON: HOUSE APPORTIONMENT UNDER  
PROVISIONS OF ACT No. 91; METHOD OF  
EQUAL PROPORTIONS; AND METHOD  
OF SMALLEST DIVISORS

County	Crawford-Webb Act, Act 91	SDM	EPM
Jefferson	12	14	17
Mobile	6	7	8
Montgomery	4	4	4
Calhoun	3	3	3
Etowah	3	3	3
Madison	3	3	3
Tuscaloosa	3	3	3
Baldwin	2	2	1
Colbert	2	1	1
Cullman	2	1	1
Dallas	2	2	2

106

Houston	2	2	1
Lauderdale	2	2	2
Lee	2	2	1
Marshall	2	2	1
Morgan	2	2	2
Russell	2	1	1
Talladega	2	2	2
Walker	2	2	2

Balance of counties one each under all apportionment methods.

#### APPENDIX No. 4.

#### TABLE OF TEN INDUSTRIAL COUNTIES SHOWING CITY POPULATION AS PER CENT OF TOTAL COUNTY POPULATION

County	City	Popu- lation	Co. Pop.	% Rounded of Total Pop.
Jefferson	Birmingham	340,887	634,864	54%
Mobile	Mobile	202,779	314,301	64%
Montgomery	Montgomery	134,393	169,210	79%
Madison	Huntsville	72,365	117,348	61%
Tuscaloosa	Tuscaloosa	63,370	109,047	58%
Etowah	Gadsden	58,088	96,980	59%
Calhoun			95,878	39%
	(Oxford	3,603		
contiguous	(			
	(Anniston	33,657		
		<hr/>		
		37,260		

107

(Boundaries extended since census to increase population  
of Oxford)

Lauderdale		61,622	
Colbert		46,506	
		<hr/>	
		108,128	
	( Florence	31,649	
contiguous	( Sheffield	13,499	
	( Tuscumbia	8,994	
		<hr/>	
		54,142	
Morgan	Decatur	29,217	60,454
			50%