

## Va. Poll Tax Killed by Court

A person . . . shall have the right to vote for all officers elective by the people, subject to the following conditions:  
That . . . 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 . . .  
—Article II, Section 21, Constitution of Virginia



Justice Douglas

"We conclude that a state violates the equal protection clause of the 14th Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard."  
—The United States Supreme Court

### 6-3 Decision Cites Equality

By JOHN L. BROOKS  
Virginia-Pilot Washington Writer

WASHINGTON—Virginia may not use her 63-year-old poll tax as a prerequisite to voting in any election, the U.S. Supreme Court ruled Thursday in a 6-3 decision. The court majority held that the tax violates the provision of the 14th Amendment to the U.S. Constitution guaranteeing citizens equal protection of the law.

Virginians in Congress Not Surprised  
Page 10

## State May Request Rights Act Exclusion

### Voting Law Changes, Illiteracy Ban Possible

By GEORGE M. KELLEY  
Virginia-Pilot Business Writer

RICHMOND—Virginia may try to capitalize on the U.S. Supreme Court's decision, which ended the poll tax in state and local elections, by using it as a basis for having itself excluded from the federal Voting Rights Act of 1965. As one of only seven states with all political subdivisions affected by the federal law, Virginia may contend that without the poll tax the Virginia requirements for voting are less stringent than in many states where the law is not applied.

### Ramsey, Paul Split On Family

ROME (AP) — The Archbishop of Canterbury ended his historic Christian unity visit to Pope Paul VI with a parting complaint Thursday that Roman Catholic concessions on mixed marriage are inadequate.

Virginia may contend that without the poll tax the Virginia requirements for voting are less stringent than in many states where the law is not applied. Virginia's exclusion would open the way for the state to:

- Renew its traditional ban on registration of illiterates. Registrars across the state have been required to accept illiterates since the federal act became effective last year.
- Let the stage for changing state voting laws without having to clear the changes with the Justice Department. States under the federal law must have the approval of the U.S. attorney general before changing voting requirements.



Mrs. Butts and attorney Joseph Jordan celebrate victory.

### Registrars Confused By Ruling

By STAIGE D. BLACKFORD  
Virginia-Pilot Staff Writer

NORFOLK—While the Supreme Court's decision Thursday ended doubts about the constitutionality of Virginia's poll tax, it cast doubt about voter qualifications for upcoming councilmanic elections in Tidewater's four cities.

- When does the Supreme Court's decision take effect?
- Are the people registered to vote only in federal elections now eligible to vote in state and local elections as well?

### Victor Expects Another Fight

By BILL McALLISTER  
Virginia-Pilot Staff Writer

NORFOLK—For attorney Joseph A. Jordan Jr., a champion of lost causes, the taste of victory Thursday was sweet and strange.

Of course I'm happy about it," he said. "It has given my state the way to get into the 20th century."  
But Jordan, who has been confined to a wheelchair since being wounded in World War II, said he had no doubt that the state's political leaders will try to thwart the court's ruling.

He told newsmen that he expressed Protestant disaffection with the Church's adjusted stand on mixed marriage to the Pope himself. "I have told everyone I've spoken to in Rome that the new instruction does not satisfy the consciences of Anglican Christians and other non-Roman Catholic Christians," Dr. Ramsey said.

Anglicans seek full equality between both spouses in a mixed marriage and ask that the children have the right to choose their religion for themselves. In their unity declaration both expressed hope that differences that have separated their churches since 1550 could be overcome. But they acknowledged it would not be easy.

### Gunman Holds 2, Kills Himself

#### Hostages Safe After 8 Hours

SPRINGFIELD, Ore. (AP) — A gunman held two people hostage in their home more than eight hours Thursday, then shot himself moments after police lobbed tear gas into the house.



Acree

Police Lt. Alfred Hartman, who was with Wilson's car, said it was Acree who fired the shot that hit Wilson. Hartman said Acree had police bullets about 5 a.m. and sought refuge in the Fawcosh house.

### It Was in His Heart Boy and His Rocket Recovered

TWIN FALLS, Idaho (AP)—A 13-year-old boy shot through the heart with part of a ball point pen is on the road to recovery. The boy, Timothy Williams, said he had agreed with his parents to end dabbling with home-made rockets any more. As a reminder, he carried in his pocket a 2 1/2-inch section of metal casing which doctors removed from his pulmonary artery in an operation March 15.



Timothy and reminder

Timothy was in critical condition for several days, but he

### Red Attack Fails 2 Miles From Saigon

Page 9

Amusements	41
Bridge	34
Business	43-48
Classified	47-47
Comics	38
Crossword	38
Editorials	38
Markets	47
Obituaries	41
Sports	49-56
TV-Radio	42
Weather	47
Wishing Well	44
Women	47-51

Even Dissenters Don't Mourn It

Death of the Poll Tax

There is merit in Justices Harlan's and Black's dissents to yesterday's Supreme Court decision voiding Virginia's poll tax, which the former viewed as "the final demise of state poll taxes."

but the red tape as well. Bloc payment of poll taxes for political paymen has been a near-scandal. The evil outlasted the design.

One by one the Southern states began to remove the poll tax as a prerequisite to voting. But Virginia held on, until at last the tax existed only here and in Alabama, Mississippi, Texas, and Arkansas.

Arkansas gave up the poll tax. Federal courts in recent months have held the Alabama and Texas versions to be unconstitutional. However, the Virginia case was the first to reach the Supreme Court.

The ruling was 6-3. Justice Douglas in delivering it said that "today we decided Breedlove was wrong."

The poll tax was written into the 1902 Virginia Constitution to discourage Negroes from voting. The device was in high fashion in the South back then. Over the decades its effect in Virginia has been to keep the electorate small and manageable, not only because of the

rather than rely on "the range of choice by reasonable-minded people acting through the political process?" Justice Harlan said it did and Justice Stewart agreed. Justice Black went further in rebuking the majority "for consulting its own notions rather than following the original meaning of the Constitution, as I would . . ."

Sadly, though, Virginia throughout this century has adjusted its reasons for keeping the poll tax as surely as the Court adjusted its thinking on the Constitutional issue. Discrimination was its original intent and nobody said it was otherwise.

An Appeal to the French

President Johnson, making his first public reply to President de Gaulle's collision with the Atlantic Alliance, did more than affirm his personal belief in NATO's military structure as an indispensable part of the alliance and that no good would come of any effort to take it apart.

he should persist in withdrawal, as now seems most likely. Mr. Johnson made what could have been his pitch to the French people when he said: "A place of respect and responsibility will await any ally who decides to return to the common task."

Mr. Lecaenue, the ex-Presidential candidate, was quick to see the implications for France. He described his Government's attempt to maintain an effective alliance while dropping out of its defense organizations as "a vanity of pretensions."

his mind on taking French forces out of NATO and removing NATO forces from French soil is one of those mysteries he so relishes. If

'History Will Remember'

History hung heavy over the meeting of Dr. Arthur Michael Ramsey, the Archbishop of Canterbury, and Pope Paul VI in the Vatican Wednesday. It is the first formal visit that the Anglican Primate has paid to the Pope since Henry VIII broke with Rome to create the Church of England in 1534, though Archbishop Geoffrey Francis Fisher paved his successor's way by making a "courtesy call" upon Pope John XXIII at the Vatican in 1960.

The trouble with the Gaullist approach is not in its conception. The trouble is that it will not succeed. It harbors two connected flaws of a fatal character. First, there is no reason to think that the Russians will do business with de Gaulle. On the contrary, all experience since 1945 indicates that for Russia the only interesting partner is the United States — the more so now that there is the Sino-Soviet split. Thus, what the Russians are almost bound to do with de Gaulle is to feign interest in an accord in hopes of disrupting the Western Alliance.

A Bravura Performance

The Board of the Norfolk Symphony-Orchestra, President David Clark IV, and the committee-to-find-a-conductor started a bravura performance in luring away the assistant conductor of the Minneapolis Symphony Orchestra, 42-year-old Russell Stanger.

than 90 applications for the post of conductor. Littleton W. Parks, committee chairman, attributed his buy's market to every young conductor's yearning for an orchestra of his own and to Norfolk's progressive image. The word of urban redevelopment has spread among musical, as well as business, circles.

Franco-Soviet Understanding

Gen. Charles de Gaulle has never expressed his vision of a European settlement in the common-sense terms understood by ordinary men. But, by consulting traditional French stands, by analyzing the General's Deplique statements and by talks with men around him, it is possible to grasp what he has in mind and what he is now trying to achieve.

The obvious purpose of a Franco-Soviet understanding would be containment of the Germans. To that end, de Gaulle apparently favors the frontier restrictions and other measures. First, France and Russia would insist on the maintenance of present frontiers between Germany and East European states.

Man, That Big Jump Is Really Rough



Letters to the Editor

Teacher Pay and Quality

Editor, Virginian-Pilot: After reading William K. Stevens article on the financial plight of many young teachers in the Norfolk school system, the citizens of Tidewater, as well as those of Norfolk, should have come to the realization that they must pay equitable salaries so that their children can obtain a quality education.

not until you make the standard of living more comfortable for our teachers. MADELINE BUTLER, Norfolk.

Chief of State

Editor, Virginian-Pilot: I take this opportunity to ask one question and to answer it very accurately myself. Why must President Johnson's name appear on signs at the location of state construction projects receiving Federal funds? Our Chief of State, if such a title may be applied to one so undeserving, is merely a power-hungry publicity-seeker who would sell out his own race to secure one more vote.

Violence

Editor, Virginian-Pilot: A contributor to the letters commented about the brutal and sadistic turn the "comic" strip Dick Tracy has taken. Comic strips as violence have been seen for some time. In general they depict life in the raw and life as it is, which in most cases is what people desire to read about. As for blood being contaminated by Dick Tracy, this is very unlikely, as she is in another world.

Perturbed

Editor, Virginian-Pilot: A recent settlement in our Federal Court has a little perturbed. Your newspaper quoted the learned judge as follows: "The plan, as submitted, is in fact a racial plan and, in the absence of agreement, would not be approved."

Underpaid

Editor, Virginian-Pilot: Your article Sunday, March 20, on teachers and their salaries was no surprise to me, for it was surely long overdue. Must Virginia always be last in everything? How does she expect schools to turn out good material for the prosperity of future generations when our schools are staffed with discontented, depressed teachers?

The Virginian-Pilot

Published by THE VIRGINIAN-PILOT COMPANY, 1000 W. MAIN ST., NORFOLK, VA. Entered as second class matter at the post office in Norfolk, Va., on October 3, 1916. Post Office at Norfolk, Va., is authorized to accept this publication for mailing at special rate of postage provided for in Act of October 3, 1917, authorized on July 16, 1962.

Franklin and Marshall College, Lancaster, Pa.

Editor, Virginian-Pilot: Your article Sunday, March 20, on teachers and their salaries was no surprise to me, for it was surely long overdue.

How can you expect a man who goes to college and earns a bachelor's degree to be satisfied with a starting salary of \$4,607? Even a janitor makes more than this with no post high school education required.

What makes the teacher of today? Is it not their dedication? Certainly, as has been mentioned, they do not enter such a profession for the money. They also realize that it takes much time to be a good

# Va. Solons Not Surprised But Doubt Court's Right

WASHINGTON — Most Virginia legislators in Congress on Thursday were not surprised at the Supreme Court's decision invalidating the poll tax in state and local elections.

Sen. Harry F. Byrd Jr. — "In view of recent decisions by the U.S. Supreme Court in similar cases, I am not surprised at this. Of course, this action does not affect federal elections, as the poll tax has already been eliminated in those elections."

Rep. William M. Tucker, 5th District — "The action is one of the wisest of several bipartisan decisions handed down by the Warren Court in the last 15 years. It is in the merit of decisions of the poll tax, it has not been recognized as a state matter."

Rep. J. B. Broyhill, 10th District — "This is a further assurance of power by the Supreme Court. While I agree with the decision, I disagree that the court had jurisdiction in this matter. This matter could have been properly considered by the appropriate legislative body."

Sen. A. Willis Robertson and Congressmen Porter Hardy Jr. (2nd District) and Howard W. Smith (5th District) declined comment on the decision. Rep. John O. Marsh Jr. (7th District) could not be reached. Rep. J. B. Broyhill, 10th District, a long time poll tax

advocate, said the decision pointed up the need for the assembly to overhaul and simplify its election laws.

Former state Sen. Almirated L. Booth of Alexandria, who is challenging Byrd for the Democratic nomination to the Senate in the July primary, said the decision was a "heavy blow" to him. He said he will continue to urge the people of Virginia.

"The absence of a poll tax will make it easier and less complicated for people to vote. It is one more step in transferring the responsibility for the allocation of Virginia's resources from the inner circle of 60 legislators to 4,000,000 citizens of the state," Booth said.

## Va. Poll Tax Abolished

due protests to a fixed calendar of what was at the time deemed to be the limits of fundamental rights.

The court pointed in a famous parallel: The 1848 school desegregation decision, overruling the "separate but equal" doctrine of a half-century earlier.

A payment of a tax a prerequisite to voting. Black said. Black's own antagonism, however, didn't lead him to the conclusion that he should take part in a usurpation of powers he thought properly belong to the states or to the people.

The Harlan opinion, differed from Black's in that it still made explicit reference to the poll tax. Harlan said that the Virginia poll tax was "invidious" in that it was a tax on the basis of race.

Harlan admitted that most Americans today do not endorse economic requirements for voting, but said "it is all wrong, in my view, for the court to adopt the political decisions proposed by the majority and to declare the poll tax unconstitutional."

Two other suits attacking the poll tax are in the courts at the time the Supreme court ruling. These undoubtedly will be dismissed or dropped.

After the Civil War, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.

## Tax Purpose Altered

WASHINGTON — Curiously, the poll tax was first used in this country not in favor of the right of suffrage, as came to be the case in the South, but to raise money.

The court's action restricts a decision by a three-judge federal court handed down last year. The three-judge court had ruled that the poll tax was unconstitutional.

Two other suits attacking the poll tax are in the courts at the time the Supreme court ruling. These undoubtedly will be dismissed or dropped.

After the Civil War, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.

After the Civil War, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.

After the Civil War, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.

After the Civil War, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.

After the Civil War, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.

## Confusion Norfolkians Figured in Court Ruling

Richmond — "When we argued the case in January, the experienced hands on the court had said it would probably take about seven months for a decision," he said. He filed the suit for Mrs. Batts in May, 1964, after a previous suit brought in her behalf was dismissed by the 4th Circuit Court of Appeals.

Thurgood Marshall, the former top lawyer for the NAACP, also joining the case attorneys for the American Civil Liberties Union representing Fairfax County women.

Asked what would be the result of Mrs. Batts' court fight, he replied, "That's a contribution to the cause."

Thurgood Marshall, the former top lawyer for the NAACP, also joining the case attorneys for the American Civil Liberties Union representing Fairfax County women.

Thurgood Marshall, the former top lawyer for the NAACP, also joining the case attorneys for the American Civil Liberties Union representing Fairfax County women.

Thurgood Marshall, the former top lawyer for the NAACP, also joining the case attorneys for the American Civil Liberties Union representing Fairfax County women.

Thurgood Marshall, the former top lawyer for the NAACP, also joining the case attorneys for the American Civil Liberties Union representing Fairfax County women.

Thurgood Marshall, the former top lawyer for the NAACP, also joining the case attorneys for the American Civil Liberties Union representing Fairfax County women.

## S. Africa Refuses King Visa

ATLANTA (AP) — Dr. Martin Luther King Jr., Negro civil rights leader, has been denied a visa to visit the Union of South Africa, which long has followed a policy of strict racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

Dr. King had applied for his visa through the South African Embassy in New Orleans, La. The embassy had refused to issue a visa to King because of his opposition to the Union of South Africa's policy of racial segregation.

## Voice Intrudes

ALTON, Mo. (AP) — Members of the Alton Baptist Church are experiencing a serious nuisance because of a speaker's voice intruding on the public address system.

The church's public address system is being used by a speaker who is intruding on the church's services.

The church's public address system is being used by a speaker who is intruding on the church's services.

The church's public address system is being used by a speaker who is intruding on the church's services.

The church's public address system is being used by a speaker who is intruding on the church's services.

The church's public address system is being used by a speaker who is intruding on the church's services.

The church's public address system is being used by a speaker who is intruding on the church's services.

The church's public address system is being used by a speaker who is intruding on the church's services.

## McDonnell's EROS

ST. LOUIS, Mo. (AP) — McDonnell Aircraft Corp. announced today that it has developed a warning device to alert pilots of airframe damage.

The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.

The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.

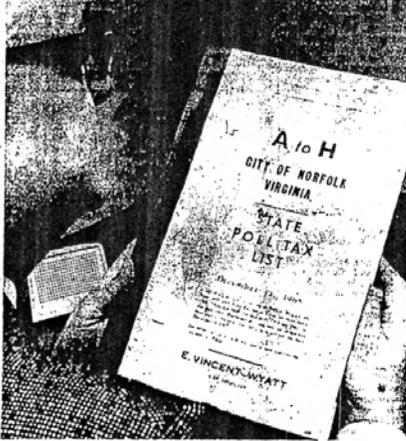
The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.

The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.

The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.

The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.

The device is called EROS (Eliminate Range Zero System) and is designed to detect airframe damage by monitoring the speed of sound and the airframe's vibration.



Norfolk City Treasurer E. Vincent Wyatt looks over one of the city's poll tax books, which apparently will be consigned to the ash heap of history by Thursday's Supreme Court decision.

## Exclusion

Officially point out that the state literacy test is no more than that in most states. It requires that a person fill out a form, unassisted, to show his name, address and age, and answer several questions unrelated to the Constitution or any special law.

The Supreme Court's decision will not affect the July 12 Democratic primary or the November general election of 1966. The act also applies to 28 counties in North Carolina and to a few counties in three other states.

The high court's ruling was not unexpected, and key members of the Byrd Organization had been predicting it for some time. The ruling, however, may have an effect on some councilman races in the municipal elections June 14. Thousands of Negroes in the big cities, however, qualified only for the poll-tax-free federal elections, are expected to be allowed to vote in the municipal elections as a result of the court ruling. Richmond, which already has one Negro in its nine-member council, it could mean election of additional members of the municipal council.

After the poll tax repeal effort failed in the legislature, some spokesmen for Democratic liberals contended that the states may seek to void its system of permanent reapportionment — now a part of the State Constitution — in any reworking of voting requirements in the wake of a death blow to the sales tax by court ruling.

That some year he announced as a written candidate for the House of Delegates and lost. He was defeated by the City Council and was defeated again.

That some year he announced as a written candidate for the House of Delegates and lost. He was defeated by the City Council and was defeated again.



Bug killing is no job for a lady!

Let Bruce-Terminix keep your home pest-free with professional methods and patented chemicals. If you've fought household pests by continual spraying, you know how messy, frustrating and embarrassing amateur pest control can be. Our economical home service plans usually cost less than do-it-yourself results. Results are guaranteed! We also offer Terminix termite prevention as used in 600,000 homes and buildings plus a \$25,000 damage guarantee on qualified structures.

For free literature, Phone Norfolk 855-0157. Portsmouth 487-3474. For free inspection, phone BRUCE-TERMINIX CO. NATIONWIDE, GUARANTEED TERMITE AND PEST CONTROL.



Virginian-Pilot Photo by Clifton Guthrie

Mrs. Butts and attorney Joseph Jordan celebrate victory.

## Victor Expects Another Fight

By BILL McALLISTER

Virginian-Pilot Staff Writer

NORFOLK—For attorney Joseph A. Jordan Jr., a champion of lost causes, the taste of victory Thursday was sweet and strange.

Jordan, 41, who successfully argued against Virginia's poll tax before the U.S. Supreme Court, viewed the court's decision with a mixture of joy and apprehension.

"Of course I'm happy about it," he said. "It has given my state the way to get into the 20th century."

But Jordan, who has been confined to a wheelchair since being

wounded in World War II, said he had no doubt that the state's political leaders will try to thwart the court's ruling.

"Certainly we must anticipate that the state officials who fought against this thing we call progress all these years will fight again," he said.

Mrs. Evelyn Butts, the 41-year-old grandmother whom Jordan represented, said she felt that the court's decision would have two immediate results.

"I think the impact will just be that we will have more registered voters," she said. And it will mean

(See Norfolkins, Page 10)

# Va. Poll Tax Abolished

due process to a fixed catalogue of what was at the time deemed to be the limits of fundamental rights."

From Page 1

The court pointed to a famous parallel: The 1954 school desegregation decision, overturning the "separate but equal" criterion of a half-century earlier.

The majority opinion denied that the court is invading legislative authority. The decision, it said, "is founded not on what we think governmental policy should be, but on what the equal protection clause requires."

On this point Harlan, Stewart and Black parted company with their colleagues. The Harlan-Stewart dissent said that the poll tax decision, like the recent one-man, one-vote reapportionment rulings, really reflect "this court's own views of how modern

American representative government should be run."

Black wrote that the majority opinion gives the equal protection clause "a new meaning which it believes represents a better governmental policy." He said he found no statement in the majority opinion showing that the Virginia poll tax causes discrimination which is "irrational, unreasonable, arbitrary or invidious."

"I can only conclude that the primary, controlling, predominant, if not the exclusive reason for declaring the Virginia law unconstitutional is the court's deep-seated hostility and antagonism, which I share, to making

a payment of a tax a prerequisite to voting," Black said.

Black's own antagonism, however, doesn't lead him to the conclusion that he should take part in a usurpation of powers he thinks properly belong to the states or to the people.

The Harlan opinion, differed from Black's chiefly in the attitude expressed toward the poll tax itself. Harlan and Stewart voiced no "antagonism" to the tax and in fact included this defense: "Is there a rational basis for Virginia's toll tax as a voting qualification? I think the answer to that question is undoubtedly Yes."

Harlan admitted that most Americans today do not endorse economic requirements for voting, but said "it is all wrong, in my view, for the court to adopt the political doctrines popularly accepted at a particular moment of our history and to declare all others to be irrational and invidious, barring them from the range of choice by reasonably minded people acting through the political process."

The court's action reverses a decision by a three-judge federal court handed down last year. The three-judge panel sustained the poll tax on grounds similar to those cited in the dissenting opinions filed Thursday.

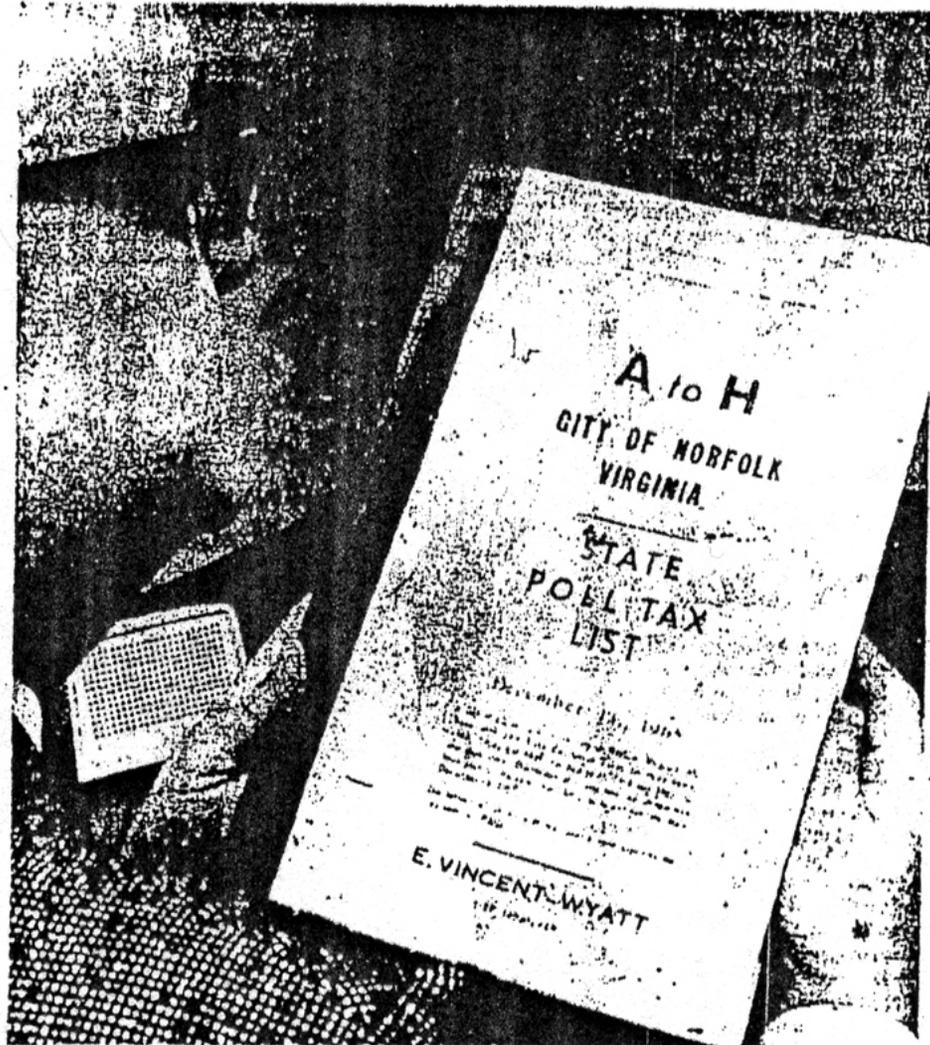
Two other suits attacking the poll tax were in the courts at the time of the Supreme Court ruling. These undoubtedly will now be dismissed or dropped.

## Tax Purpose Altered

Special to The Virginian-Pilot

WASHINGTON — Curiously, the poll tax was first used in this country not to limit the right of suffrage, as came to be the case in the South, but to extend it. As the dissenting justices noted Thursday, the right to vote in Colonial times was based on economic or social status, usually land ownership. In 1776, Pennsylvania came forth with the idea of the poll tax to enable men to vote by paying a small levy in lieu of owning property. This means of extending the right suffrage was later adopted by various other states.

After the Civil War, however, Southern states began imposing poll taxes as a means of keeping Negroes from voting. The taxes had the same effect on poor whites.



*Virginian-Pilot Photo by Perry Breon*

Norfolk City Treasurer E. Vincent Wyatt looks over one of the city's poll tax books, which apparently will be consigned to the ash heap of history by Thursday's Supreme Court decision.

# The Virginian-Pilot

ESTABLISHED NOVEMBER 21, 1865

Page 4

Friday, March 25, 1966

## Even Dissenters Don't Mourn It

# Death of the Poll Tax

There is merit in Justices Harlan's and Black's dissents to yesterday's Supreme Court decision voiding Virginia's poll tax, which the former viewed as "the final demise of state poll taxes." We subscribe wholly to the spirit, if not the tense, of Mr. Harlan's comment that "... the fact that the *coup de grace* was administered by this Court instead of being left to the affected states or to the Federal political process should be a matter of continuing concern to all interested in attaining the proper role of this tribunal under our scheme of government."

The pity is that the little handful of affected states, and Virginia especially, refused to face up to the iniquity and the senselessness of the poll tax. Virginia had opportunity enough and prodding enough to repeal it; no later than this month the General Assembly could have taken the big step, as a majority in the State Senate desired. But, out of mistaken pride within the old Democratic Organization's leadership, it held back.

\* \* \* \*

The poll tax was written into the 1902 Virginia Constitution to discourage Negroes from voting. The device was in high fashion in the South back then. Over the decades its effect in Virginia has been to keep the electorate small and manageable, not only because of the

fee but the red tape as well. Bloc payment of poll taxes for political henchmen has been a near-scandal. The evil outlasted the design.

\* \* \* \*

One by one the Southern states began to remove the poll tax as a prerequisite to voting. But Virginia held on, until at last the tax existed only here and in Alabama, Mississippi, Texas, and Arkansas. In 1963-64 Congress and the necessary three-fourths of the states passed the 24th Amendment barring payment of poll taxes as a qualification for voting in Federal elections. Still Virginia clung to her anachronism.

Arkansas gave up the poll tax. Federal courts in recent months have held the Alabama and Texas versions to be unconstitutional. However, the Virginia case was the first to reach the Supreme Court. Even in their dissents, Justices Harlan and Black did not regret the tax's departure; "... I join the Court in disliking the policy of the poll tax," Mr. Black noted.

The ruling was 6-3. Justice Douglas in delivering it said that "today we've decided *Breedlove* was wrong." His reference was to the 1937 decision in which the Court unanimously validated Georgia's poll tax (leaving Georgia to kill it later).

Did the Court in its turn-about "freeze into the Constitution the political views of the moment"

rather than rely on "the range of choice by reasonable-minded people acting through the political process"? Justice Harlan said it did and Justice Stewart agreed. Justice Black went further in rebuking the majority "for consulting its own notions rather than following the original meaning of the Constitution, as I would..." He saw "not only an attack on the great value of our Constitution itself but on the concept of a written Constitution which is to survive through the years as originally written through the amendment process which the framers wisely provided." He deplored the notion that "to save the country from the original Constitution the Court must have constant power to renew it and keep it abreast with this Court's more enlightened theories of what is best for our society."

\* \* \* \*

Sadly, though, Virginia throughout this century has adjusted its reasons for keeping the poll tax as surely as the Court adjusted its thinking on the Constitutional issue. Discrimination was its original intent and nobody said it was otherwise. Yet in the end the Commonwealth found itself arguing that the virtue of the poll tax was to have the voter "demonstrate the capacity to order his own affairs" by meeting the \$1.50-a-year requirement — a cynical and unworthy bit of fiction.