SEP 1 3 1976

JSP: 156-012-3 25817

Mr. Alexander S. Macaulay City Attorney Law Offices of Miley and Macaulay Court Rouse Square Post Office Drawer 426 Walhalla, South Caroline 2#691

Dear Mr. Magaulay:

This is in reference to the change to a majority vote requirement and implementation of the Home Rule Act for the City of Seneca, South Carolina, submitted to the Attorney General pursuant to Section 5 of the Voting mights Act of 1965, as amended. Your submission was received on July 15, 1976.

We have given careful consideration to the information furnished by you as well as Eurosu of the Causus data and information and comments from interested parties. On the Lasis of our analysis we are unable to conclude, as we must under the Voting Rights Act, that the imposition of a majority vote requirement will not have a racially discriminationy effect in the conduct of elections in the City of Senece.

Although the avidence is conflicting our analysis reveals that blacks constitute a substantial portion of the population of the City of Senece and that bloc voting along racial lines may exist. Under these circumstances, recent court decisions, to which we feel obligated to give great weight, indicate that a majority voto requirement in the context of at-large elections may have the potential for abridging minority voting rights. See White v. Requester, 412 U.S. 755 (1973): Whitcomb v. Chavis, 403 U.S. 174 (1971). Thus the city has not satisfied the burden of proof required under Section 5. See 28 C.F.R. Sl.19.

Accordingly, om behalf of the Attorney Conerel, I west interpose an objection to the implementation of majority vote requirement for election of the Mayor and Councilmen of the City of Seneca. Of course as provided by Section 1 of the Voting Hights Act, you have the right to seek a declaratory judgment from the District Court for the District of Columbia that this change has neither the purpose nor will have the effect of denying or abridging the right to vote on account of Mass or Gulor. Until such judgment is rendered by that Court, however, the logal effect of the objection by the Attorney Seneral is to make the change in question legally unenforceable.

Sincerely.

J. Stanley Pottinger Assistant Attorney General Civil Rights Division

SEP 1-3-19/6

Mr. Alexander S. Hacaulay City Automacy Law Offices of Hiley and Macaulay Court House Square Post Office Drawer 426 Walhalla, South Caroline 29691

Hear br. Hacaulay:

This is in reference to the change to a unjority vote requirement and implementation of the Home Rule Act for the City of Senson, South Carolina, submitted to the Attorney General pursuant to Section 5 of the Vering Rights Act of 1965, as amended. Your submission was received on July 15, 1976.

We have given careful consideration to the information furnished by you as well as bureau of the Census data and information and comments from interested parties. On the basis of our analysis we are unable to conclude, as we must under the Voting dights hat, that the imposition of a majority vote requirement will not have a racially discriminationy effect in the conduct of elections in the city of Senera.

Although the evidence is conflicting our analysis reveals that blacks constitute a substantial portion of the population of the City of senses and that bloc voting along racial lines may exist. Under these circumstances, recent court decisions, to which we feel obligated to give great weight, indicate that a resperity vote requirement in the context of at-large elections may have the potential for abridging minerity voting rights. See Maite v. Regenter. 412 U.S. 755 (1973): Whiteomb v. Chavis. 403 U.S. 724 (1971). Thus the city has not satisfied the burden of proof required under Section 5. See 21 C.F.R. 71.19.

Accordingly, on behalf of the Atterney General, I must interpose an objection to the implementation of majority vote requirement for election of the cayor and Conneilmen of the City of Sences. Of course as provided by Meetion 5 of the Voting Mights have, you have the right to seek a declaration you judgment from the district of will for the district of Columbia that this change has neither the purpose nor will have the effect of decylor or abridging the right to vote on account of case or solor, whill such judgment is randered by that Lourt, however, has legal pilled of the objection by the Attorney General is to make the change in quastion

legally accordance wile.

Sincerely.

d. Stanley Pottinger Assistant Attorney General Civil Sights Division