

OCT 13 1971

Mr. Charles L. Goodson  
Attorney for the City of Newnan  
15-1/2 Greenville Street  
Newnan, Georgia 30263

Dear Mr. Goodson:

This is in reference to the changes in election procedure for Newnan, Georgia, submitted by you to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. The submission was completed upon receipt on September 14, 1971, of the additional information requested on September 10, 1971.

In accordance with your request we have given the matter expedited consideration, in view of City elections scheduled for October 26, 1971. The Attorney General does not interpose any objections to amended Section 4-2 of the municipal charter and Section 8-16 of the code. However, we feel a responsibility to point out that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of such changes.

With respect to Section 8-17 of the code which imposes a numbered post requirement in the general election, on the basis of the information presently available to us we cannot conclude that the change does not have a discriminatory purpose and will not have a discriminatory effect. For that reason, I must on behalf of the Attorney General interpose an objection to the implementation of Section 8-17.

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- 2 -

Should you wish to present additional facts for our consideration we will give them our prompt attention. Of course, as provided by Section 5, you may seek a judgment in the District Court for the District of Columbia declaring that the change in question has neither the purpose nor will have the effect of denying or abridging the right to vote on account of race or color.

Sincerely,

DAVID L. NORMAN  
Assistant Attorney General  
Civil Rights Division