

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

FILED

ANTHONY T. LEE, et al.,
Plaintiffs,
UNITED STATES OF AMERICA,
Amicus Curiae and
Applicant for
Intervention
Vs.
MACON COUNTY BOARD OF
EDUCATION, ET AL.,
Defendants

FEB 11 1968

R. C. DOBSON, CLERK
By *JES*
Deputy Clerk

CIVIL ACTION NO. 604-E

NOW COME Alabama State Board of Education,
Governor George C. Wallace, President of Alabama State
Board of Education; Austin R. Meadows, Secretary and Executive
Officer of Alabama State Board of Education; James D. Nettles,
J. T. Albritton, J. P. Faulk, Jr., Fred L. Merrell, W. M.
Beck, Victor P. Poole, W. C. Davis, Cecil Word and Harold C.
Martin, as Members of Alabama State Board of Education,
Defendants in the above styled cause and answer the Supple-
mental Complaint heretofore filed as follows:

1. The Defendants admit the allegations contained in Paragraphs 1, 2, 5, 7 and 9 of the Supplemental Complaint.
2. The Defendants deny the allegations contained in Paragraphs 10, 11 and 12 of the Supplemental Complaint.
3. The Defendants do not have personal knowledge of sufficient facts to either admit or deny the allegations contained in Paragraph 6 of the Supplemental Complaint.
4. The Defendants admit the allegations contained in Paragraph 3 of the Supplemental Complaint to the extent that they relate to the grant-in-aid statute of the State of Alabama which was in effect and which was before the Court on July 13, 1964.

5. Regarding the allegations contained in Paragraph 8 of the Supplemental Complaint, Defendants admit having paid tuition grants pursuant to Act 687 of the Alabama Legislature but have no personal knowledge of racial restriction or policies followed by the institution attended by recipients of said grants.

6. The Defendants admit the allegations contained in Paragraph 4 of the Supplemental Complaint with the exception of that allegation averring that "at the time of the enactment of Act No. 687 the private schools of Alabama were racially segregated." With regard to the latter allegation, the Defendants do not have personal knowledge of sufficient facts to either admit or deny said allegation.

7. For further answer to the Supplemental Complaint, the Defendants aver that tuition grants under Act 687 are available to all qualified students regardless of race, and that such grants may be used by said students to attend any non-sectarian school of their choosing.


GOODWYN, SMITH & BOWMAN

Attorneys for said Defendants

Goodwyn, Smith & Bowman
325 Bell Building
Montgomery, Alabama
263-1033

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing has been served upon the following attorneys by placing a copy thereof in the United States Mail, postage prepaid and properly addressed to them on this the 21st day of September, 1966: Hon. Fred Gray; Hon. Richmond Flowers; Hon. Gordon Madison; Gallion, Hare & Anderson; Hon. Ben Hardeman and Hon. F. M. Dunbaugh.


