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4. Ibid.
6. A full description of the 1979 revision of Virginia annexation law is included in Chapter Four. Also, for a detailed account of Virginia’s pre-1979 annexation procedures, see Chester W. Bain, Annexation in Virginia: The Use of the Judicial Process for Re-adjusting City-County Boundaries (Charlottesville: University Press of Virginia, 1966).
8. Ibid.
9. Ibid., p. 20.
12. See DuBois’s account of this phenomenon which he labeled “double-consciousness” in his Souls of Black Folk (Chicago: A. C. McClurg, 1903).
13. This figure was cited by attorneys in the U.S. Department of Justice, Civil Rights Division.
14. Table 1 shows that the attorney general withdrew objections to annexations in fourteen localities, including Richmond. The objection to Richmond’s annexation
came once the city developed an acceptable plan for single-member councilmanic districts.

18. Ibid., p. 4.
22. Ibid., p. 11.
24. Ibid.
25. Ibid., p. 10.
26. Ibid., p. 17.
32. Untitled and unauthorized paper from the Justice Department file (hereafter called Exhibit A), p. 3.
33. Ibid.
34. Ibid., p. 2.
44. Complete Listing of Objections Pursuant to Section 5 of the Voting Rights Act of 1965, Department of Justice; Civil Rights Division, September 30, 1980, p. T5.
45. Davidson to Days, March 27, 1979; Richard Murray, Comments on the City of Houston Submission to the U.S. Department of Justice with Regard to Annexation and At-Large Election of Council, May 20, 1979, pp. 1–12; Richard Murray, Comments on the Population Estimates Provided by Dr. Pittenger for the Purpose of Drawing City of Houston Council Districts, September 16, 1979, pp. 1–9.

**Chapter Two**

7. Sartain and Dennis, “Richmond, Virginia,” p. 211.
10. Sartain and Dennis, “Richmond, Virginia,” p. 211.
12. Ibid.
15. Ibid.
16. Ibid., pp. 16–17.
19. Ibid., p. 20.
20. Ibid.
21. Ibid.
22. Ibid.
23. Ibid., p. 25.
24. Ibid.
25. Ibid., p. 27.
35. Ibid., p. 10.
37. Ibid.
39. Ibid.
42. Silver, “Impediment to Greatness,” p. 22.
44. Ibid.
45. Ibid.
52. Ibid.
56. Ibid.
58. Ibid.
59. Ibid.
60. Ibid.
65. Ibid.
70. “‘Real Sorry’ City Won, Apperson Says of Suit,” Richmond News Leader, April 27, 1964.
71. Ibid.
73. Ibid.
75. “Be Sure to Vote Tuesday, June 14,” Richmond Afro-American, June 11, 1960.
79. See the Richmond Afro-American news story entitled, “Crusaders Batted .777 in Election” for a more in-depth analysis of the 1960 election results.
80. Ibid.
86. “Covey, Bagley Enter Race for Council,” Richmond Times-Dispatch, April 7, 1964.
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Chapter Three

1. Interview held in City Hall, March, 1981.
5. State law was changed in 1979 to enable an appealing jurisdiction “within twenty-one days after the entry of the mandate in an appeal [to the state supreme court] which has been granted” to decline the annexation. See Code of Virginia, Section 15.1–1044.
5b. Charter of the City of Richmond, Virginia, Section 7.02(e).
7a. On May 19, 1965, the Henrico annexation court, acting in response to the city council decision to reject the award, dismissed the suit and ordered the city by July 1 to pay the county $341,953.52 for the costs Henrico incurred in its defense. In retrospect, many of those associated with the city now say that the council decision to reject the award was a mistake. The award included many of the most affluent districts of the metropolitan area; to have turned down the award on the basis of its $55 million price tag is now considered an example of poor judgment, particularly since the city later spent almost half that much for the construction of one facility, the city coliseum.
8. Charles Houston, “9 Members Unanimous in Decision.”
10. Ibid., pp. 94–95.
12. Crowe, interview.
22. See news stories by Bill Sauder in the *News Leader* for May 20 and July 19, 1966.
23. *Harper v. Virginia State Board of Electors*, 383 U.S. (1966). The poll tax was included as part of a new Virginia constitution during the 1902 Constitutional Convention. Allan Statton Hammock, in his “The Leadership Factor in Black Politics: The Case of Richmond, Virginia” (unpublished Ph.D. dissertation, University of Virginia, 1972), indicates that, according to reports available about the 1902 Convention, the poll tax was designed specifically to reduce black political participation. Drawing from Charles E. Silberman’s *Crisis in Black and White*, Hammock points to the following quotation from Carter Glass, a major force in the convention: “Discrimination? Why that is precisely what we propose; that, exactly, is what this convention was elected for—to discriminate to the very extremity of permissible action under the limitations of the Federal Constitution, with a view to the elimination of every Negro voter who can be gotten rid of, legally, without materially impairing the numerical strength of the white electorate.” Hammock, p. 52, quoting Silberman, *Crisis in Black and White* (New York: Random House, 1964), p. 23.
27. Ibid., p. 27.
33. Dickinson, “Myth and Manipulation.”
38. Ibid., December 14, 1965.
47. Dickinson, “Myth and Manipulation.”
48. For a good discussion of the 1966 election, see Dickinson’s “Myth and Manipulation,” and Perry’s “An Analysis of the Negro Influence.”
50. Ibid., pp. 88–89.
52. See the thesis by Perry, “An Analysis of the Negro Influence,” p. 37. Another observer, Mr. John Ritchie, Jr., Executive Director of Richmond Forward, estimated the percent of black voters among the total to be even higher at 43 percent. His analysis, however, does not provide a definition of white precincts, black precincts, and mixed precincts as does Perry’s, and, thus, there is no way to make any comparison of the two reports. See John Ritchie, Jr., “An Analysis of the Voting in the Councilmanic Election, June 14, 1966,” A Report by the Executive Director to Richmond Forward, Inc., 1966.
54. Ibid., p. 43.
58. Curtis Holt, Sr., v. City of Richmond, p. 151.
61. Ibid.
63. The Charter of the City of Richmond, Virginia, in Section 4.06, specifies that special meetings of the council can be called only by the mayor, the city manager, or any three members of council.
67. The name of the university was changed on June 23, 1970, to Virginia Polytechnic and State University.
69. Virginia Metropolitan Areas Study Commission, Governing the Virginia Metropolitan Areas: An Assessment (printed by the Division of State Planning, May, 1967), pp. 43–44.
70. The statement of the Crusade to the Virginia Metropolitan Areas Study
Commission can be found in the appendix of an unpublished research paper written by a graduate student in urban and regional planning; see Charles W. Weston, “A Political Analysis of the Virginia Metropolitan Areas Study Commission” (unpublished term paper, Virginia Commonwealth University, 1976).

71. See Curtis Holt, Sr., v. City of Richmond, September 21, 1971, p. 246.

72. Senator Bemiss noted his concerns in a draft memorandum to the Hahn Commission. For the complete text of the memorandum, plus an interesting letter written to him by Dr. William J. Boney, Associate Professor of Theology and Philosophy at Virginia Union University, see Charles M. Weston, “A Political Analysis of the Virginia Metropolitan Areas Study Commission,” appendix. Also see p. 34.


75. Wilkinson, Harry Byrd, p. 177.

76. In his draft memorandum to the Hahn Commission (noted earlier in a footnote), Senator FitzGerald Bemiss discussed the riots which broke out in several American cities. He began his memo with this paragraph: “The urban problem most clearly in the minds of all is that of the riots in the slum areas of major cities across the country. Our Commission [Metropolitan Areas Study Commission], directed to study urban Virginia and to recommend action to equip the State and its localities to deal more effectively with urban problems, must ask itself, ‘What should Virginia do to prevent the occurrence of riots in its cities?’ ” See Charles M. Weston, “A Political Analysis of the Virginia Metropolitan Areas.”

77. See Code of Virginia, Section 10–145.1.


78a. State of Virginia, General Assembly, Senate, A Bill to Provide for the Merger of the City of Richmond and the County of Henrico and to Create a Commission to be known as the Richmond-Henrico Merger Commission: Providing its Composition, Terms, Powers and Duties, and to Appropriate Funds, Senate Bill No. 441, Regular Session 1968.


80. See Code of Virginia, Virginia Area Development Act, Chapter 34, Section
It should be noted that the service district concept produced considerable discussion. Nevertheless, it was endorsed by the state legislature even though it has not officially been implemented in any of the twenty-two regional planning districts also established by the state upon recommendation of the Hahn Commission.

81. See *Charter of the City of Richmond, Virginia*, Section 7.02 (e).
90. See the *Times-Dispatch*, December 16, 1969.
94. Ibid., pp. 66–67.
96. State of Virginia, General District Court for the City of Richmond, *Official Vote Tabulation by Precinct for the Richmond, Virginia, City Council Elections*, 1968.
97. John Ritchie, Jr., “An Analysis of the Voting in the Councilmanic Election, June 11, 1968,” p. 1. Ritchie had estimated that in 1966, of the total number of votes cast, 43 percent were cast by blacks. James O. Perry, in his analysis of the 1966 election, had estimated the percent of black voters among the total at 39 percent, but, for reasons given earlier, there is no way to compare Perry’s analysis with Ritchie’s. (See note 52.) The point is that when one looks at both Ritchie reports, the black percentage of the total vote in 1968 increased by one percentage point over that in 1966.
100. Ibid., June 6, 1968.
102. Melvin W. Burnett, personal interview at his home, March 9, 1981.
104. Ibid., p. 146.
105. Ibid., pp. 147–149.
108. Alan F. Kiepper, “Memos to File on Meetings with Melvin Burnett,” August and September, 1968. See Plaintiff’s Exhibit #36 in Curtis Holt, Sr., v. City of Richmond. (George R. Talcott, Richmond’s deputy city manager who earlier wore the title of “Boundary Expansion Coordinator,” supplied Kiepper with information for each of the city manager’s sessions with Burnett. Kiepper’s top figure of 50,000 people was derived, according to Talcott, by Talcott taking two-thirds of the 73,000 people encompassed in the fifty-one square mile area defined in the 1961 annexation ordinance. Having studied previous Virginia annexation cases, Talcott ascertained that two-thirds of the area sought by a city was the award usually granted by an annexation court. See Curtis Holt, Sr., v. City of Richmond, September 21, 1971, pp. 316–317.) For Kiepper’s court testimony regarding the tie between social and economic factors underlying annexation, see Holt v. City, September 23, 1971, pp. 580–646.
111. At the first meeting of the 1968 council, Phil J. Bagley was elected mayor. His election angered Howard Carwile since, as the council member who received the largest number of votes in the general election, Carwile believed that he ought to have been selected mayor.
113. Ibid., pp. 154–156.
115. Frederick F. Dietsch, personal interview at his children’s home in Brandermill in Chesterfield County, April 3, 1981.
118. Ibid., September 22, 1971, pp. 386–388.
120. Ibid., p. 455.


123. “Annexation Trial Halted; Judge White Ill,” Richmond Times-Dispatch, October 18, 1968.


127. Ibid., January 10, 1969.


131. Ibid.

132. Ibid.

133. Ibid.


135. “Annex Expense Item Approved,” Richmond News Leader, March 10, 1969. (The rules governing the city council read: “No ordinance or resolution rejected by the council shall be again brought forward during the period for which the Council was elected; provided, however, when a motion is made for reconsideration of the ordinance or resolution by a member voting with the prevailing side and the motion is seconded and adopted by the vote of at least six members, the ordinance or resolution shall be reconsidered.” See City of Richmond, City Council Journal Resolution No. 68–R42–42, July 1, 1968.


140. Ibid., pp. 689–690.


144. Ibid., September 21, 1971, p. 217.

145. Ibid., pp. 219–220.

146. Frederick F. Dietsch, personal interview at his children’s home in Brandermill in Chesterfield County, April 3, 1981.


148. Ibid., p. 690.

149. Ibid., September 21, 1971, p. 216.


154. Ibid., pp. 515–516. (Former City Attorney Conard B. Mattox, Jr., claimed in an interview that he was the one who wrote the amendment [Personal interview, March 3, 1981].)


157. Ibid., p. 522.

158. Ibid., pp. 522–523.

159. See the notes taken of the March 25 meeting by D. Brickford Rider, Richmond’s Director of Research and Public Information, unnumbered exhibit in *Curtis Holt, Sr., v. City of Richmond*.


161. Ibid., p. 525.

162. Ibid., p. 528.

163. Ibid., pp. 530–531.

164. State of Virginia, General Assembly, *Proceedings and Debates of the Senate of Virginia pertaining to Amendment of the Constitution*, Extra Session 1969, pp. 315–316. (Hereafter referred to as *Proceedings and Debates [Senate]*.)

165. Ibid., p. 318.

166. Ibid., pp. 330–331.

167. Ibid., p. 333.


169. Ibid.
173. Ibid., p. 169.
175. Ibid., September 22, 1971, p. 415.
176. Affidavit of Irvin Horner, Chairman of Board of Supervisors, Chesterfield County, Curtis Holt, Sr., v. City of Richmond, p. 6.
180. City of Richmond v. County of Chesterfield, p. 3375.
182. City of Richmond v. County of Chesterfield, p. 3375; Curtis Holt, Sr., v. City of Richmond, September 20, 1971, p. 175.
188. City of Richmond v. County of Chesterfield, p. 3381. See also “Horner Says Accord Came on June 12,” Richmond Times-Dispatch, June 17, 1969.
191. Nell B. Pusey, personal interview in her home, April 1, 1981.
201. Ibid., pp. 3234–3, 10, 18–19, 37.
204. Ibid., pp. 3234–29.
205. Ibid., pp. 3234–33, 34.
206. Ibid., pp. 3234–27–31, 34, 43.
207. Ibid., pp. 3234–14–15, 22.
212. City of Richmond v. County of Chesterfield, Order of Annexation, No. 3104 (Circuit Court of Chesterfield County, 1969).
216. Ibid.
217. Roger L. Tuttle taped response to questionnaire, April 17, 1981.
218. Ibid.
219. Curtis Holt, in a supplementary telephone interview, July 8, 1981. (A personal interview with Mr. Holt was held on December 26, 1980.)
221. Ibid., September 20, 1971, pp. 48–49.
222. Ibid., p. 49.
223. J. Paul Byrne, personal interview in his office at the Henrico Circuit Court, April 20, 1981, and a telephone interview on July 10, 1981.
229. Ibid.
237. Tuttle, response to questionnaire.
239. George W. Jones, personal interview, December 22, 1980; Roger L. Tuttle, response to questionnaire.
240. See Plaintiff’s Exhibit #33 in Curtis Holt, Sr., v. City of Richmond.
241. Tuttle, response to questionnaire.
243. Ibid., September 24, 1971, p. 54.
244. Ibid., September 21, 1971, p. 357.
246. Ibid., pp. 255; 273–274; 296–298.
247. Ibid., September 24, 1971, pp. 56 and 66.
248. Ibid., pp. 66 and 85.
249. Plaintiff’s Exhibit #33 in Curtis Holt, Sr., v. City of Richmond. Also, see the deposition of Roger C. Griffin, Jr., taken by attorney W. H. C. Venable for the Holt case.
251. Richmond Times-Dispatch, April 12, 1970.
253. Ibid., pp. 206–207.
254. Ibid., p. 208.
257. State of Virginia, General District Court for the City of Richmond, Official Vote Tabulation by Precinct for the Richmond, Virginia, City Council Elections, 1970.
262. Conard B. Mattox, Jr., personal interview in his home, March 25, 1981.

Chapter Four

3. Ibid.
5. W. H. C. Venable, telephone interview, May 22, 1981. (Several years after the termination of the Holt cases, Venable and his family moved from Richmond to Jackson, Wyoming, where he is now practicing law.)
7. Shelley Rolfe, “Lawyer Speaks of Pro Bono.”
10. U.S. Commission on Civil Rights, The Voting Rights Act: Summary and Text, Clearinghouse Publication No. 32 (September 1971), p. 3. It should be pointed out that
the states originally covered under the legislation were Alabama, Georgia, Louisiana, Mississippi, South Carolina, Virginia, and parts of North Carolina, Arizona, and Hawaii. The 1970 amendments to the act changed the triggering date from 1964 to 1968 and brought the following new areas under the legislation’s jurisdiction: Alaska, California, Idaho, New York, Wyoming, and additional counties in Arizona. Also, when the Voting Rights Act was renewed in 1975, the protected classes included not only blacks, but also Spanish-speaking Americans and other people whose native language is not English. Presently, the legislation covers the aforementioned states plus Texas, three counties in New Mexico, six in Florida, and one in Colorado, and applies to any language group whose population exceeds 5 percent of the subdivision’s population and which has an illiteracy rate exceeding that for the United States. See Jones, “The Cities of Richmond and Petersburg,” pp. 100–103.

11. 1965 Voting Rights Act, Section 5, see 42 USC sec 1973c.


14. To seek removal from special coverage, the Voting Rights Act requires designated states or subdivisions to file a suit before the three judge federal court in Washington, D.C., in an effort to acquire a declaratory judgment from the court that the jurisdiction has not used within a prescribed period of time a voting practice which is designated to discriminate or has the effect of discriminating. Jones, “The Cities of Richmond and Petersburg,” p. 101.


16. City of Richmond v. United States of America, No. 74–201, U.S. Supreme Court (1974), Appendix, Vol. I, p. 20. (It should be pointed out that even before the Perkins decision, some observers, including lawyers, believed that the annexation was subject to the provisions of the 1965 Voting Rights Act. More specifically, before the annexation itself became effective, some lawyers viewed the boundary expansion effort as a violation of the Voting Rights Act. For example, in a casual conversation outside the Chesterfield Court House during the trial, Thomas S. Winston, III, counsel for one of the intervenors, kept telling his colleagues that the annexation was a violation of the legislation, “but they laughed. No one took it seriously.” [Telephone interview, April 4, 1981] There was certainly ample reason why some lawyers believed that the annexation was a matter covered under the 1965 Act. In the October term of 1968, the Supreme Court focused on Section 5 of the Voting Rights Act in Allen v. State Board of Elections [393 U.S. 544], ruling that the act be given “the broadest possible scope” to reach “any state enactment which altered the election law of a covered State in even a minor way. It is significant that Congress chose not to include even . . . minor
exceptions (e.g., changing from paper ballots to voting machines) in Section 5, thus indicating that all changes, no matter how small, be subjected to Section 5 scrutiny” [566–568]. Moreover, the high court established that “the right to vote can be affected by a dilution of voting power as well as by an absolute prohibition on casting a ballot.” [539])

23. The city argued that the proper court to hear the case was a three judge district court since Section 5 of the Voting Rights Act called for such a court to hear “an action under this section” and since the city viewed Holt’s suit as an action pertaining to the Voting Rights Act. Venable’s retort was that the Holt suit was not based on the 1965 Voting Rights Act. See Motion on Behalf of Defendant and Response in Opposition to Motion on Behalf of Defendant in Holt v. Richmond, 151–71–R.
44. Memorandum from Lewis F. Powell, Jr., to Attorney General John N. Mitchell, August 9, 1971. (Filed with Plaintiff’s materials in Holt v. Richmond, 151–71–R.)
55. 1965 Voting Rights Act, Section 5, see 42 USC sec 1973c.
58. Ibid. at 110f–1106.
70. For an excellent discussion of the Petersburg annexation, including the postannexation court cases, see Jones, “The Cities of Richmond and Petersburg.”
76. For a good discussion of the city’s and the Crusade’s plans, see Forrest B. Wall, Jr., “Analysis of Three Ward Plans.”
81. Ibid.
82. Ibid.
100. Ibid., at 2304.
101. Ibid., at 2305.
102. Ibid., at 2309.
103. Ibid., at 2313.
104. Ibid., at 2305–2306.
120. Ibid.
121. Mike Grimm, “City Council Campaigns Are Racist, Covey Charges,” Richmond Times-Dispatch, April 26, 1978.
122. Ibid.
123. Ibid.
126. Ibid.
127. Ibid.
128. Miller, “Candidates in 5th Debate.”
129. Grimm, “City Council Campaigns Are Racist.”
133. Ibid.
136. Ibid.
137. Ibid.
138. Ibid.
139. Ibid.
140. Ibid.
141. Jon Shaffer, “A Study of Conflict Among Richmond City Council Members” (unpublished), June, 1980. This study was directed by Rutledge M. Dennis while Jon Shaffer was enrolled in Sociology 497 (Independent Study).
142. Ibid., p. 3.
143. Miller, “The Leidinger Affair.”
144. Ibid.
149. Ibid., p. 4.
152. Ibid.
153. Ibid.
154. Ibid.
161. Ibid., p. 43.