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U.S. Probes Legality Of Wallace

Montgomery, Ala.

The Justice Department said yesterday it is checking into provisions of the 1965 Voting Rights Act to determine whether Alabama Governor George C. Wallace is holding office legally.

At issue is a 1967 state constitutional amendment which reversed an Alabama law preventing a governor from succeeding himself.

The 1965 Voting Rights Act provided that any law change in Alabama, or five other Southern states, which might affect minority voting rights had to be submitted to the Justice Department in Washington for approval.

The Alabama amendment was not submitted, and a Justice Department official said the department is trying to determine whether it should have been.

"One major question to be answered first is whether the Alabama succession amendment is a change covered by the provisions of the voting rights act," he said.

The spokesman said if it is found the state erred, Alabama would then be required to submit the amendment for review. "The amendment will then be evaluated to determine if it has a discriminatory purpose or effect."

Wallace, who many believed sought a second successive term as Alabama's governor as a possible stepping stone to the presidency, refused comment on the issue.

United Press