

ernor shall set forth the findings upon which his decision is based.

§ 7. Any party aggrieved by a decision of the Governor under this act or any party defined as an interested party in § 6 may obtain a review of such decision by filing in the clerk's office of the circuit court of the county or corporation court of the city in the jurisdiction of which such party resides within fifteen days after such decision, a petition in writing, specifying the decision sought to be reviewed, and the actions taken by the Governor, together with a statement of the grounds on which the petitioner is aggrieved or by reason of which he is an interested party. The petitioner shall file with his petition a copy of the decision of the Governor and a transcript of the proceedings before the Governor, which shall be furnished to the petitioner by the Governor within ten days after request therefor upon payment of the costs of such transcript by the petitioner.

§ 7a. Any interested party, as defined in § 6 may, by petition, intervene for the purpose of making known and supporting his interest, in any proceeding for review of the Pupil Placement Board's decision instituted by an aggrieved party or by another interested party; and the court having jurisdiction of such review proceedings shall hear the evidence of as many interested parties, as defined in § 6, in any such review proceeding, as in its discretion it may deem proper, whether or not such interested parties shall have petitioned for such review or petitioned to intervene therein.

§ 8. Upon the filing of the petition the clerk of the court shall forthwith notify the Pupil Placement Board, requiring it to answer the statements contained in the application within twenty-one days, but failure to do so shall not be taken as an admission of the truth of the facts and allegations set forth therein. The clerk of the

court shall publish a notice of the filing of such application once a week for two successive weeks in a newspaper of general circulation in the county or city for which the court sits and shall, in addition, post the same at the door of the courthouse. The notice shall contain the name of the applicant and the pertinent facts concerning his application including the school he seeks to enter, and shall set forth the time and place for the hearing. The proceedings shall be matured for hearing upon expiration of twenty-one days from the issuance of the notice to the Pupil Placement Board by the clerk of the court and heard and determined by the judge of such court, either in term or vacation.

§ 9. The findings of fact of the Pupil Placement Board shall be considered final, if supported by substantial evidence on the record.

§ 10. From the final order of the court an appeal may be taken by the aggrieved party or any interested party, as defined in § 6, to the Supreme Court of Appeals as an appeal of right, in the same manner as appeals of right are taken from the State Corporation Commission.

§ 10a. An injunction proceeding may be brought in any State court of competent jurisdiction by the Commonwealth, or by any interested party as defined in § 6, for the purpose of restraining the performance of any act, or any intended or threatened act, which may be in evasion of, in disregard of, or at variance with, any of the foregoing provisions.

§ 11. Neither the Pupil Placement Board nor its agents shall be answerable to a charge of libel, slander or insulting words, whether criminal or civil, by reason of any finding or statement contained in the written findings of fact or decisions or by reason of any written or oral statement made during the proceedings or deliberations.

## EDUCATION

### Public Schools—Virginia

Chapter 71 of the acts of the 1956 Extra Session of the Virginia General Assembly, approved September 29, 1956, makes amendments to the biennium appropriation act. Among the amendments made are those to Item 133, providing funds for supervision of instruction; to Item 134, providing funds for teacher salaries; to Item 137, providing funds for teacher salary

equalization; to Item 138, providing minimum state funds for public schools; and to Item 143, providing funds for pupil transportation. Each of the amendments limits the application of the funds provided to "efficient elementary and secondary schools." An "efficient elementary or secondary school" is defined as one in which there is no racial integration of pupils. Following Item 143, the following statement of policy and definitions are included in the act:

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The General Assembly declares, finds and establishes as a fact that the mixing of white and colored children in any elementary or secondary public school within any county, city or town of the Commonwealth constitutes a clear and present danger affecting and endangering the health and welfare of the children and citizens residing in such county, city or town, and that no efficient system of elementary and secondary public schools can be maintained in any county, city or town in which white and colored children are taught in any such school located therein.

An efficient system of elementary public schools means and shall be only that system within each county, city or town in which no elementary school consists of a student body in which white and colored children are taught.

An efficient system of secondary public schools means and shall be only that system within each county, city or town in which no secondary school consists of a student body in which white and colored children are taught.

The General Assembly, for the purpose of protecting the health and welfare of the people and in order to preserve and maintain an efficient system of public elementary and secondary schools, hereby declares and establishes it to be the policy of this Commonwealth that no public elementary or secondary schools in which white and colored children are mixed and taught shall be entitled to or shall receive any funds from the State Treasury for their operation, and, to that end, forbids and prohibits the expenditure of any part of the funds appropriated by Items 133, 134, 137, 138 and 143 of this section for the establishment and maintenance of any system of public elementary or secondary schools, which is not efficient. The appropriations made by Items 133, 134, 137, 138 and 143 of this section shall be deemed to be appropriated separately to the counties and cities and the funds made available and apportioned to the counties and cities severally and separately by the Department of Education and the State Board of Education shall be separately subject to the limitations imposed in this section for their use, which limi-

tations and a strict observance thereof shall be a condition precedent to their use.

For the purposes of this section and all other applicable laws, the public schools of the counties, cities and towns shall consist of two separate classes, namely, elementary and secondary schools.

Notwithstanding any other provisions of this Chapter or the provisions of any other law, whenever the student body in any elementary or secondary public school shall consist of both white and colored children, the Department of Education, the State Board of Education, the State Comptroller, the State Treasurer, local school board, local treasurer, and any officer of the State or of any county or city who has power to distribute or expend any of the funds appropriated by Items 133, 134, 137, 138 and 143, each severally and collectively, are directed and commanded to refrain immediately from paying, allocating, transferring or in any manner making available to any county, city or town in which such school is located any part of the funds appropriated in Items 133, 134, 137, 138 and 143 for the maintenance of any public school of the class of the school in which white and colored children are taught. Whenever it is made to appear to the Governor, and he so certifies to the Department of Education, that all such schools of such class within any such county, city or town can be maintained and operated without white and colored children being mixed or taught therein, the funds appropriated in Items 133, 134, 137, 138 and 143 to such county or city shall be made available, subject to the limitations contained herein and only for such period of time as it is made to appear to the Governor that there is no school of that class being operated in such county, city or town, in which white and colored children are mixed and taught, provided that all the limitations herein contained shall again be effective immediately whenever it appears that any children are being mixed and taught in any public school of the class involved.

It is provided that the limitations herein set forth shall not prohibit the release and distribu-

tion of the funds apportioned and allocated, or any unexpended part thereof, to which any county, city or town would otherwise be entitled, to such county, city or town for the payment of salaries and wages of unemployed teachers in State aid teaching positions, and other public school employees, who are under

contract and for educational purposes which may be expended in furtherance of elementary and secondary education of Virginia students in nonsectarian private schools, as may be provided by law.

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## EMPLOYMENT

### Fair Employment Practices—Maryland

On April 18, 1956, the Mayor and City Council of Baltimore, Maryland, adopted Ordinance No. 379. That ordinance, in part, establishes the Baltimore Equal Employment Opportunity Commission and prohibits certain designated "unfair employment practices" including discrimination in employment on the basis of race, color or religion.

#### ORDINANCE No. 379

An ordinance to recodify Article 19A of the Baltimore City Code (1927 Edition), title "Human Relations", as said Article was ordained by Ordinance No. 22, approved July 12, 1951, and amended by Ordinance No. 272, approved April 21, 1952, said Article henceforth to be known as Article 14A of the Baltimore City Code (1950 Edition), recodifying said Article 19A of the 1927 Code, in order to place it in its correct sequence in the 1950 Code; and to add seven (7) new sections to said Article 14A, to be known as Sections 8-14, inclusive, to follow immediately after Section 7 thereof and to be under the new subtitle "Baltimore Equal Employment Opportunity Commission", prohibiting discrimination in employment because of race, color, religion, national origin or ancestry by employers, employment agencies, labor organizations and others, providing for the creation of the Baltimore Equal Employment Opportunity Commission, prescribing the duties and powers of the said Commission, and relating generally to discrimination in employment because of race, color, religion, national origin or ancestry.

SECTION 1. *Be it ordained by the Mayor and City Council of Baltimore*, That Article 19A of the Baltimore City Code (1927 Edition), title "Human Relations", as said Article was ordained by Ordinance No. 22, Approved July 12, 1951,

and amended by Ordinance No. 272, approved April 21, 1952, be and the same is hereby recodified, to be known henceforth as Article 14A of the Baltimore City Code (1950 Edition).

SEC. 2. *And be it further ordained*, That seven (7) new sections be and they are hereby added to said Article 14A, to be known as Sections 8-14, inclusive, to follow immediately after Section 7 thereof and to be under the new sub-title, "Baltimore Equal Employment Opportunity Commission", and to read as follows:

8. *Declaration of Policy*. The Mayor and City Council of Baltimore finds that the population of this city is composed of peoples of many diverse racial, religious and other ethnic groups. The practice of discrimination in employment against members of these groups and the consequent failure to utilize the productive capacities of individuals to their fullest extent deprives large segments of the population of this city of earnings necessary to maintain decent standards of living, necessitates their resort to public relief and intensifies racial, religious and ethnic intolerance thereby resulting in grave injury to the public health and welfare. It is hereby declared to be the public policy of this city to foster the employment of all persons in accordance with their fullest capacities, regardless of their race, color, religion, ancestry or national origin.

9. *Definitions*. The term "person", as used in this ordinance, shall include an individual, partnership, corporation, union or association, includ-