

court in an opinion rendered by the Fifth Circuit Court on May 24, 1958, that "for want of federal jurisdiction" the matter could not be so resolved.

This Board has declared its intention to seek at the earliest applicable date the answer to this problem in the courts of Texas. In the meantime, the Board of Education continues to face its dilemma resulting from the conflict between federal and state laws in connection with this all important problem.

[*Await Unanimity*]

The Board is convinced that it would be poor service to Dallas and to the large area in the Southwest which may follow the Dallas lead to undertake the activation of the Supreme Court decree until federal and state courts reach some legally acceptable unanimity of opinion. As before stated, it is neither the School System nor the City of Dallas which is on trial, but rather the confused judiciary processes of this nation resulting from this and other conflicts in federal and state laws. It is our own studied opinion that a sound and trouble-free solution of integration cannot be found until these differences

are resolved. This Board will continue to pursue objectively a course which will lead to such an answer.

This Board desires to be instrumental in resolving the integration problem in a manner better than has yet evolved, inasmuch as it recognizes that uncertainty creates tension and confusion both within the school system and within the community. During this period of stress the Board and the Administrative Staff will continue to make every conscientious effort to provide for all the children of Dallas the best educational program possible. We beg for the tolerance, patience, and understanding of all concerned.

Though the Board reserves the right to alter this directive if the situation changes or judgment directs, at this time for the foregoing reasons it instructs the Superintendent of Schools of the Dallas Independent School District that there shall be no alteration of the present status regarding segregation of the races within the schools of this District for the school year beginning September, 1958.

EDUCATION

Private Schools—Virginia

The State Corporation Commission of Virginia issued a certificate of incorporation on June 27, 1958, to the Tidewater Educational Foundation. The purpose of the foundation is described in the charter as being to provide educational opportunities in one or more private educational establishments in Norfolk, Virginia. Virginia has enacted statutory procedures for the support of students in private non-sectarian schools in the event of integration of public schools. 1 Race Rel. L. Rep. 1093, 1094, 1097, 1101. The articles and certificate of incorporation are reproduced below.

CERTIFICATE OF INCORPORATION
OF
TIDEWATER EDUCATIONAL FOUNDATION

This is to certify that we, the undersigned, do hereby associate ourselves to establish a corporation under and by virtue of Chapter or Title 13 (13.1-201, et seq.) of the Code of Virginia, 1950 (Michie) as amended, for the purposes and under the corporate name hereinafter mentioned

and to that end we do, by this, our certificate, set forth as follows:

(a) The name of the corporation is to be Tidewater Educational Foundation, Incorporated.

(b) The purposes for which the corporation is organized are as follows:

To provide educational opportunities for students, to establish, own, lease, operate and

administer one or more private educational establishments in the City of Norfolk, Virginia and/or the adjacent cities and counties; to provide necessary teachers, administrative staff or staffs, facilities of every kind for education, including transportation, to do any and every act or acts, thing or things which a corporation of this character may do and generally to exercise the powers set forth in section 13.1-205 of the Code of Virginia (1950).

(c) The corporation is to have members, without, however, the right to vote.

(d) The maximum number of directors who are to manage the affairs of the corporation shall be thirty (30) and vacancies in such numbers are to be filled by the remaining directors. The entire voting power shall be vested in the directors who may take any lawful action by or on behalf of the corporation which might be taken by members having such voting power or by stockholders and directors under any provision of the law of Virginia. The Board of Directors may, by resolution passed by a majority of the whole board, in their discretion, designate not less than three (3) nor more than seven (7) of their number to constitute an Executive Committee who shall have and exercise the power of the Board of Directors in the management of the business and affairs of the corporation during the interval between Board meetings to the extent permitted by law. Directors shall be elected by the Board of Directors for a term of three years. Prior to the expiration of the first year, the President and Secretary shall draw lots to divide the terms of the said directors into periods of one, two and three years, respectively, and said officers shall report such division to said directors and to the full Board; thereafter this same proportion among the directors shall be maintained, so that the terms of office of one-third of the directors shall expire annually.

(e) The address of corporation's initial registered office shall be Room 420 Citizens National Bank Building, 109 Main Street, Norfolk, Virginia, and the name of its initial registered agent at such address is Harvey E. White, Jr., Attorney at Law, a resident of the City of Norfolk, Virginia.

(f) The number of Directors, constituting the initial Board of Directors is five (5) and their names and residences are as follows:

- Kathleen S. Griffin, 1602 DeBree Ave., Norfolk, Va.
- James G. Martin, IV, 1019 Graydon Avenue, Norfolk, Va.
- W. I. McKendree, 9443 Willowwood Terrace, Norfolk, Virginia
- Wm. Moultroue Guerry, 2111 Claremount Avenue, Norfolk, Va.
- Hal J. Bonney, Jr., 322 W. Bute Street, Norfolk, Virginia

(g) The period for the duration of the corporation is unlimited.

(h) The amount of real estate to which its holdings at any time are to be limited is 4,000 acres.

GIVEN under our hand this 19th day of June, 1958.

Kathleen S. Griffin
 James G. Martin, IV
 W. I. McKendree
 Wm. Moultroue Guerry
 Hal J. Bonney, Jr.

STATE OF VIRGINIA,
City of Norfolk, to-wit

I, Harvey E. White, Jr., a Notary Public in and for the City of Norfolk, State of Virginia, do certify that Kathleen S. Griffin, James G. Martin, IV, W. I. McKendree, Wm. Moultroue Guerry and Hal J. Bonney, Jr., whose names are signed to the foregoing writing bearing date of June 19, 1958, have acknowledged the same before me in my city and state aforesaid.

GIVEN under my hand this 19th day of June, 1958.

My commission expires: 9-19-59.

Harvey E. White Jr.
Notary Public

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

At Richmond, June 27, 1958

The accompanying articles having been delivered to the State Corporation Commission on behalf of Tidewater Educational Foundation, Incorporated, and the Commission having found that the articles comply with the requirements of law and that all required fees have been paid, it is

ORDERED that this CERTIFICATE OF INCORPORATION be issued, and that this order, together with the articles, be admitted to record in this office of the Commission; and that the