

LEGISLATURES

EDUCATION

Public Schools—Massachusetts

The Massachusetts Legislature approved a concurrent resolution on March 10, 1958, urging the President and Congress "to enact and enforce legislation" implementing the *School Segregation Cases*.

RESOLUTIONS memorializing the Congress and the President of the United States to enact and enforce legislation to implement the decisions of the Supreme Court of the United States outlawing segregation in the public school system.

Whereas, The Supreme Court of the United States on the seventeenth day of May, nineteen hundred and fifty-four, by unanimous decision held that "in the field of public education the doctrine of separate but equal has no place"; and

Whereas, The same court expressed its desire that its decision should be complied with "with all deliberate speed"; and

Whereas, The Fourteenth Amendment to the Constitution of the United States provides that no state shall deny to any person within its jurisdiction equal protection of the laws; and

Whereas, The interests of orderly government demand that respect and compliance be given to orders issued by courts possessed of jurisdic-

tion of persons and subject matter; therefore, be it

Resolved, That the General Court of Massachusetts respectfully urges the Congress and President of the United States to enact and enforce legislation to implement the decisions of the Supreme Court of the United States outlawing segregation in the public school system; and be it further

Resolved, That the Secretary of the Commonwealth transmit forthwith copies of these resolutions to the President of the United States, to the presiding officer of each branch of the Congress of the United States, and to each member thereof from this Commonwealth.

House of Representatives, adopted, March 4, 1958

LAWRENCE R. GROVE, Clerk
Senate, adopted in concurrence, March 10, 1958

IRVING N. HAYDEN, Clerk

EDUCATION

Public Schools—Virginia

Chapter 642 of the 1958 Session of the Virginia General Assembly, approved April 7, 1958, continues the limitations contained in Chapter 71 of the 1956 Extra Sessions Acts, (1 Race Rel. L. Rep. 1111), limiting the application of funds to "efficient" elementary and secondary schools. "Efficient" schools are defined as those in which there is no racial integration. Following is the portion of the Act dealing with this limitation.

DEPARTMENT OF EDUCATION STATE BOARD OF EDUCATION

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 the 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 137, 138, 141, 142, and 147 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 137, 138, 141, 142, and 147 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 limitations 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 137, 138, 141, 142 and 147, 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 137, 138, 141, 142, and 147 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 137, 138, 141, 142, and 147 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 distribution 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.

EDUCATION

"Co-operatives"—Louisiana

Act No. 257 (House Bill No. 943) of the 1958 regular session of the Louisiana Legislature,