

government, contending that the principles are even more important than the immediate issues.

It is gratifying and somewhat encouraging to note that this position is receiving more sympathy outside the South than at any time in recent years. Perhaps the tragedy of Little Rock, with the flagrant use of naked federal power to invade and occupy a portion of a sovereign state provided the shock that was needed to awaken many Americans to the fundamental danger.

#### *Resistance is Growing*

At any rate, there seems to be spreading a realization that, if capricious court decrees, without true foundation in law, and brute force can be used for one purpose, they can be used for another.

Judges and others learned in the law are addressing themselves to the basic issues and are publicly deploring the whittling away of the Constitution, the final safeguard of all liberty.

Writers and publications previously hostile to the folkways and living pattern of the South are taking a new look and changes in their attitudes are discernible. The problem of race is rapidly spreading to other states and communities and is being painfully shared.

Forced integration is being resisted in states and communities where no resistance was expected and, indeed, in some cities where previously critics of the South pretended there was no segregation. The damaging effects of forced integration on educational standards are being recognized and deplored even by some who have sought to bring about integration.

These developments, of course, do little or nothing to solve South Carolina's problems. But they do lend a measure of encouragement and hope that ultimately common sense and justice will prevail.

#### *The Present Outlook*

Up to the present, our schools have operated without disruption or unseemly disturbance and our people have gone about their daily lives in relative calm and peace. Such friction and suspicion as may exist are not of their making, but they require that they exercise patience and forbearance to overcome them.

#### *No New Laws Needed*

As matters stand now, the Committee sees no need for additional legislation at this time. It would be unwise to anticipate developments which have not occurred and may not do so. Should the situation change, the Committee will do its utmost to be ready with appropriate recommendations.

In conclusion the Committee feels it would be remiss if it did not express to His Excellency, the Governor, the Officers and Members of the General Assembly and to the overwhelming majority of the citizens of the State its sincere gratitude for the confidence, cooperation and support it has enjoyed.

#### *Interim Reports*

Interim Report No. 1, was published July 28, 1954, No. 2, January 11, 1955, No. 3, December 14, 1955, No. 4, January 31, 1956. Copies of these Reports are available.

*Respectfully submitted,*

/s/ L. MARION GRESSETTE,  
Chairman, on part of the  
Committee.

Columbia, South Carolina,  
February 25, 1958.

Attest:

/s/ WAYNE W. FREEMAN,  
Secretary.

## EDUCATION Public Schools—Virginia

Chapter 631 of the acts of the 1958 Virginia General Assembly, approved by the governor March 29, 1958, amends a 1956 act which established a policy of school segregation for the State of Virginia and provided for the assumption of state control where integration is imminent (Chapter 68, acts of 1956 Extra Session, 1 Race Rel. L. Rep. 1103). The amended

section requires resolution, by both the school board and the county board of supervisors, instead of the alternative action provided by the 1956 act, in certifying that the statute cannot be complied with, and confers discretionary powers on the governor in his response to such certification.

*AN ACT to amend and reenact § 10 of Chapter 68 of the Acts of Assembly of 1956, Extra Session, approved September 29, 1956, the chapter relating to operation of certain public schools under certain conditions and the powers of the Governor in connection therewith; the section, which was codified as § 22-188.12, relating to manner in which certain schools taken out of the public school system may be returned thereto and the effect thereof.*

Be it enacted by the General Assembly of Virginia:

1. That § 10 of Chapter 68 of the Acts of Assembly of 1956, Extra Session, approved September 29, 1956, which section was codified as § 22-188.12, be amended and reenacted as follows:

§ 10. Notwithstanding any other provision contained in this act, if after investigation the Governor concludes, or, at any time the school board \* and board of supervisors of the county or the council of the city in which the closed school is located, certifies to the Governor by resolution that in \* their opinion such school cannot be reopened, or reorganized and reopened, in conformity and provisions of this act, the Governor \* may so proclaim, in which event the said school shall again become a part of the public school system of the political subdivision in which it is located, and such school, elementary or secondary, shall along with all other schools of its class in the political subdivision in which it is located thereby become subject to the applicable provisions of the laws of this State.

## EDUCATION

### Public Schools—Virginia

Chapter 41 of the acts of the 1958 session of the Virginia General Assembly, approved by the governor February 17, 1958, establishes that state's policy as being opposed to the use of Federal military units in schools, and provides for the closing of schools where such troops are stationed.

*AN ACT to establish the policy of the Commonwealth of Virginia with respect to public schools whenever under any Federal authority the operation thereof is policed by military troops or enforcement officers; to provide for the closing of such schools; to vest and confer certain powers in the Governor; to provide the conditions for return of such schools to the local authorities.*

Be it enacted by the General Assembly of Virginia:

1. The General Assembly declares and establishes it to be the policy of the Commonwealth that no public school shall be operated

whenever any military forces or personnel are employed or used upon the order or direction of any Federal authority for the purpose of policing its operation, or to prevent acts of violence or alleged acts of violence. The operation and supervision of the public schools is a right inherent in and subject only to the laws of the Commonwealth, and her sovereignty and dignity in this respect shall not be abrogated.

2. Whenever, except upon application of the General Assembly of Virginia or the Governor, made under the provisions of Article IV, Section 4, of the Constitution of the United States, any military forces or other personnel pursuant to the order or direction of any Federal authority