Convocation Of Church Scheduled

The 33rd Annual Holy Convocation of the Church of God in Christ of North Carolina will convene at the Church of God In Christ on West Stephens street, Southern Pines, September 14-23.

Bishop Wyoming Wells, who is pastor of the local church, will preside. Programs will run from 10 a. m. through evening services daily.

The Women's Day program will be held Tuesday, September 21. In the evenin gsession Sister Mary Hollman will conduct the Auxiliary Hour and Sunshine Band program.

Other members of the local church have parts on the program throughout the Convocation, as well as visitors from other church districts of North Carolina.

iBshop C. H. Mason is senior bishop. Other leading officers of the church are: Mrs. Lillian B. Coffee, general supervisor of woman's work; Mrs. Lola Jackson, recording secretary; Elder J. R. Anderson, secretary of the council; and Mrs. Ruby Rice Jones, secretary of women's work.

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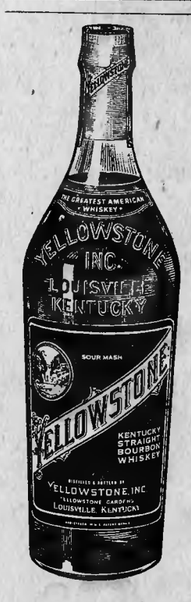

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Background of Segregation Decision

Separate Schools Provision Found In 1875 Constitutional Amendment

In "A Report To The Governor of North Carolina," The Institute of Government at Chapel Hill has prepared an objective study of last May's Supreme Court decision outlawing segregation by race in the public schools of the nation.

In this third selection from the report to be published by The Pilot, the study continues to trace the background of the segregation decision by relating the history of school segregation in North Carolina and elsewhere in the nation.

The Pilot feels that a wide public awareness of the history of white and Negro educational problems, especially in this state, will lead to more satisfactory adjustments to whatever local situations develop as a result of the Supreme Court decision. Therefore, this newspaper plans to reprint in the next few weeks excerpts from the report.

The report to the governor continues as follows:

The fear of mixed schools for white and Negro children which stifled public education in 1866 found expression again on the floor of the Constitutional Convention of 1868. The Committee on Education brought in a provision for a "general and uniform system of public schools." A clarifying amendment was offered providing for "separate and distinct schools" for white and Negro children. This amendment was voted down, but the substance of its meaning was incorporated in a resolution proclaiming to the state that: "the interests and happiness of the two races would be best promoted by the establishment of separate schools."

A Negro representative in the Convention, who had lived in Pennsylvania, argued at length for separate schools:

> In the state of Pennsylvania there is no law to my knowledge, certainly nothing in the organic law which prevents any man from sending his children to any school in his district, and yet there is no town in that state where there is any considerable number of colored children in which there are not separate schools. . .
>
> There will undoubtedly be separate schools in this state wherever it is possible, because both parties will demand it. My experience has been that the colored people in this State generally perfer colored preachers, when other things are equal, and I think the same will be found to be true respecting teachers. As the whites are in the majority in this State, the only way we can hope to have colored teachers is to have separate schools. . .
>
> I must be permitted to say that it is impossible for white teachers, educated as they necessarily are in this country, to enter into the feelings of colored pupils as the colored teacher does.

The same fear found expression a few months later in a resolution from the Committee on Education in the General Assembly "for the establishment of different public schools for the white and colored races," approved by a vote of ninety-one to two before the legislators got down to the work of writing a school law.

This sentiment was confirmed in the Governor's plea for public schools in his inaugural address: ". . . that the Constitution does not require that white and colored races shall be educated together in the same schools. It is believed to be better for both, and most satisfactory to both, that the schools for the two, thus separate and apart, should enjoy equally the fostering care of the State. . ."

It found expression in a Constitutional Amendment in 1875 providing: "And the children of the white race and the children of the colored race shall be taught in separate public schools; but there shall be no discrimination in favor of or to the prejudice of either race."

In Other States

The policy of separate schools for white and Negro children had been followed in many states and found expression in a succession of court decisions beginning in 1849.

In 1849, in Roberts v. City of Boston, it was argued: (1) that a local ordinance providing for separate education of the races violated the provision in the Massachusetts Bill of Rights that all citizens are born equal; (2) that the operation of separate schools "tends to deepen and to perpetuate the odious distinction of caste, founded in a deep-rooted prejudice in public opinion."

Chief Justice Shaw handed down the opinion of the court saying, (1) that segregation of the races did not in itself constitute discrimination; (2) that the Boston School Committee was acting within its powers when it provided substantially equal schools for Negroes; and (3) that any caste distinction aggravated by segragated schools "is not created by law and probably cannot be changed by law."

Pursuant to this decision segregated schools were upheld in Ohio in 1871, California and Indiana in 1874, in New York in 1883, and in Missouri in 1890.

Famous Case Cited

In 1896 this policy met with the approval of the United States Supreme Court in the case of Plessy v. Ferguson, where a Negro plaintiff sought to overthrow a Louisiana statute requiring separation of the races traveling on trains within the state as a violation of his personal rights guaranteed by the Thirteenth and Fourteenth Amendments. The Court denied his suit, saying:

> Laws permitting, and even requiring (separation of the races) in places where they are liable to be brought in contact do not necessarily imply the inferiority of either race to the other and have been generally, if not universally, recognized as within the competency of the state legislatures in the exercise of their police power. The most common instance of this is connected with the establishment of separate schools for white and colored children which has been held a valid exercise of the legislative power, even by the courts of states where the political rights of the colored race have been longest and most earnestly enforced.

To this decision Justice Harlan filed a lone dissent:

> Our Constitution is colorblind, and neither knows nor tolerates classes among citizens. In respect of covil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The law regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved. It is ,therefore, to be regretted that this high tribunal, the final expositor of the fundamental law of the land, has reached the conclusion that it is competent for a State to regulate the enjoyment by citizens of their civil rights solely upon the basis of race.

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