

*Teachers Salary
Fla.*

August 10, 1937

S.D. McGill, Esq.
610 West Duval Street
Jacksonville, Florida

Dear Mr. McGill:

Thanks for your letter of August sixth concerning the proposed case to equalize teachers' salaries in the state of Florida. I am sending you under separate cover a copy of the Petition presented to the Board of Education of Montgomery County, a copy of the petition filed in the Circuit Court of Montgomery County, a copy of the Demurrer filed in this case and a copy of the Agreement by which the case was settled. This Agreement came about after we won the Demurrer and the Board of Education was ordered to answer our Petition.

I have also received a letter from Mr. Moore, President of our Brevard County Branch. I have written Mr. Moore a long letter suggesting the procedure the Branch should take in this case. The National Office, in mapping out its' program for the equalization of teachers' salaries throughout the country, has set up a plan whereby the National Office will furnish Counsel without charge to cooperate with the local Counsel in the handling of these cases.

We realize that, on one hand, after three years of research, we have worked out a plan for attacking this question which, we believe, will work and, on the other hand, we cannot actually push these cases but must rely on local Counsel to actually handle the case with our cooperation. In the University cases, we have cooperated with local Counsel and have participated with local Counsel in the trial of these

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cases. Please think this plan over and see if there is any way we can work it into your case.

It is our further belief that a strong local Counsel is necessary and for this reason we have congratulated our Branch on securing your services. If there is a possibility of working out a method of handling this case so as to make it a precedent for the entire state of Florida, I will try to arrange to come down for a conference with you and the Branch offices in order to map out definite plans of procedure.

Of course, under any agreement we will take responsibility for the general law on the case and the responsibility for local law and local procedure would rest on you with the spirit of cooperation going through the entire plan. The method of procedure used in Maryland was to go against the salary schedule, which you will see after reading the petition to the Board, and petition for a Writ of Mandamus. As soon as our brief is re-drafted, I will be glad to send that to you also.

I would suggest, in your case, you first find when the Board of Education has its next meeting so that you will be in position to exhaust your remedies by first obtaining a refusal from them. After doing this, you would be in position to file your case. If it is possible, I would further suggest that we have this conference before the petition is made to the Board of Education.

Please let me know at once your reaction to this plan and also your suggestions so that I will be in position to present the entire matter to our Legal Committee.

Very truly yours,

Thurgood Marshall
Assistant Special Counsel

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