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December 24, 1937

Mr. Charles H. Houston
Special Counsel NAACP
69 Fifth Avenue
New York, N.Y.

My dear Friend Houston:

Let me apologize to you and your associate, Mr. Marshall, for not answering your letters of the 29th and 30th ult. Both letters were received in due course and are of great value to me. I assure you both that I highly appreciate the very helpful suggestions as well as the wholesome advice you have given. I am also glad to know that you are willing and ready to assist us in our effort towards equalizing teachers' salaries in Florida.

I read with a great deal of interest the information contained in Mr. Marshall's letter in regards to what the Teachers' Association of Virginia had done in the way of raising funds preparatory to the effort that is being made there to equalize their salaries.

Mr. Gilbert, my client, lives almost 200 miles south of Jacksonville. He was in the office Monday and told me that the Superintendent of Public Instruction for Brevard County and the State Supervisor of Public Instruction had visited his school last week and called his teachers together for a conference. No mention whatever was made of the petition filed with the Brevard County School Board although the Superintendent is the Secretary. Mr. Gilbert also stated that this is the first meeting of that kind that has ever been held in his school. What that meeting was for only time will tell.

As I stated to you in a previous letter, it is not likely that the Board will make any reply to Mr. Gilbert's petition. I will wait until they have had one or two meetings of the Board before taking any court action.

✓ In 1933 the Florida Legislature passed an Act giving the State Board of Education the power to fix maximum salaries for public school teachers in Florida. I am not certain that the State Board has the authority under this act, to review actions of County School Boards. I am taking the matter under advisement, however, and I will decide definitely whether an appeal from the action of the County School Board or its failure to act upon our petition may be reviewed by the State Board of Education.

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Mr. Chas. H. Houston #2

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The action of the Virginia State Teachers' Association in attempting to raise a \$5,000.00 fund, stimulated the teachers of Florida to do likewise. The new President of the Association is now actively engaged in that matter.

In Florida the law provides that a certain percent of all taxes must go into the State Treasury for educational purposes. The State allots a certain amount of state funds to each county for school purposes, based upon the average attendance of school children for the previous year. Last year 55 of the 56 counties in this state spent \$300,000.00 less on their negro teachers' salaries than they received from the state for that purpose. The average salaries of negro school teachers in Florida is less than one-half the average salary for white teachers. The 55 counties that refused to pay negro teachers the amount of money received by them from the state for that purpose are the very ones that paid the negro teachers last year, an average of less than \$400.00 per year.

Many of the teachers who are required to attend summer school are able to do so by borrowing from loan sharks against their next year's salary at an exorbitant rate of interest.

I am inclosing you herewith copy of the petition that was filed by Mr. Gilbert with the Brevard County School Board. You will observe that the salary schedule is discriminative on its face and I believe if this case is ever squarely put before the Supreme Court of Florida, it will so declare it to be. But the teachers will not be satisfied with an adverse decision from any Florida court.

There is a situation that is developing here now that may hinder our efforts. Three of our Judges on the Supreme Court Bench are out for re-election next year. They have opposition for the first time in sixteen years and I am afraid that a question like this coming at this time, may not be considered fairly. Political partisanship, to say nothing of racial prejudice, is almost sure to appear to our disadvantage.

I should like to have a memorandum of authorities that were cited by you in the Gibbs' case in Maryland a short time ago.

Again thanking you for your assistance in these matters and with best wishes, I am,

Sincerely yours,

McGILL & McGILL

S. D. McGill

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