

STATEMENT BY SENATOR STROM THURMOND (D-SC) COMMENTING ON THE COURT ORDER SUSPENDING INTEGRATION AT LITTLE ROCK, ARK., JUNE 21, 1958.

I could never agree that the Federal Court has jurisdiction over questions concerning education, since authority in the field of education was specifically reserved to the States in the Tenth Amendment to the Constitution. For this reason, I feel that any decision rendered by the Federal Court in the Little Rock case is an absolute nullity.

Judge Lemley, by his recent decision authorizing suspension of the integration plan at Little Rock, has at least indicated that a judicious approach and a consideration of the evidence was made. Even though Judge Davies erred in assuming jurisdiction in the original instance, had he ^{considered the evidence and} used such a judicious approach, ~~and had he considered the evidence,~~ the greatest ^{domestic} tragedy of modern times could have been ~~diverted~~ ^{averted}.

The contrast between Judge Davies' and Judge Lemley's decisions and actions emphasizes the necessity for adhering to the law requiring that locally resident judges be appointed to vacancies on the Federal Courts. It ~~fur~~ further illustrates the fallacy of allowing non-resident judges to sit in judgment of cases where local questions arise.

The damage done by the Federal action at Little Rock cannot be undone by this ^{or any other} decision, or any other, but it is an indication that the Federal Court may have ^{become wiser from} learned its ~~its~~ lesson. I hope ^{this experience,} that ~~this decision is affirmed on appeal.~~