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Untenable, Unchristian, and Unconstitutional

*Carl Tobias***

Clara J. McKenney donated her residence to the city of Petersburg, Virginia, in 1924 for use as a free library. She gave the building as a memorial to her husband, William Robertson McKenney, a well-respected lawyer who had practiced in Petersburg for many years. John Dodson, the first mayor of Petersburg, erected the building in 1859 as a private residence. Confederate General William Mahone owned the house in 1867 when he entertained General Robert E. Lee, who was visiting Petersburg to attend the wedding of his son. Clara McKenney's deed of transfer stipulated that the library was "to be maintained for both white and colored persons: all of the building . . . including the first floor and all above that [was] to be for the exclusive use of white persons; and the basement of the building [was] to be kept and maintained for the exclusive use of colored persons with separate entrance and exit thereto."

Theresa Hodges, the first librarian of the Petersburg Public Library, read a paper describing the establishment and opening of the library at the annual meeting of the Virginia Library Association in November 1924. She explained that strong, earlier gestures favoring the creation of a free public library had failed because of the "negro question, lack of city funds, and the inability of some" in power to appreciate the "democratic necessity" of a public library. More expansive notions of the duties and functions of local government, however, accompanied the introduction of the city manager form of city government in 1920. Thus, when Clara McKenney proposed to donate her residence as the public library building, it was easy to secure the consent

* 1994 marks the fortieth anniversary of *Brown v. Board of Education*. This narrative tells the story of how the African-American citizens of Petersburg, Virginia desegregated the public library in 1960.

** Professor of Law, University of Montana. I wish to thank Bari Burke and Peggy Sanner for valuable suggestions, the staff of the Petersburg Public Library for invaluable assistance in locating sources employed in this article, Helen and Red Bassman for their hospitality, the Harris Trust and the University of Montana for generous, continuing support, and Cecelia Palmer for processing this piece. This article is derived from interviews with several individuals who were familiar with or involved in the events described. The article is also based on contemporaneous accounts in the Petersburg Progress Index that are available on microfiche in the library and on material on the library's history that the library staff keeps in a file. The clerk of the city council generously allowed me to read the original deed and pertinent minutes of city council meetings. Errors that remain are mine.

of the city council to guarantee the library's support. In exchange for the residence, the council agreed to appropriate not less than \$10,000 for remodeling, equipping, and preparing it for use as a library and to appropriate at least \$7500 annually for maintenance of the library. The deed also provided that if the city failed to implement its conditions, title would revert to the heirs of Clara McKenney.

Theresa Hodges began organizing the library for public use on April 15, 1924, and the library opened in August of that year. When Miss Hodges addressed the Virginia Library Association, she described the establishment of the library and the progress that had been made between April and November. Miss Hodges reported that the basement had "been made ready for the negro library—the opening of which [was] deferred until the main library [was] on a sounder footing." The basement part of the library opened the next year.

Clara McKenney and the city of Petersburg entered into a supplemental deed in 1935. That document provided that if the city "should at any time in the future desire to establish a branch of such library at some other place in the city for the exclusive use of colored persons and shall establish and maintain such branch," the library referred to in the deed would be maintained exclusively for white persons.

Petersburg, like many southern cities and towns, was swept into the civil rights movement around 1960. The black churches, especially in Petersburg, were very active in that movement. Virginia State College was established as a liberal arts college for blacks in the adjacent town of Ettrick in the early twentieth century. Students from Virginia State, Peabody High School (the "separate but equal" high school for blacks in Petersburg), and ministers and church members of most of the black churches actively participated in civil rights struggles in Petersburg.

The most renowned of these ministers was Reverend Wyatt Tee Walker, to whom Martin Luther King offered the post of director of the Southern Christian Leadership Conference (SCLC) in May 1960, and who eventually became the minister of New Canaan Baptist Church in Harlem. In 1952, Walker became the minister of the Gillfield Baptist Church in Petersburg, which had been organized in 1797 and was considered a regional center for the black aristocracy. Walker orchestrated much of the civil rights movement, especially the sit-in demonstrations, that occurred in Petersburg during the 1950s and 1960s.

In May 1954 the Supreme Court issued *Brown v. Board of Education*, which declared that "separate but equal" public schools were unconstitutional. The city of Petersburg, like nearly all political subdivisions in Virginia, was unresponsive to the mandate of *Brown*. For nearly a decade, under notions of "massive resistance," interposition, and freedom of choice, most localities and the state sought to avoid the import of *Brown*. In the spring of 1958, Ann Patrice Walker, the four-year-old daughter of Wyatt Tee Walker, and others, filed suit against the Petersburg School Board in the District Court for the

Eastern District of Virginia seeking desegregation of the public schools. The public schools of Petersburg were not integrated, however, until 1963, when five black students were admitted to Petersburg High School.

Wilcox Lake is a large public lake that was located near the Petersburg Country Club and near public recreational facilities. White individuals used Wilcox Lake for fishing and swimming in the 1940s and 1950s. In 1958, under the threat of desegregation, the city council voted unanimously to close Wilcox Lake. In August 1961, the council, by unanimous vote, tabled a proposal to allow fishing in the lake. Two years later, the council voted to permit fishing in Wilcox Lake under regulations promulgated by the city manager. The lake has never reopened for swimming.

In the late 1950s, black students, ministers, and churchgoers began actively participating in sit-in demonstrations aimed at desegregating public facilities throughout the South. One target of this activity was the Tea Room at Rucker-Rosenstock's, a large department store located in downtown Petersburg. The white ladies of Petersburg lunched at the Tea Room. After blacks sought service at the Tea Room, Rucker-Rosenstock's announced that it was closing the restaurant.

Another target was the Trailways Bus Station located on West Washington Street. The station had separate waiting rooms, bathrooms, eating facilities, and water fountains for white and black patrons. Wyatt Walker, other ministers, and students occupied the station to protest this exemplification of separate but equal, and Trailways responded by opening its facilities to people of all races.

During the late 1950s, the leaders of the civil rights movement in Petersburg focused their attention on the public library. They and some white persons believed that if whites and blacks could not desegregate the library and work together they could never reach common ground. As a cultural center and source of reading material, the library had important substantive and symbolic value. Blacks could use materials that were maintained in the library for whites, but they could not secure the materials themselves.

On June 25, 1959, a young black woman entered the white section of the library. The woman had no library card, and the library attendant asked her to go to the colored branch to obtain a card. The young woman said that it would be inconvenient to return, and she left the library. The same day, Reverend Milton Reid and Reverend Robert Williams asked Roy Ash, the city manager, to explain why the young woman was not served. He advised them of the provisions included in the deed and said that the library had always been operated pursuant to the deed's requirements. Several days later a black lawyer, on behalf of the local NAACP chapter, asked that Ash place the library situation on the agenda for the next meeting of city council, which he agreed to do. The NAACP planned to request that the council desegregate the library but decided at the last minute to withdraw its petition.

Congress began considering civil rights legislation when it convened in January 1960. That same month, national civil rights organizations decided to institute protests against segregated eating facilities in department and variety stores across the South. During February, the sit-in demonstrations increased in number and geographic scope, and tensions intensified. The Virginia General Assembly responded to these protests by passing emergency antitrespass legislation.

On Saturday, February 27, 500 black college students, principally from Hampton Institute, marched through the downtown business district of Hampton, Virginia to protest segregated food service. Police in Nashville, Tennessee arrested eighty-one students, most of whom were enrolled at Fisk University and Tennessee A & I, for conducting sit-in demonstrations at local stores. In Richmond, black citizens continued to picket Thalhimers Department Store, where thirty-four blacks had been arrested earlier in the week on trespassing charges. Black leaders announced their intention to expand the boycott to other Richmond companies. Ministers and merchants of both races met on Friday, February 26, for four hours in an effort to prevent a massive boycott from materializing.

These developments apparently set the stage for the occurrences at the Petersburg Public Library on Saturday, February 27. Earlier that week, students from Virginia State College approached those whom Reverend Walker characterized as black "adult leaders" and suggested that they attempt to desegregate the library by conducting a sit-in demonstration there. The students and the black adult leadership agreed that the protest would be a good idea and settled on Saturday as the appropriate day.

At 11:30 a.m. on Saturday, February 27, 140 blacks, most of whom were students at Virginia State College or Peabody High School, began entering the white section of the library in groups of three to six. A number of persons occupied all of the available seats in the library, while other people walked through the aisles looking at book titles and reading magazines. The reporter for the Petersburg Progress Index who covered the story stated that the "protest was orderly [and] that there were no incidents."

Theresa Hodges, the librarian, called the city manager and the police. Police Chief W. E. Traylor and Detective Captain George H. Slate arrived and remained to "see that law and order prevail[ed]." While the blacks were in the library, students occasionally approached the desk to request books and were informed that the books could be obtained downstairs.

Reverend Walker, who apparently was wearing a clerical collar for one of the first times in his life, approached the desk and asked Mrs. W.F. Drewry Jr., a library assistant, for the initial volume of Douglas Southall Freeman's biography of Robert E. Lee. Walker's request violated the segregation provisions of the deed. At 12:35 p.m., the city manager called Police Chief Traylor and instructed him to have the librarian close the library, which normally closed at 1:00 p.m. on Saturdays. Chief Traylor and Miss Hodges

informed everyone that the "library [was] closing and all, both white and colored, [would] have to leave." The blacks vacated the library in an orderly manner. When the city manager arrived, he directed that the library be closed until further notice.

After the students left the library, they held a meeting and decided to continue protesting. E.J. McLaughlin, a Virginia State student, observed that the students occupied the library "because we feel we have a right here." Reverend Walker said that he was a "little surprised to see the library closed just because students made an effort to integrate." In alluding to the antitrespassing measure that the General Assembly had passed the previous week, Walker added that such laws would not "thwart Negroes from seeking their constitutional rights." The newspaper account of the incident quoted an unnamed local NAACP official as stating that blacks would continue attacking segregation in eating establishments, libraries, and schools.

The city manager decided to close the library until the regularly scheduled meeting of the city council on the evening of Tuesday, March 1. At nine o'clock on the morning of Monday, February 29, the usual time for opening the library, several blacks approached the front door and encountered a sign that read "Closed Today." Miss Hodges said that the blacks called through the door asking when the library would open. They left after she replied that she did not know.

The Monday edition of the Petersburg newspaper quoted an unnamed spokesperson for the protesters as stating that they would attend the council meeting to observe the governing body in action, but would not object to the library closing as they had already "expressed [their] protest." Reverend Walker voiced the hope that the council would voluntarily desegregate the library because "it would be a step forward in race relations." Reverend Walker said that on Sunday the students and he had met with Len Holt of Norfolk, who was the field secretary of the Congress of Racial Equality (CORE), and retained Holt as counsel. Walker warned that if the council did not integrate the library, "we will take whatever steps are necessary," but refused to elaborate. The newspaper story also included an account of the campaign to secure equal service at lunch counters across the South. The story reported that the protest movement was beginning its fifth week and that tensions apparently were increasing in the "troubled South" as the Senate prepared to commence continuous debate on pending civil rights bills.

At the city council meeting on the evening of Tuesday, March 1, the council rejected the request of blacks that the library be completely desegregated. The mayor, Walter Edens, explained that the deed provided that the basement was for the exclusive use of blacks and the upper floors for the exclusive use of whites, and that the property would revert to the heirs if these restrictions were violated. The council then enacted an ordinance that forbade trespassing on property owned or administered by the city. Violation of this

ordinance was punishable by a maximum penalty of a \$1000 fine, a year in jail, or both.

On the morning of Wednesday, March 2, the Petersburg Public Library reopened. The library remained open during the remainder of the week without incident. On Saturday, March 5, a number of black students and citizens who favored desegregation of the library met in closed session at Gillfield Baptist Church. They issued a statement proclaiming that the ordinance would be tested very soon and that there were numerous students and adults who had said that they would go to jail if that were the "only way to secure their constitutional rights."

The city council's rejection of the petition seeking desegregation of the library and its concomitant promulgation of the antitrespassing ordinance served to galvanize those blacks who had entered the library on February 27. A small number of blacks agreed to re-enter the library as an act of civil disobedience and to challenge the validity of the recently passed ordinance.

On Monday, March 7, approximately fifteen blacks occupied the portion of the library reserved for white people. The city manager and the police chief met the blacks at the library and requested that they leave, advising the protesters that they would be subject to arrest and prosecution under the new ordinance if they remained. The blacks responded that they were cognizant of the law and were prepared to go to jail if necessary. The city manager then asked the chief of police to arrest and jail the protesters, who sat quietly as two magistrates issued warrants that the police subsequently served. As the blacks were escorted to waiting police cars for the trip to jail, Reverend Walker said that the visit's purpose was "to test the ordinance."

In addition to Walker and Reverend R.G. Williams of Zion Baptist Church, those arrested included six men, four of whom were students at Virginia State and two of whom were students at Peabody High School, and three women, two of whom were Virginia State students. Reverend Walker's wife, who was seated at a table in the children's section with her six- and eight-year-old children and the eleven-year-old child of Reverend Williams, was not arrested. The city manager asked Ms. Walker to leave and said that her refusal to comply could lead to her arrest, but she responded, "I know that and I have come prepared." The city manager then told her that he would not humiliate the children by arresting her and that she could remain until the library closed.

The chief of police offered to post bond for Walker and the other ten persons to spare them the embarrassment of jail. Walker refused the offer, asking to be treated like an ordinary prisoner, and he and four others for whom bond was not posted spent Monday night in jail. At the hearing on Tuesday, their prosecution for violating the trespass ordinance was continued until the following Monday, and the five returned to jail. Reverend Walker informed reporters that they were "staying in jail to dramatize the full implication of what this hastily enacted city ordinance means to the citizenry

of Petersburg." He added that they sincerely believed that the law contravened the "guarantees of the Bill of Rights, the right of assembly and the right of protest."

The city manager received a letter from the protesters in Tuesday morning's mail, which the *Progress-Index* reprinted in the paper's evening edition. That letter provided:

It is regrettable that the Petersburg city council did not act affirmatively at its last meeting in regard to the petition on behalf of Negro citizens to integrate the facilities of the Petersburg public library.

We believe that the council lost a significant opportunity to establish a prevailing spirit of goodwill among its entire citizenry.

In the light of our democratic principles and current social changes we feel that the new city ordinance passed by council affecting "trespass" laws is untenable, unchristian, and unconstitutional.

It would be both timely and wise for our city council to reconsider the petition to integrate the public library and rescind its action regarding the new trespass law. We hereby request that you do this in good faith.

Finally we wish to make it known that we are in sympathy with the orderly and nonviolent protests of our students, who as citizens, are seeking their constitutional rights. It is our hope that affirmative action in the trend of integration will be forthcoming from our city council so as to make such student-citizen demonstrations and protests unnecessary.

That evening, approximately 200 blacks marched a mile from the Metropolitan Baptist Church to the hill in front of the Petersburg Courthouse, which is adjacent to the jail, to protest the arrests. The crowd, which stood for more than a half-hour in twenty-six degree temperature, resolved by unanimous voice vote to be "jailed by the thousands and while there make plans for full integration and equal rights behind prison bars." The participants also prayed, read scriptures, and sang hymns. Reverend Milton Reid of the First Baptist Church, who addressed the crowd, criticized the ordinance under which "any white or Negro citizen" walking down Petersburg's main street or entering any of its public buildings could be arrested. He found it lamentable that a city having 40,000 residents could "not afford to own fully

and operate democratically a public library for all of its citizens without [their] suffering the penalty of being jailed as criminals."

On Wednesday, March 9, at 12:30 p.m., the five imprisoned men posted bail and were released from jail so that they could attend a rally scheduled for that evening. Reverend Walker, upon his release, read the following statement:

This has been a searching experience for us. We knew it would be rough, but it was a lot worse than we expected. We have no more stomach for segregation in jail that we do for segregation outside of jail.

Sleeping on the floor and drinking from a common cup is a far cry from what minimum sanitary practice demands.

It is my sincere hope that people who want their freedom will understand that it does not come without suffering and sacrifice.

We remain in jail to demonstrate how insidious this ordinance is to the basic freedoms of America.

There is no other way to discourage and destroy evil laws than through nonviolence and civil disobedience.

Reverend Williams also read a statement:

We feel that our city manager and the city councilmen were aware at the outset that the new trespass law was unconstitutional and would not stand up in the democratic courts of the United States. They have forced us to prove it is most impossible. Aside from being unconstitutional, their law is immoral and unchristian.

Concerning integrating the library, this has been simplified by recent legal precedents. We anticipate that a federal injunction will open the library facilities to all citizens alike. The matter of changing a deed is the city's headache. The question that puzzles us is why do our city officials elect to go through so much trouble just to do it?

We trust that they are aware that we are not led away from our ultimate freedom by a jail threat and that going to jail is a mark of decency and dignity when it comes as a result of standing for a just and worthy cause.

Fourteen-hundred blacks crowded into Zion Baptist Church to hear speakers express determination to end every "vestige of discrimination and segregation" in Petersburg. For more than three hours, speakers urged those assembled to press for desegregation of the public library, schools, and the police and fire departments, and for representation on city council and in city hall.

The eleven blacks who had been arrested on Monday announced their intention to be plaintiffs in a new suit that they would file by the following Monday. The eleven stated that they would seek to enjoin the segregation of the library in federal district court in Richmond.

Clarence Newsome, a lawyer from Richmond and one of five lawyers for the eleven individuals who were arrested, implored the crowd to "rise up and strike out for what is rightfully yours." He said that court actions were no longer adequate, reminding listeners that *Brown* was decided in 1954 and "yet schools remain segregated in Petersburg . . . because you have failed to assert yourselves." In remarks directed to the press, Len Holt stated that the people gathered did not hate anybody and would not resort to violence but would grasp the hand of anyone, black or white, in the struggle for freedom. Reverend Williams told those assembled that the Negro ministers of Petersburg "have approved this movement. It is God's hand that is guiding us; we cannot lose because God is with us." Reverend Walker said to the crowd: "Non-violence is the only way, if for no other reason than that the alternative is too costly and hatred is a self-destroying emotion. It is far too great a price to pay."

On Monday, March 14, municipal court judge H.B. Gilliam convicted the eleven blacks of the trespassing charges. Eight defendants were fined \$50, and one Virginia State student was fined that amount and sentenced to ten days in jail. Reverend Walker and Reverend Williams were fined \$100 and sentenced to imprisonment for thirty days. All eleven said that they would appeal to Petersburg Hustings Court on Thursday, and they were freed on bond. Reverend Walker claimed that he would appeal the conviction "all the way to the Supreme Court" if necessary. Approximately 600 blacks, who were singing hymns and patriotic airs, praying, and applauding those accused, were outside the court during the trials of the eleven defendants.

When the court recessed, nearly 200 persons proceeded to Richmond in a thirty-car motorcade and asked the federal district court to enjoin segregation at the library. The plaintiffs' petition asserted that restricting them to the library basement was humiliating, embarrassing, unfair, nauseating, and unconstitutional. It also claimed that the city's denial of full and equal rights to blacks at the library suggested that the plaintiffs and other blacks were inferior. Judge Albert Bryan took the case under advisement, but it was unclear when any decision might be reached.

On Wednesday, March 16, Judge Oliver Pollard of the Petersburg Hustings Court set April 8 as the date for hearing the municipal court appeal of Virginius Thornton, and he delayed the hearings of others who appealed.

That afternoon, a dozen black doctors and dentists adopted a resolution commending the students, clergy, and citizens for their leadership and "followship" in the library protest and endorsing their activities:

It is our studied opinion that non-violence commends itself to us as a means of social change, and that it is a way to the full emancipation of the Negro and white community. We pledge our support, moral and financial, and call upon the citizenship of Petersburg, white and Negro, to join in saving the soul of our community.

That evening, 1000 blacks attended a mass meeting at Tabernacle Baptist Church and organized the Petersburg Improvement Association, whose purpose was to "rid the community and environment of every vestige of segregation by non-violent means." Reverend Walker read a telegram sent to the city council stating that the Association was ready and willing to participate in biracial conferences "toward removing every vestige of segregation from our community." It commended the clergy, students, and citizens "who have given the leadership and 'follow-ship' in the library protest." Walker also said that a moratorium had been declared on the library. "The library is a matter of litigation: there is nothing more we can do about it. We are not going to harass them as the city manager expressed it. All we did was go there to read."

On Thursday, March 17, Roy Ash, the city manager, issued a statement regarding the conditions that led to arrests at the public library "in order that the public [might] know the complete story." He concluded the statement with the following challenge:

If the Negro leaders, who initiated the invasion of the library by 141 persons, felt that it was their constitutional right to use the Petersburg Library on a non-segregated basis, in spite of the conditions written into the deed of gift, if they were truly interested in improving racial relations and not as they have said, "dramatizing the incident," could they not have sought relief through the courts instead of leading 141 persons, many of whom were not citizens of Petersburg and had no legal rights in any section of the library, in an invasion of the library disrupting a branch of the municipal services, to which Miss Hodges, soon to retire, had dedicated a lifetime of personal service to citizens of both races.

Judge Pollard heard the appeal of the trespassing case against Virginius Thornton, one of the Virginia State students, in April. He dismissed the case for lack of sufficient evidence to convict, finding that Thornton may not have understood the deed provisions.

On Wednesday, July 6, three Virginia State students went to that portion of the library reserved for whites and requested certain materials. The librarian followed the city manager's standing orders, which included closing of the library if the deed's requirements were violated. Ash instructed her to request blacks who sought service in the white section of the library to go to the portion of the library reserved for blacks. If the blacks declined to do so, she was to ask them to leave the premises.

She followed those procedures when the blacks entered the library. They refused to go downstairs and instead went outside where they met the city manager, who explained to them the provisions included in the deed. When the students refused to leave, Ash ordered that the library be temporarily closed pursuant to authority of the city council and stated that the facility would remain closed until the council acted or until the litigation over the library was concluded. The students were not arrested.

Ash then informed the *Progress-Index* reporter that the city council at its meeting on June 21 had "reiterated the stand that it was only trying to carry out the provisions of the deed" as to the library situation. The city manager observed that if the federal court ordered the library to be integrated, the "city proposes to seek litigation to determine the validity of the deed portions" regarding segregated facilities. "To integrate otherwise would risk reversion of the property to heirs of McKenney, city officials believe," said Ash.

The editorial page editors of the Petersburg *Progress-Index* printed their own editorial titled "Harassment for Its Own Sake" in the paper's July 8th edition. The editors criticized the students for entering the library while the question of its desegregation remained in litigation. The editors praised the city for standing "on its sound legal position that under the terms of the deed it cannot operate the library on a desegregated basis." They also found that the city's determination to seek state court clarification of title after federal court disposition to be "real and legal and not something dreamed up by city government as a pretext." The editorial warned that the new challenge to the city's position would do nothing to clarify the matter or to hasten judicial disposition but would threaten to turn the issue of the library's future into an emotional issue. The editors opined that "increasingly the desegregation drive seems to be concerning itself with destruction, not change or adjustment" and concluded that "increasingly harassment for the sake of harassment may be an important factor in the whole proceedings."

On July 20, an institute on nonviolent antisegregation techniques was held at Zion Baptist Church. Reverend Walker, who had recently been appointed the director of SCLC, observed that the institute was held in Petersburg because it had "been the most active community in the civil rights struggle in recent months." Len Holt, the CORE attorney, told the group of 200 blacks that "if you want freedom and liberty in your lifetimes, go to the library in the face of threats . . . go to jail and stay there." Holt noted that the legal process was time consuming and that time worked against blacks. He added that the

"lawyers' day had passed of being the most effective weapon in the civil rights struggle and that you must no longer depend completely on courts in fighting segregation."

On July 22, Judge Pollard dismissed the charges against the ten blacks other than Virginius Thornton who had been arrested for participating in the March 7 demonstration at the library. The judge did find, however, that the city ordinance was valid and constitutional on its face.

The city council considered the library situation at its meeting on July 26. The council minutes reflect its view that the Hustings Court ruling meant that it had "no effective means of keeping the library open and enforcing" the deed's provisions and that "these circumstances compel[led] the City to continue the temporary closing" of the library. The July 27 edition of the *Progress-Index* reported that the council unanimously resolved to keep the library closed and that City Attorney Willis Bohannon recommended the resolution's adoption "for the record" pending resolution of the injunction request. Dr. William Grossman, a council member, observed that the council had "agreed to wait a reasonable time but that it was not keeping faith of the people if it did not push matters." Grossman flatly stated: "There is no way in the world the situation can be resolved outside court. We must bring it to a head any way we can. The library might be closed three or four months and to push wouldn't jeopardize our position." When questioned after the meeting, Dr. Grossman explained that the council "should petition the Hustings Court to interpret the terms of the deed so we can proceed." The city manager added that the city had no alternative but to keep the library closed temporarily.

The week that the library was closed, the Democratic National Convention nominated John F. Kennedy and Lyndon B. Johnson as candidates for President and Vice President. Later that month, the Republicans nominated Richard M. Nixon and Henry C. Lodge to be their standard bearers.

The Petersburg Public Library remained closed from July 6 until November 6, 1960. For five long months, which paralleled the heated presidential campaign of 1960, the library was shut. Citizens were cut off from their source of reading material and other cultural and community stimulation. Some resorted to school or church libraries, but a number of people simply did without. It was especially telling that residents were deprived of important informational sources as one of the most important presidential campaigns of the century was being waged.

During 1960, Mayor Walter Edens, Vice Mayor Louis Shell, and Council member Isham Andrews decided against standing for re-election. Arlie Andrews, Marvin Gill, and Alexander Jacobs successfully ran for their seats, and the council members, upon assuming office, elected Gill as mayor.

The City Council voted unanimously at its meeting on November 1, 1960, to rescind the July resolution that temporarily closed the library. The *Progress-Index* characterized the resolution as coming "in a surprise move at

the end of a three-hour session" and following Mayor Gill's observation: "It's time we made some decisions on the library. People are asking about it and we can't keep it closed much longer." Council member Grossman promptly moved to reopen the library, Council member Jacobs seconded the motion, and it passed without comment. When asked after the meeting whether blacks would be permitted in the white section, the mayor said that the library would be integrated. Dr. Grossman observed: "We've been told in effect by the courts that we cannot operate on a segregated basis. We may lose the library if we keep it closed under the terms of a deed of gift. We are not going to try to enforce the terms of the deed." He added that his intent was "not to enforce the deed requiring separate facilities" and that the city attorney was "studying the legal status."

The city manager said that he would open the library on Monday, November 7, as directed by the city council, that black patrons would be served, and that he could not enforce the trespass ordinance. On November 2, Ash wrote the new librarian, Ms. Katherine Laiblin, requesting that she plan to reopen the library on November 7. The city manager instructed that "all services of the library shall be extended to citizens of Petersburg, without charge, and regardless of race or color" and that the council had "decided to open the library on an equal basis for all citizens." He advised that operation of the black section of the library would continue temporarily to "take care of employment for Mrs. West," its librarian, and he asked Ms. Laiblin to inform him if there was work for Mrs. West on the regular library staff to which she might be transferred. Ash said that he did not anticipate "any mass invasions of any group who come to the library purely as demonstrators and who are not truly interested in using the library in the normal way." He informed her that "if any such groups should enter the library, regardless of color," she should ask them to leave and if they refused she should promptly notify the police chief and him. Ash suggested that Ms. Laiblin post a copy of the letter in a conspicuous place in the library.

On Monday at 9:30 a.m., Ms. Laiblin reopened the library without incident. The next day John F. Kennedy was elected President. The library remained open thereafter to blacks and whites with no incidents. The black section of the library merged with the white section the next year, and Mrs. West joined the regular library staff.

