IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

FILED

JUN 19 1956

R. C. DOBSON
Clerk

By.....
Deputy Clerk

AURELIA S. BROWDER, and SUSIE McDONALD and CLAUDETTE COLVIN, by Q. P. Colvin, next friend, and MARY LOUISE SMITH, by Frank Smith, next friend, and others similarly situated,	)	
Plaintiffs,	)	
vs.	)	NO. 1147
W. A. GAYLE, CLYDE SELLERS and FRANK PARKS, individually and as members of the Board of Commissioners of the City of Montgomery, Alabama, and GOODWYN J. RUPPENTHAL, individually and as Chief of Police of the City of Montgomery, Alabama, and THE MONTGOMERY CITY LINES, INC., a corporation, and JAMES F. BLAKE, and ROBERT CLEERE, and C. C. (JACK) OWEN, JIMMY HITCHCOCK, and SIBYL POOL, as members of the ALABAMA PUBLIC SERVICE COMMISSION,	)	
Defendants.	)	

JUDGMENT

This cause came on to be heard before a three-judge court duly convened pursuant to the provisions of Title 28, United States Code, Sections 2281 and 2284.

After trial on the merits and careful consideration of the evidence therein adduced and after oral arguments and submission of briefs by all parties, the Court, being fully advised in the premises, found in an opinion handed down on June 5, 1956, that the enforced segregation of Negro and white passengers on motor buses operating in the City of Montgomery as required by Section 301 (31a, 31b and 31c) of Title 48, Code of Alabama, 1940, as amended, and Sections 10 and 11 of Chapter 6 of the Code of the City of Montgomery, 1952, violates the Constitution and laws of the United States.

Now, in accordance with that opinion, it is Ordered, Adjudged and Decreed that Section 301 (31a, 31b and 31c) of Title 48, Code of Alabama, 1940, as amended, and Sections 10 and 11 of Chapter 6 of the Code of the City of Montgomery, 1952, are unconstitutional and void in that they deny and deprive plaintiffs and other Negro citizens similarly situated of the equal protection of the laws and due process of law secured by the Fourteenth Amendment to the Constitution of the United States and rights and privileges secured by Title 42, United States Code, Sections 1981 and 1983.

It is further Ordered, Adjudged and Decreed that the defendants, their successors in office, assigns, agents, servants, employees, and persons acting on their behalf, be and they are hereby permanently enjoined and restrained from enforcing the aforesaid statutes and ordinances or any other statutes or ordinances which may require plaintiffs or any other Negroes similarly situated to submit to segregation in the use of the bus transportational facilities in the City of Montgomery, and from doing any acts or taking any action to require the Montgomery Bus Lines, Inc., or its drivers, or any other public bus transportation facility, or its drivers, to enforce such statutes or ordinances requiring the segregation of white and Negro passengers in the operation of public motor bus transportation facilities in the City of Montgomery.

Costs are taxed against defendants.

The injunction granted by this judgment is suspended for a period of ten days from the date hereof, and in the event an appeal is taken from this judgment within such period, such injunction will be further suspended until an additional order can be entered suspending such injunction during the pendency of such appeal.

Judges Rives and Johnson concur in this judgment, Judge Lynne dissents therefrom except as to the order of

suspension, in which he concurs.

This the 17th day of June, 1956.

United States Circuit Judge

United States District Judge

United States District Judge