

## What Did Th Supreme Court Actually Rule?

**I**T NOW appears that Montgomery City Lines, acting presumably on instructions from the parent National City Lines, may have acted with unseemly, unnecessary haste in ordering drivers here to disregard city and state segregation laws.

Second-look appraisals of what the court actually meant in its Monday ruling leave considerable doubt that the court intended to abolish segregation on intrastate transportation. Since the court seemed to leave standing the decision by the U.S. 4th Circuit Court of Appeals that "We do not think the separate but equal doctrine can any longer be regarded as a correct statement of the law," wire services and most newspapers jumped to the conclusion that bus segregation had gone the way of school segregation.

The very brevity of the Supreme Court's ruling, however, should have generated some doubt that the court was laying down a broad new principle of law. Also, the court knows the turmoil existing in the South today resulting from the school ruling, and the justices could hardly be unmindful of the consequences of another exacerbating ruling at this critical time.



**I**T IS idle to argue that the Supreme Court simply rules on the law without regard to what happens. The court has found it expedient often before to employ the proverbial law's delay, and might very well have done so in the bus case if the court has any feeling at all for social consequences of its actions. And we cannot believe the court is totally devoid of such feelings.

The Associated Press, which said categorically Monday that the Supreme Court had ended segregation on intrastate transportation, hedged yesterday with the following:

WASHINGTON, April 25 (AP)—Government lawyers were divided today on what the Supreme Court meant by its cryptic action Monday in a case challenging race segregation on intrastate buses.

The Court's brief order refusing to review a lower court decision was widely interpreted at the time as ending segregation on any form of public transportation. But some lawyers reviewing the case said the high court could have acted on narrow, technical grounds.

The Supreme Court almost never elaborates on its orders. No explanation could be obtained from it today as to just what it meant.

*According to legal opinion here and in Washington, the court might have simply declined to consider a matter which had not been through final judgment in the lower courts.*



**I**F THIS is true, the bus company has painted itself into a corner, announcing that it will not defend segregation although, as the AP story indicates, laws requiring separation of the races on intrastate transportation may remain intact. In any event, National City Lines would have been well advised to have waited until its attorneys had time to weigh the effect of the court's ruling.

But if the bus company is guilty of haste, the Supreme Court is guilty of vagueness and the nation's press, perhaps, of conclusion-jumping — none of which has helped an already sorrowful situation.

Special File — Library  
Department of Archives and History  
Montgomery, Alabama

MTGY ADVERTISE

APR 26 1956