

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JACKSON, NATHANIEL, A Minor, by his Father :
and Next Friend, W. D. Jackson, et al :

PLAINTIFFS :

CIVIL ACTION

VS :

NUMBER 3152

RAWDON, O. C., As President of the Board of :
Trustees of the Mansfield Independent :
School District, Mansfield, Tarrant :
County, Texas, et al :

DEFENDANTS :

PLAINTIFF' MOTION FOR PRELIMINARY INJUNCTION

COME now the plaintiffs in the above numbered and styled cause, and respectfully move the Court for a preliminary injunction to enjoin and restrain the defendants O. C. Rawdon, as president of the Board of Trustees of the Mansfield Independent School District, and Billy Arbor, Hubert Beard, Ira Gibson, Hcrace Howard, J. R. Lewis, and O. H. Wilshire, as members of the Board of Trustees of the Mansfield Independent School District, and R. L. Huffman, as Superintendent of public schools of the Mansfield Independent School District, and the Board of Trustees of the Mansfield Independent School District, a corporation, and each of them, their agents, their servants, their employees, and their successors in office, their attorneys and all other persons in active concert or participation with them from requiring plaintiffs, or any member of the class of persons that they represent, because of race or color, to transfer and attend a school outside the Mansfield Independent School District, or from refusing and denying plaintiffs, or any member of the class of persons that they represent, because of race or color, the right and privilege of registering at, enroll, enter, attend classes and receive instruction in the public free schools in their district, at the same time, and under the same conditions and circumstances that all other public free school pupils register, enroll, attend classes and receive instructions without any distinctions being made to plaintiffs and the members of the class

of persons that they represent, on the basis of race or color.

In support of this motion, plaintiffs incorporate by reference the facts set out in their Complaint filed herein, in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21, as though they were copied and made a part hereof.

Plaintiffs would further show to the Court that unless the defendants, and each of them, are enjoined and restrained for continuing the unlawful action and conduct complained of in the Complaint filed herein, plaintiffs will suffer unlawful discrimination because of their race and color, in that they will, each of them, be forced to travel an unreasonable distance from their respective homes to a school outside the territorial limits of the of the school district in which they reside, which distance is more than 40 miles over and above the milage traveled by white children who live in the district daily, that they must endure the hazard and hardships incident to the travel and weather conditions unfavorable to travel, that they must arise earlier and return home later and be away from their homes and the care and guidance, as well as protection, of their respective families for a longer period of time than children of the white race, that such hardships thus placed upon the minor plaintiffs and their parents is real and substantial; that plaintiffs have no efficient or adequate remedy at law.

If this preliminary injunction be granted, defendants will suffer no financial loss, or other tangible hare or injury. Therefore, plaintiffs pray that no bend be set upon the granting of this motion.

L. Clifford Davis
L. Clifford Davis
401½ East 9th Street
Fort Worth, Texas

One of the Attorneys for Plaintiffs

of persons that they represent, on the basis of race or color.
 In support of this motion, Plaintiff's motion is supported by the
 evidence the facts set out in their Complaint filed herewith, in
 paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
 16, 17, 18, 19, 20, and 21, as though they were copied and made
 a part hereof.
 Plaintiff would further show to the Court that unless
 the defendants, and each of them, are enjoined and restrained
 for continuing the unlawful action and conduct contained in
 the Complaint filed herewith, Plaintiff will not be able to
 obtain justice because of their race and color, in that they will
 each of them, be forced to travel an unreasonable distance from
 their respective homes to a school outside the territorial limits
 of the of the school district in which they reside, which dis-
 tance is more than 10 miles over and above the miles traveled
 by white children who live in the district being, that they must
 endure the heat and hardships incident to the travel and
 weather conditions enroute to travel, that they must arise
 earlier and return later and be away from their homes and
 the care and guidance, as well as protection, of their respec-
 tive families for a long period of time than children of the
 white race, that such hardships that placed upon the minor plain-
 tiffs and their parents is real and substantial; that plaintiffs
 have no intention or desire to comply at law.
 If this restraining injunction be granted, defendants will
 suffer no financial loss, or other tangible loss or injury.
 Therefore, Plaintiff pray that no bond be set upon the granting
 of this motion.

L. Clifford Davis
 4014 East 29th Street
 Fort Worth, Texas

Filed 7 day of October

1955 at 10:20 o'clock a.m.

GEO. W. PARKER, Clerk

By Ruth Buckley, Deputy