

and principals in the public schools of Norfolk which discriminates against plaintiffs solely because of their race or color. All teachers and principals in the public schools of Norfolk, including the plaintiffs, have been, are being and will continue to be paid by defendants pursuant to the following salary schedule adopted, maintained and being enforced by the defendants for the school year 1939-1940:

	Salaries now being paid teachers new to the system.	Maximum salary being paid (affecting only those in system before increment plan was discontinued.
<u>Negro</u>		
Elementary Normal Certificate Degree	\$597.50 611.00	\$960.10 960.00
High School Women	699.00	1,105.20
Men	784.50	1,235.00
<u>White</u>		
Elementary Normal Certificate Degree	850.00 937.00	1,425.00 1,425.00
High School Women	970.00	1,900.00
Men	1,200.00	2,185.00

The practical application of this salary schedule has been, is, and will be to pay Negro teachers and principals of equal qualifications, certification and experience with white teachers and principals less compensation from public funds solely on account of their race or color."

"19. The salaries of all teachers and principals in the public schools of the City of Norfolk, including the salaries of petitioners, are paid out of the public school fund. This fund derives from two sources: The Commonwealth of Virginia and the City of Norfolk (Virginia School Code, Chapter 33, Section 646); all of said public school fund is raised by means of taxation upon the inhabitants of Virginia and their property (Constitution of Virginia, Article IX, Sections 135, 136; Virginia School Code, Chapter 33, Sections 657, 698, 699; Chapter 35, Section 782). Pursuant to those statutes all that portion of the public school fund which derives directly from the state is used exclusively for the payment of teachers' salaries (Virginia School Code, Chapter 33, Section 701."

That an unconstitutional discrimination is set forth in