

UNITED STATES RAILROAD ADMINISTRATION
W. G. MCADOO, DIRECTOR GENERAL OF RAILROADS

SOUTHERN REGION

SOUTHERN RAILROAD LINES
AND ASSOCIATED RAILROADS

EDWARD COLSTON,
General Solicitor.

GEO. HOADLY,
Asst. General Solicitor.

CINCINNATI, O., January 19, 1921.

*Make file U.S.
return with
do file
deposition of
in detail*

Joe Gillespie v. CNO&TP Ry and Director General
A. H. Turner v. Same.

260

Mr Victor Lamar Smith,
Regional Counsel US RR Administration,
Atlanta, Ga.

Dear Sir:

The above two suits are brought in the Pulaski Circuit Court, Ky. by two colored porters who claim that they were employed as train porters on trains No.s 1, 2, 3, 4, 5, 6, 9, 10, 11 and 12 on the C N O & T P RR from January 1, 1918 to December 31, 1919.

Plaintiffs claim that under Supplement 12 to General Order No. 27 they were classed as train men in that they performed such work as trainmen in that they used hand and lamp signals, opened and closed switches, coupled and uncoupled cars and hose attachments, carried switch keys, flagged trains, loaded and unloaded baggage and packed hot boxes on passengers coaches and which duties were required of them by their superior officers.

Plaintiffs that under an order of May 25, 1918 they were entitled to \$142.00 a month and were only paid \$60.00 a month.

There seems to have been a bulletin issued about July 19, 1919 specifying the duties of train porters, which provided that they should not be required to perform the duties of brakemen or train men. There seems, however, to be a suspicion that this order has not been lived up to and that porters generally have been required to perform the duties of train men.

They claim the difference between the amount they were paid and the amount they claim to be entitled to, which would amount to \$82.00 per month for two years, or \$1968. each.

There seems to be a good deal of suspicion that notwithstanding the orders issued these men did perform the duties of train men and that this is done and has been done in the case of porters; but I am trying to ascertain what the facts are in this respect.

I am advised that you have authorized the Southern Railway to settle similar suits on the basis of one-fourth of the difference between

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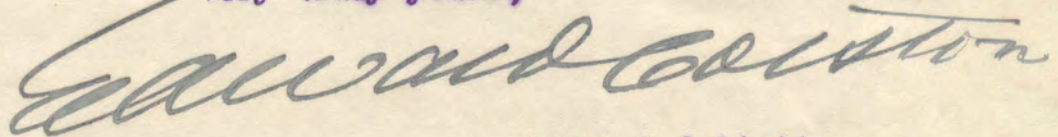
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the amount actually paid between June 1, 1918 and July 24, 1919 and the amount said porters would have earned between said dates had supplement 12 to General Order No, 27 been applied.

I submit these cases to you for your instructions as to whether we shall attempt to make a settlement and, if so, on what basis. I do not, of course, know, whether settlement could be made on the basis above referred to and have not as yet attempted to ascertain.

I should be glad to have your instructions in the matter.

Very truly yours,



General Solicitor.

EXECUTIVE ORDER

REAFFIRMING POLICY OF FULL PARTICIPATION IN THE DEFENSE PROGRAM BY ALL PERSONS, REGARDLESS OF RACE, CREED, COLOR, OR NATIONAL ORIGIN, AND DIRECTING CERTAIN ACTION IN FURTHERANCE OF SAID POLICY.

WHEREAS it is the policy of the United States to encourage full participation in the national defense program by all citizens of the United States, regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

WHEREAS there is evidence that available and needed workers have been barred from employment in industries engaged in defense production solely because of considerations of race, creed, color, or national origin, to the detriment of workers' morale and of national unity:

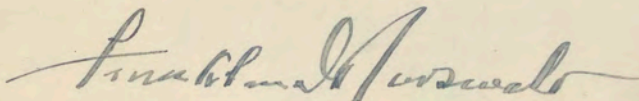
NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and the statutes, and as a prerequisite to the successful conduct of our national defense production effort, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of workers in defense industries ^{or Government} because of race, creed, color, or national origin, and I do hereby declare that it is the duty of employers and of labor organizations, in furtherance of said policy and of this order, to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin;

And it is hereby ordered as follows:

1. All departments and agencies of the Government of the United States concerned with vocational and training programs for defense production shall take special measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin;

2. All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin;

3. There is established in the Office of Production Management a Committee on Fair Employment Practice, which shall consist of a chairman and four other members to be appointed by the President. The chairman and members of the Committee shall serve as such without compensation but shall be entitled to actual and necessary transportation, subsistence and other expenses incidental to performance of their duties. The Committee shall receive and investigate complaints of discrimination in violation of the provisions of this order and shall take appropriate steps to redress grievances which it finds to be valid. The Committee shall also recommend to the several departments and agencies of the Government of the United States and to the President all measures which may be deemed by it necessary or proper to effectuate the provisions of this order.



THE WHITE HOUSE,

June 23, 1941.

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JUN 25 12 17 PM '41

IN THE DIVISION OF THE
FEDERAL REGISTER

JURY

W^m F Muckenfuss (F) Corbett D Davis D Clarence Lorieux
 Lee Tuten P. D. Murray L. C. Gause
 H. L. Hickson Eddie L. Austin H. Cook Adams
 Dillon H. Kirby Tom Buchanan Wilbur Faircy
 Alternate Jurors: Tom Gandy and W. R. Nelson

Witnesses for U. S.

Isaac Woodward, JR.
 Dr. W. W. King
 Capt. Arthur W. Clancy
 Dr. Mortimer J. Berger
 Court rested at 12:25 P.M.
 Mrs. Quilla ^{REPLY} Hudson
 Jennings H. Stroud
 Court. reff. rest 4:40 P.M. & jury
 retired as motion by Defense
 for verdict of acquittal was
 made. The motion was refused.

Witnesses for Defendant

Alton C. Blackwell
 Elliott Long
 Recess at 1:31 P.M. until 3 P.M.
 Lynwood Lanier Skull
 H. E. Quarles, JR.
 H. C. Shealey.
 H. M. Caughman
 Archie Beecham
 B. R. Gall
 Defense rest 4:30 P.M.

30 ARGUMENT: Mr. Rogers 4:55 - 5:22 for the United States;

30 Mr. Hall 5:23 - 5:39 Mr. Griffith 5:39 - 5:53 for the Defendant; and

10 Mr. Sapp 5:53 - 6:03 P.M. in reply for the United States.

Charge: 6:03 - 6:27

Exceptions - The

alternate jurors were then discharged & the jury retired
~~verdict~~ at 6:28 P.M. - The jury returned at 6:56 with
 the verdict:
 We, the jury, find the defendant, Lynwood
 Lanier Skull, Not Guilty this 5th day of
 November, 1946.

W^m F Muckenfuss

Foreman:

The Court adjourned at 7:07 o'clock, P.M. until

10 am

NOV 6 1946

NOV 5 1946

The Court opened at Columbia, S. C., on Nov 5, 1946, according to adjournment

Honorable J. Waties Waring Presiding.

PRESENT

Mrs. A. Cauley sep, Clerk

Louis M. Shimel, Assistant Attorney

Henry H. Edens, Assistant Attorney
(Fred S. Rogers (Admitted for trial of this case)
Bailiff

e. n. Sapp, District Attorney

Ben Scott Whaley, Assistant Attorney

C. B. Cushing, Marshal

Lynwood Lanier Shull

Violation of civil rights

THE UNITED STATES vs.

ATTORNEY FOR DEFENDANT:
After being furnished with copy
PLEA: of ~~Indictment~~ - Information.

Jack D. Hall, Esq. & J. D. Griffith, Esq.
Not Guilty.

SENTENCE:

Jail or Penitentiary

Fine

Time

SUSPENDED:

Payment of fine

Other conditions

Probationed

REMARKS: Exhibits - D-A: Drawing of Bus Station & vicinity

August 18, 1948



Dear Ernie:

I appreciated very much your letter of last Saturday night from Hotel Temple Square in the Mormon Capital.

I am going to send you a copy of the report of my Commission on Civil Rights and then if you still have that antibellum proslavery outlook, I'll be thoroughly disappointed in you.

The main difficulty with the South is that they are living eighty years behind the times and the sooner they come out of it the better it will be for the country and themselves. I am not asking for social equality, because no such thing exists, but I am asking for equality of opportunity for all human beings and, as long as I stay here, I am going to continue that fight. When the mob gangs can take four people out and shoot them in the back, and everybody in the country is acquainted with who did the shooting and nothing is done about it, that country is in pretty bad fix from a law enforcement standpoint.

When a Mayor and a City Marshal can take a negro Sergeant off a bus in South Carolina, beat him up and put out one of his eyes, and nothing is done about it by the State authorities, something is radically wrong with the system.

On the Louisiana and Arkansas Railway when coal burning locomotives were used the negro firemen were the thing because it was a backbreaking job and a dirty one. As soon as they turned to oil as a fuel it became customary for people to take shots at the negro firemen and a number were murdered because it was thought that this was now a white-collar job and should go to a white man. I can't approve of such goings on and I shall never approve it, as long as I am here, as I told you before. I am going to try to remedy it and if that ends up in my failure to be reelected, that failure will be in a good cause.

I know you haven't thought this thing through and that you do not know the facts. I am happy, however, that you wrote me because it gives me a chance to tell you what the facts are.



Sincerely yours,

HARRY S. TRUMAN

Mr. E. W. Roberts
c/o Faultless Starch Company
Kansas City, Missouri

Note in longhand --

This is a personal & confidential communication and I hope you'll regard it that way - at least until I've made a public statement on the subject - as I expect to do in the South.

HST

(Envelope marked - Personal and Confidential)

Report enclosed - "To Secure These Rights" --
"The Report Of The President's Committee
On Civil Rights"

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(100-100)

EXECUTIVE ORDER

ESTABLISHING THE PRESIDENT'S COMMITTEE ON
EQUALITY OF TREATMENT AND OPPORTUNITY IN
THE ARMED SERVICES

WHEREAS it is essential that there be maintained in the armed services of the United States the highest standards of democracy, with equality of treatment and opportunity for all those who serve in our country's defense:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, by the Constitution and the statutes of the United States, and as Commander in Chief of the armed services, it is hereby ordered as follows:

1. It is hereby declared to be the policy of the President that there shall be equality of treatment and opportunity for all persons in the armed services without regard to race, color, religion or national origin. This policy shall be put into effect as rapidly as possible, having due regard to the time required to effectuate any necessary changes without impairing efficiency or morale.

2. There shall be created in the National Military Establishment an advisory committee to be known as the President's Committee on Equality of Treatment and Opportunity in the Armed Services, which shall be composed of seven members to be designated by the President.

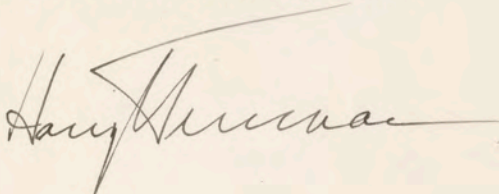
3. The Committee is authorized on behalf of the President to examine into the rules, procedures and practices of the armed services in order to determine in what respect such rules, procedures and practices may be altered or improved with a view to carrying out the policy of this order. The Committee shall confer and advise with the Secretary of Defense, the Secretary

of the Army, the Secretary of the Navy, and the Secretary of the Air Force, and shall make such recommendations to the President and to said Secretaries as in the judgment of the Committee will effectuate the policy hereof.

4. All executive departments and agencies of the Federal Government are authorized and directed to cooperate with the Committee in its work, and to furnish the Committee such information or the services of such persons as the Committee may require in the performance of its duties.

5. When requested by the Committee to do so, persons in the armed services or in any of the executive departments and agencies of the Federal Government shall testify before the Committee and shall make available for the use of the Committee such documents and other information as the Committee may require.

6. The Committee shall continue to exist until such time as the President shall terminate its existence by Executive order.



THE WHITE HOUSE,

July 26, 1948.

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