

## **Journey of Reconciliation, 1947**

These 28 documents refer to the 1947 [Journey of Reconciliation](#) organized by the Congress of Racial Equality (CORE) and the Fellowship of Reconciliation (FoR) to test implementation of the 1946 Supreme Court ruling in [Morgan v. Commonwealth of Virginia](#) prohibiting segregation in interstate travel. That ruling required that seating and service on interstate busses, trains, airplanes, and related depots and stations be on a basis of racial equality. But in the American South, the ruling was largely ignored, travel remained thoroughly segregated. The Journey of Reconciliation was designed to challenge, expose, and defy that segregation.

GBL

please transp. given,

37230 DEC 26 '66

Dear Friend:

Enclosed is a suggested itinerary for the group that will participate in the project against Jim Crow travel this spring. I hope that you will look it over with the thought in mind of making suggestions of contacts that can be made in the communities that will be touched. If you think there are places that should be touched that are not mentioned here, please let me know.

Sincerely yours,

George M. Houser

George M. Houser



Suggested Itinerary for Southern Bus and Train Trip

37230 DEC 26 1966

Plans have crystallized as a result of careful thought and much discussion with many persons, for an interracial group to take a bus and train trip through several states in the upper South to test patterns of segregation in interstate travel. This project is being planned as one part of a campaign to implement the Supreme Court decision in the case of Irene Morgan vs. the Commonwealth of Virginia.

The trip will have a three-fold aim.

1. To gather data in a planned and scientific fashion on what is happening when Negroes and whites travel together without heed to patterns of segregation in states where Jim Crow laws prevail. (Presumably these laws are of no effect in interstate travel since the Morgan decision.)
2. To develop techniques for dealing creatively with the possible conflict situations that will arise when segregation patterns are ignored on buses and trains.
3. To do an educational job in passing on the experiences and data obtained by the trip.

The interracial group making the trip will probably use a two-week period, from April 8th to 22nd, for the experiment. During this period of time they hope to meet in the communities touched en route with various groups and individuals who will be concerned about the project and who will be interested in gaining information from the experimenters. Some of the organizations with which the interracial group will hope to meet en route include Negro and white churches, labor unions, fraternal organizations, NAACP groups, Urban League branches, Negro and white college groups, contacts of such groups as Fellowship of Reconciliation, Workers Defense League, Southern Regional Council, Fellowship of Southern Churchmen, Southern Conference of Human Welfare.

The itinerary.

1. Washington, D. C., to Richmond, Virginia. Possible stops in Alexandria and Fredericksburg, Virginia, en route.
2. Richmond, Virginia, to Raleigh, North Carolina. Possible stop in Petersburg, Virginia, en route.
3. Raleigh, North Carolina, to Knoxville, Tennessee. Possible stops in Durham, Greensboro, Winston-Salem, Charlotte, Asheville, North Carolina, en route.
4. Knoxville, Tennessee, to Louisville, Kentucky. Side trip to Nashville included.
5. Louisville, Kentucky, to Roanoke, Virginia.
6. Roanoke, Virginia, to Washington, D. C. Possible stops in Lynchburg, Charlottesville, and Richmond, Virginia, en route.

Any suggestions as to specific individuals and groups with whom a meeting might be arranged during the two-week period in April will be gratefully received. Suggestions as to legal assistance in various communities along the route will be needed particularly.

GEORGE M. HOUSER  
BAYARD RUSTIN  
2929 Broadway  
New York 25, New York



CITIES FOR TRAVEL PROJECT

ALABAMA:

Anniston  
Birmingham  
Mobile  
Montgomery  
Tuskegee

ARKANSAS:

Brinkley  
El Dorado  
Ft. Smith  
Little Rock  
Pine Bluff  
Warren

DELAWARE: (Bus Travel - Stations Jim Crow)

Newark  
Dover

FLORIDA:

Bartow  
Brevard Co.  
Ft. Lauderdale  
Jacksonville  
Pensacola  
Key West  
Lakeland  
Miami  
Orlando  
Pompano  
St. Petersburg  
Tampa  
West Palm Beach

GEORGIA:

Albany  
Americus  
Atlanta  
Augusta  
Brunswick  
Columbus  
Cuthbert  
Blakely  
Cainsville  
La Grange  
Moultrie  
Savannah

LOUISIANA:

Alexandria  
Baton Rouge  
Lake Charles  
Monroe  
Natchitoches  
New Orleans  
Shreveport  
Scotlandville

MISSISSIPPI:

Jackson  
Pascagoula  
Vicksburg  
Yazoo City

NORTH CAROLINA:

Burlington  
Charlotte  
Durham  
Leaksville  
Raleigh  
Reidsville  
Rocky Mount  
Southern Pines  
Spring Hope  
Statesville  
Ashville  
Winston Salem  
Wilmington

SOUTH CAROLINA:

Aiken  
Charleston  
Cheraw  
Anderson  
Columbia  
Darlington  
Florence  
Greenville  
Lynchburg  
Orangeburg  
Rock Hill  
Spartenburg  
Sumter  
York



CITIES FOR TRAVEL PROJECT - CONTINUED

TENNESSEE:

Chattanooga  
Jackson  
Knoxville  
Memphis  
Nashville

TEXAS:

Amarillo  
Austin  
Beaumont  
Corpus Christi  
Dallas  
El Paso  
Ft. Worth  
Galveston  
Houston  
Port Arthur  
San Antonio  
Texarkana  
Tyler  
Waco  
Wichita Falls

VIRGINIA:

Arlington  
Cumberland  
Covington  
Lynchburg  
Norfolk  
Portsmouth  
Petersburg  
Richmond  
Roanoke  
Staunton



I enclose ..... for travel and other expenses in connection  
with the Journey of Reconciliation.

I pledge ..... for travel and other expenses in connection  
with the Journey of Reconciliation.

☐ Please send copy of report of the Journey.

Name .....

Address .....

CORE

2929 BROADWAY

FOURTH FLOOR

NEW YORK 25, N. Y.



393



## Legal Questions about the Southern Bus Trip

1. Should there be several witnesses to observe what happens on the carriers between points on the trip?
2. How long are those arrested likely to be held in each place?
3. How high is the bail likely to be?
4. After bail is paid is there any restriction on travel? When is the trial likely to take place?
5. How many arrests would it be feasible for any one person to have on his record?
6. Under the Morgan decision, is it possible to have tests on interstate tickets between two points in a single state? For instance, if a bus ticket reads from Richmond to Raleigh, would the Morgan decision apply if there was a stop-over in Petersburg?
7. What legal techniques can companies use and are they using to get around the Morgan decision?
8. Is there any legal basis for an interstate traveler to violate Jim Crow in waiting rooms and stations?
9. Will word circulate among bus companies after the first few arrests that there is a group systematically testing their policies?
10. What will be the legal results if the same people are involved in quite a few cases?
11. Does the testimony of a witness become invalid in any way if it is known that he was previously aware that a test was to be made?



12. Have bus companies in other states than Virginia issued orders to bus drivers what to do if persons violate the Jim Crow custom, in the light of the Morgan decision? Is it possible to get copies of these orders?

13. Can we get copies of the Jim Crow state laws in the states of Virginia, North Carolina, Tennessee, and Kentucky?

14. Do state laws deputize bus drivers to carry guns or black-jacks?



Suggested dates for being in various places on Southern trip

April 7th and 8th: Participants meet in Washington for two days of discussion and preparation.

April 9th: Travel from Washington to Richmond by bus. Evening meetings in Richmond. Possible meetings at Virginia Union University; meeting in cooperation with the NAACP.

April 10th: Possible meeting in Richmond in the morning.

April 10th: Go to Petersburg. Evening meeting at Virginia State College.

April 11th and 12th: Go to Raleigh, Durham, Chapel Hill.

April 13th: Go to Greensboro. Evening meetings at A and T College, NAACP, Bennett College.

April 14th: Go to Winston-Salem.

April 15th: Go to Asheville.

April 16th and 17th: Travel to Knoxville and meetings there.

April 18th and 19th: Part of the group go to Nashville, part to Louisville, and meetings in those places.

April 20th: Go to Roanoke. Meetings there.

April 21st: Go to Lynchburg.

April 22nd: Go to Charlottesville.

April 23rd: Go to Washington. Possible meetings at Howard University and in Baltimore.



Engagement Form

Name of group

Name of person making arrangement for the engagement

Address

Telephone

Date and time of meeting

Number expected to be present

Topic preferred. (Give number of topic.)

Other suggested topic

Amount that can be contributed toward traveling expenses

(No specific amount is required, but the group hopes to cover all expenses.)

Return this form to: George M. Houser

2929 Broadway

New York 25, New York



*Disc transportation etc.  
Houser*

January 3, 1947

Mr. George M. Houser  
Bayard Rustin  
2929 Broadway  
New York 25, N. Y.

Dear Mr. Houser:

Enclosed please find the list of our branch officers and lawyers in those towns listed on the "Suggested Itinerary for Southern Bus and Train Trip", which Mr. Marshall requested me to prepare for you.

The towns underlined in ink indicate the names of the branches.

I hope this list will prove to be of much help to you.

Sincerely yours,

Gloria Samuels  
Secretary to Mr. Marshall

Enc.



JAN 28 1947

#3144

Attorney C. A. Cowan  
100½ West Vine Avenue  
Knoxville, Tennessee

Dear Mr. Cowan:

You will remember that I called you from the air-port in Knoxville Sunday, January 12th. We didn't have time to do all the things we would like to have done in regard to the case we were up against, but I want to put in writing what happened so that the legal questions involved may be looked into. I would be very much interested in knowing whether there are any cases like the one I want to outline for you that have gone through the courts, and what basis there is for action.

Here are the facts involved in our case. Bayard Rustin and I, both on the staff of the Fellowship of Reconciliation, work as an interracial team. Rustin is Negro. On Sunday, January 12th, we were going by plane from Raleigh, North Carolina, to Nashville, Tennessee. We had a four-hour stop-over in Knoxville, Tennessee, while we were waiting for a plane to take us the last lap of our journey. We were in the Knoxville air-port from approximately 4:30 till 8:19. During that time we wanted to eat, but there was only one restaurant at the air-port. Of course there were no other restaurants near-by. We asked a porter by the name of Roscoe Walker, whose address is 108 Court D, Austin Homes, Knoxville, if the restaurant, one of the chain, the Sky Chef restaurants, would serve without discrimination. He said that Negroes would not be served in the restaurant.

Our plan was to go into the restaurant anyway to see what would happen. Our strategy had to be changed, because Mr. Walker spoke to the ticket agent of the American Air Lines, whose name was A. W. Helsley, telling him that we wanted to eat. When Mr. Walker informed us that he had spoken to Helsley, we talked with Helsley ourselves. Helsley said that he saw no reason why we could not be served in the restaurant, and talked with the restaurant manager. Helsley then came back with the word that we could not be served, but gave us two menus, saying that he would order food for us and have it brought to his office. We declined to eat under these circumstances. The name of the manager of the restaurant is Riley.

Upon talking with a number of people we learned that the property of the air-port is owned by the city of Knoxville, and the Sky Chef Restaurant leases their property. We were told that there was no connection between the Air Lines and the restaurant. However, upon talking with an American Air Lines pilot since returning to New York, I discovered that the American Air Lines had a great deal to do with the formation



of Sky Chef. Undoubtedly the restaurant would claim it had nothing to do with interstate travel, and was guided only by the laws of the state. I doubt that this is true in fact, and certainly it seems to me that a case could be made that some provision must be made by the Air Line companies for service for their passengers without segregation or discrimination.

I would be glad to know what you may know about this whole matter, or what you can discover. I am enclosing a copy of a memorandum outlining a project which Rustin and I are currently working on. It was on behalf of this project that we were traveling in the South. I will want to keep in touch with you about this as our group gets ready for our trip testing the results of the Morgan decision in the spring.

Sincerely yours,

George M. Houser

GME/cr

copy to Thurgood Marshall.



# THE FELLOWSHIP OF RECONCILIATION

"A fellowship of people who strive to  
build a social order which will suffer  
no individual or group to be exploited  
for the profit or pleasure of another."

A. J. MUSTE  
Secretary

JOHN M. SWOMLEY, JR.  
Associate

2929 Broadway, New York 25, N. Y.  
Telephone: UNiversity 4-2670

PHILLIPS P. ELLIOTT  
Chairman  
HOWARD THURMAN  
Vice-Chairman

## RACIAL-INDUSTRIAL DEPARTMENT

GEORGE M. HOUSER  
Secretary

BAYARD RUSTIN  
Field Work

3144 JAN 28 '47

January 27, 1947

Mr. Thurgood Marshall  
National Association for the Advancement of Colored People  
20 West 40th Street  
New York 18, New York

Dear Mr. Marshall:

I am enclosing a copy of a letter that I wrote to Attorney C. A. Cowan about an incident that occurred when Rustin and I were in the air-port in Knoxville. Something ought to be done about this problem, and I wonder whether there may be cases similar to this in the courts now. I would be glad to hear from you about this, and to know if anything might be done in our case. We weren't necessarily trying to make a court case out of the incident, but for future reference it would be good to know what evidence we need to get in order to make a fairly good case.

Rustin and I had a very successful trip on behalf of our interstate travel project week before last. The idea met with an enthusiastic response from a large share of the persons we contacted. I am enclosing a copy of some questions that occurred to me on which we need to get legal advice. I hope that we may be able to discuss these questions and others with you at length in the near future. Any advice you can give us will be greatly appreciated.

Sincerely yours,

*George M. Houser*  
George M. Houser

GMH/cr



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Vice-Chairman

## RACIAL-INDUSTRIAL DEPARTMENT

GEORGE M. HOUSER  
Secretary

BAYARD RUSTIN  
Field Work

March 12, 1947

Mr. Gloster Current  
N.A.A.C.P.  
20 West 40th Street  
New York 18, New York

8970 MAR13'47

Dear Gloster:

I am enclosing the kind of announcement we are sending to various places on our itinerary South, about the project. Our most immediate need is for one or two Negro men who would be interested in taking part in the project. One of the persons I had counted on is not now going to be able to make it because of a change in his own schedule, and another will be able to give only a few days. I am wondering if you can think of a few persons who would be interested in the project, who might possibly be able to join us. Is there any possibility that you could be with us for a few days? I would appreciate any suggestions you can make, or help you can give.

Sincerely yours,

*George*  
George M. Houser

GMH/cr



*Miss Transportation  
Fellowship of Reconciliation  
Holmes*

April  
28th  
1947

Dear Mrs. Holmes:

Your letter of April 23 addressed to Mr. White has been referred to my desk because of Mr. White's absence from the office.

We are very glad to have your full report on the adventures of the persons who tested the Irene Morgan decision.

A delegation from Mr. Houser's organization came in to see us Friday and requested the assistance of the NAACP on the expenses of the legal actions resulting from these tests. The matter is being referred to our Committee on Administration and I will be glad to advise you of its decision.

Very sincerely yours,

Assistant Secretary.

Mrs. Edna E. Holmes, Sec.  
Lynchburg Branch NAACP  
611 Polk Street  
Lynchburg, Va.

RW:ELJ  
uopwa/19



# CONGRESS OF RACIAL EQUALITY

(CORE)

A National Federation of local inter-racial groups working to abolish racial discrimination by direct, non-violent methods

2929 Broadway  
NEW YORK 25, NEW YORK  
Telephone: UNiversity 4-2670

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CLEVELAND, OHIO  
DENVER, COLORADO  
DETROIT, MICHIGAN  
LINCOLN, NEBRASKA  
LOS ANGELES, CALIFORNIA  
NEW YORK, NEW YORK  
PEORIA, ILLINOIS

### COMMITTEE ON THE PRACTICE OF DEMOCRACY

KANSAS CITY, MISSOURI

VANGUARD LEAGUE  
COLUMBUS, OHIO

Dear Friend:

You may have been hearing in recent weeks that CORE was co-operating in the sponsorship of a direct action project in several Southern states in order to challenge Jim Crow on buses and trains. One of the reasons why this particular project was chosen was that in a decision rendered last June, the Supreme Court ruled that state segregation laws no longer applied to interstate travelers. This trip, which took many months of planning, has just recently been completed. A thirteen-page report has been issued, giving the details of what happened as those of us on the trip refused to ride Jim Crow on both buses and trains. To summarize, there were sixteen of us who traveled during two weeks in April through four Southern states (Virginia, North Carolina, Tennessee, and Kentucky). Twenty-six tests of bus and train policy were made, and twelve persons were arrested. Three of those arrested have already been convicted. One received a ten-dollar fine, and the other two received 30-day sentences on the North Carolina road gang. These sentences are being appealed.

This was probably the most important and extensive project in which CORE members and other individuals committed to non-violent direct action ever engaged. The facts of the trip and the analysis of their meaning, as brought out in our report, will testify to this. Among the most important aspects of the trip were the comments and reactions of bus passengers who indicated by their neutral attitude that they were willing to forget about Jim Crow seating arrangements. It is very significant to us that no act of violence took place on any of the buses. The only violence was threatened by taxi cab drivers in Chapel Hill. We believe that a primary reason for the polite and courteous actions of passengers, police, and bus drivers stems from the fact that our group was disciplined in a non-violent good-will approach.

Now there is a real way in which you can become a part of this on-going campaign against segregation in interstate travel.

We by no means have covered the cost of this two-weeks' journey, not to mention raising the money needed for travel to the places of the trials in the Southern states. Four trials are to come up shortly after the middle of May. We need at least two thousand dollars in order to cover the costs involved in carrying on this fight. Can you contribute so that CORE will be in the fore-front to resist Jim Crow?

We will be glad to send you a copy of the report on the Journey of Reconciliation at your request.

Sincerely yours,

*George M. Houser*

George M. Houser

*Bayard Rustin*

Bayard Rustin

*Sample Letter*  
*A J R.*

1792 MAY 24 '47



# Segregation On Common Carriers

By James Wallace





Jim Crow arrived in 1867. Is he going to be banished? Given a slap last year by the United States Supreme Court's ruling against segregation of interstate bus travelers, he still rides high in most southern states.

And the Supreme Court decision will continue to be only a paper victory until travelers through the South-land--and judges, constables, bus drivers, and transit corporations--know and act by what the nation's highest court decided.

THE FELLOWSHIP OF SOUTHERN CHURCHMEN has directed a study of the background and meaning of that decision--Morgan v. Commonwealth of Virginia, 66 Supreme Court Reporter 1050, the case which may be a lonely progressive straw lost in the hot wind of southern tradition, or which may be the key-stone of a new defense of Southerners' rights.

In this study, SEGREGATION ON COMMON CARRIERS, you will find information on the changing rights of Negro and white travelers in the South. Included are the pertinent sections from Jim Crow statutes in thirteen southern states, and descriptions of the probable effects of the new decision on these laws. The rights of citizens in both interstate and intrastate travel are carefully defined.

SEGREGATION ON COMMON CARRIERS is a blueprint for action. We believe you will find it useful in your own personal effort to broaden the meaning of our democratic spirit, and in carrying to others the message of this new opportunity for freedom.

Fellowship of Southern Churchmen  
Box 577  
Chapel Hill, North Carolina

1 copy	\$ .15
50 copies	7.00
100 copies	13.00

I enclose \$\_\_\_\_\_ for \_\_\_\_\_ copies

of SEGREGATION ON COMMON CARRIERS.

Name \_\_\_\_\_

Address \_\_\_\_\_



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Vice-Chairman

## RACIAL-INDUSTRIAL DEPARTMENT

GEORGE M. HOUSER  
Secretary

BAYARD RUSTIN  
Field Work

June 3, 1947

19343 JUN 4'47

Mr. Roy Wilkins  
N. A. A. C. P.  
20 West 40th Street  
New York 18, New York

Dear Mr. Wilkins:

In discussing the question of the NAACP Conference a couple of days ago with Allan Chalmers, the suggestion came up that it might be possible for at least one of the persons who engaged in our recent Journey through the South to appear at some point in the program of the Washington Conference. I don't know enough about the organization of the Conference to know where some such report might fit in. Are you going to have any seminar sessions where various areas of discrimination, such as segregation in travel, will be discussed? Or might there be a ten-minute spot at one of the larger meetings where reports are being made, where something could be said about our Journey as well?

Judging from the response we received from NAACP members and groups in the South on our trip, and also judging by the concern evidenced since our return, I should think there would be real interest in having something on the program. Will you let me hear from you about the possibilities?

Sincerely yours,

*George M. Houser*

George M. Houser

GMH/cr  
oeiu



June 27, 1947

Judge Tries to Give Six Times Maximum Term in Jim Crow Bus Case

23657 JUN30'47

What a Southern court thinks of a Southern white man who does not believe in the prevailing prejudices was shown in Chapel Hill, North Carolina, on June 24th, when Judge Henry Whitfield tried to give Joe Felmet, white, from Asheville, North Carolina, six times the maximum sentence for sitting with a Negro on an interstate bus. "Six months on the road," the judge said. Prosecutor T. J. Phipps then pointed out that the maximum for such an offense under the state's Jim Crow law is 30 days. "I can't keep all these things in my little head," Judge Whitfield remarked whimsically as he changed the sentence to 30 days. At the same time he reduced the sentence of Andrew Johnson, Cincinnati Negro, from 50 dollars and costs to 25 dollars and costs. On May 20th, when Judge Whitfield sentenced two New Yorkers, Igal Roodenko, white, to 30 days, and Bayard Rustin, Negro, to costs, on the same charge, he told one of their attorneys off the record that he had much more contempt for whites than for Negroes in such a situation. All four arrests took place during last April's interracial bus trip through the South, sponsored by the Fellowship of Reconciliation and the Congress Of Racial Equality. The cases are being appealed. Attorneys for the men are C. Jerry Gates, Herman Taylor, and Edward Avant, all of the NAACP.

The appeal of James Peck, white, of New York, and Dennis Banks, Negro, of Chicago, sentenced to 30 days each in Asheville, North Carolina, has been continued until the July or August term of court at the request of the prosecution. Their attorney is Curtiss Todd, also of the NAACP. All three Virginia cases of arrest arising from the bus trip have been continued indefinitely pending a decision by the Virginia Supreme Court in the case of Lottie E. Taylor. The Virginia cases are being handled by the Richmond firm of Martin, Hill, and Robinson, which handled the successful appeal to the United States Supreme Court in the Irene Morgan case.



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## RACIAL-INDUSTRIAL DEPARTMENT

GEORGE M. HOUSER  
Secretary

BAYARD RUSTIN  
Field Work

23657 JUN 30 '47

June 28, 1947

Mr. Robert L. Carter  
N. A. A. C. P.  
20 West 40th Street  
New York 18, New York

Dear Mr. Carter:

I am not sure what decision the national legal staff of the NAACP may have made about the cases that developed during our Journey in the South, in Chapel Hill and Asheville, North Carolina. However, I feel that it would be profitable if I could have a discussion of the problems with you some time in the near future. Will this be possible? I will be involved in an Interracial Workshop in Washington up until the 20th of July, but if you will be in town some time between the 21st and the 26th I would like very much to see you. If that won't work out, maybe we can clear up some items through correspondence.

Sincerely yours,

*George M. Houser*

George M. Houser

GMH/cr  
oeiu



September 3, 1947

Memorandum to Madison Jones from Constance Baker Motley

*C.B.M.*

I have read carefully the article prepared by Mr. Houser for SURVEY GRAPHIC. I think that in response to Mr. Britt's letter, the following points should be kept in mind in a re-writing of this article.

- 1) That the Morgan decision applies only to interstate passengers traveling in interstate commerce.
- 2) That the bus companies in most instances who are familiar with the Morgan decision are now segregating Negroes, not pursuant to state statute, but pursuant to their own rules and regulations. This is their method of getting around the decision.
- 3) The fact that when arrests were made they were usually on a charge of disorderly conduct rather than violation of a state statute is important since it shows that the bus companies cannot enforce their rules and regulations without the aid of the state, thus giving a legal basis for attacking the rules and regulations of the carrier.

cbm:rg  
uopwa-19-cio



# The Fellowship of Southern Churchmen

*"... To preach the gospel to the poor, to heal the broken-hearted, to preach deliverance to the captive, and recovery of sight to the blind, to set at liberty them that are bruised, to preach the acceptable year of the Lord."*

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POST OFFICE BOX 577  
CHAPEL HILL, NORTH CAROLINA

October 21, 1947

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*file* *tran*

33779 OCT 23 '47

Mr. Robert L. Carter  
N.A.A.C.P. Legal Defense and Education Fund  
20 West 40th Street  
New York 18, New York

Dear Mr. Carter:

Because you gave us help in checking some of the points in our new pamphlet, "Segregation on Common Carriers", we want you to have a copy of it. We are sending one under separate cover.

We should like to get as wide distribution as possible in southern states among Negro, white, and interracial groups. Is there any sort of mailing your office could send to state and local N.A.A.C.P. chapters to let them know that this pamphlet is available? We think it can pave the way for a nation-wide fight on segregation if properly distributed.

Sincerely yours,

*Nelle Morton*

Nelle Morton  
General Secretary

NM/cbl



file

January  
20th  
1949

*Trans - N.C.  
Fellowship of Reconciliation*

MEMORANDUM TO MR. CARTER FROM MR. WILKINS:

A. J. Muste, of the Fellowship of Reconciliation, telephoned yesterday about the persons who were convicted in North Carolina of violating the state segregation law on a bus trip. They were testing out the Irene Morgan decision, but they were caught because they were not, in truth, interstate passengers--at least that is the way I understand it.

They were given thirty days in jail and appealed to the North Carolina Supreme Court where the sentence was affirmed.

Mr. Muste wants to have an opinion now on whether it would be of any advantage to take the case higher. I told him he would have to submit the briefs and other records for our inspection in order to get an opinion. I suggested that he might talk with you before asking you to take up the matter with Mr. Marshall for his opinion when he returns next week.

RW:ELJ



TO: BAYARD RUSTIN  
FROM: TED COLLER

BALTIMORE & OHIO S.W. Railroad v SETTLE  
260 US 166 (1922)

8878 MAR 18 '43

H, W. Settle & Co were lumber dealers located at Madisonville, Ohio. Shipments of lumber from southern points outside the state were consigned to Oakley, Ohio. At that point, Settle & Co. paid the freight charges and took possession of the lumber. They held the freight in the cars a few days and then, without unloading, made out a bill of lading from Oakley to Madisonville. The carrier delivered this and collected the local intrastate rate on this shipment. Settle and company stated that their intention in so handling the shipment was to obtain the benefit of combination rates lower than the through interstate rate applying from origin to Madisonville. The carrier sued Settle for recovery of undercharges. Settle defended on the ground that the interstate transportation ended at Oakley; that there were two contracts for transportation and two shipments.

THE SUPREME COURT HELD: Whether a shipment is interstate of intrastate depends upon the character of movement. Intention was held to determine as a matter of law that the shipment was interstate. Neither through billing, uninterrupted movement, continuous possession by the carrier, nor unbroken bulk is essential to a through shipment. The published rate cannot be avoided by stopping at an intermediate point and making an ostensible intrastate shipment thence to destination. MERE LAPSE OF TIME CANNOT OVERCOME INTENTION.

This same principle, under varying circumstances, was also held in the cases of Kanotex Refining Co v. Atchison Topeka and Santa Fe Ry, 34 ICC 271 (1915); Baer Brothers Mercantile Co v Denver & Rio Grande Western Railway Co, 233 US 479 (Held: Factors such as mere billing, the physical movement within the State of Colorado, the acts of the parties, will give way before evidence of intention. Once intention is established it will continue until the goods reach the final intended destination);

The following cases dealt with intrastate movements linked with export shipments which resulted in findings that the ~~entire~~ movement within one state must be considered interstate because the final destinations were known at time of shipment: U.S. v Erie RR Co, 280 US 98; Texas & New Orleans RR v Sabine Tram Co, 227 U.S. 111

The same principle of intention was also upheld in: Ohio RR Commission v Worthington, 225 US 101; Federal Trade Commission v Pacific Paper Association 273 US 52

IN ALL THE ABOVE CASES, THE FACT THAT FINAL DESTINATION AT TIME OF SHIPMENT WAS KNOWN AND INTENDED TO BE AN INTERSTATE DESTINATION RESULTING IN FINDINGS THAT SHIPMENTS INVOLVED WERE INTERSTATE, AND THEREFORE SUBJECT TO FEDERAL AND NOT STATE CONTROL.

Conversely, the Supreme Court held in the following cases that because an interstate destination was not the original intention, shipments were intrastate and therefore subject to state jurisdiction rather than Federal jurisdiction: Arkadelphia Milling Co v St Louis & Southwestern Ry 249 US 134; CMSTP&P RR Co v Iowa, 233 US 334; ACL RR Co v Standard Oil of Kentucky 275 US 257; GC&SF v Texas, 204 US 403 L. Ed 360



THE FELLOWSHIP OF RECONCILIATION

2929 BROADWAY

NEW YORK 25, N. Y.

March 17, 1949

8378 MAR 18 '49

Robert ~~Carter~~  
N.A.A.C.P.  
20 W. 40th St.  
New York, N.Y.

Dear Robert Carter:

A friend of mine has just been making something of a study of interstate travel cases and has passed on to me the enclosed memo. I am passing it on to you in the hope that it may be of some interest to you and perhaps some help on interstate travel of bus and train passengers. On the other hand, I presume you may have had some of these brought to your attention before. But I am glad to pass it on with the hope that it may help.

Sincerely,

Bayard Rustin

Bayard Rustin

r/e  
Encl.1

Thanks for the  
memorandum on the  
character of the  
interstate movement.  
I have just been  
advised by Mrs.  
Rebman of Richmond, Va  
that his case involving  
this question is now  
in Virginia's highest  
court.



# CONGRESS OF RACIAL EQUALITY

(CORE)

A National Federation of local interracial groups working to abolish racial discrimination  
by direct, nonviolent methods.

April 16, 1951

513 West 166th Street  
Gloster Current  
NAACP

New York 32, N. Y.

20 W. 40 St. LOraine 8-8200  
New York 18, N.Y.

9419 APR 17 '51

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Washington, D. C.

Dear Gloster,

An interracial group here in New York has begun thinking again about the possibility of taking a trip into the South somewhat patterned after our Journey of Reconciliation in the spring of 1947. This group is at present doing preliminary thinking about this project. The recent visit of Judge J. Waties Waring of South Carolina to New York and a couple of meetings that he addressed here helped to renew thinking on this kind of project. The group has discussed 2 possible aspects of it. First, the project would again draw attention to the fact that barriers between races are fundamentally broken because individuals refuse to recognize them. Second, the Irene Morgan decision and the many cases which have gone through the courts since this decision have certainly made inroads into segregation in interstate travel. However, there are still a number of questions that need to be dealt with in the courts, such as defining the nature of interstate travel more explicitly and perhaps this project could help clarify some of the legal questions.

Although I was not responsible for calling this group together, I was asked to meet with them at their second meeting. It seemed to me that the group was thinking through problems of such a trip very carefully. I gave them as much background as I could of our Journey in 1947. They immediately felt it would be unwise to plan a trip into the South in which segregation on interstate buses would be tested unless it was clear that there would be some support in the South for this project, that there would be some Southerners who would participate in it and that there would be some financial backing forthcoming. But they were particularly anxious to get the reactions of some people familiar with the South to this kind of project at this moment in history.

I am writing to you because I want to get your considered opinion on this question. There is to be another meeting of the group here on April 21. It would be very helpful to the group in its thinking if you would drop a note to me which I would pass on to them before the 21st. Since this isn't very much notice, write to me as soon as convenient, even if later than this. Please remember in what you write that the thinking here is very formative, that no one is trying to railroad through a project, and that every attempt would be made, if the project was to go through, for it to be planned carefully and in cooperation with many Southern interested individuals.

I hope to hear from you soon.

Sincerely yours,

George M. Houser



12241 MAY 25 '51

*jsmc*

CONRAD J. LYNN  
COUNSELOR AT LAW  
271 WEST 125TH STREET  
NEW YORK 27, N. Y.  
—  
UNIVERSITY 4-7810

May 24, 1951

Mr. Gloster B. Current  
N.A.A.C.P.  
20 West 40th Street  
New York 18, N.Y.

Dear Mr. Current:

Thanks very much for the list of cities out of which we will make a tentative itinerary. We would like you to go over it before we made final decision. We are also obtaining information on bus and train fares.

*Refer  
to Cons*

Do you think it likely that the national office would permit us to say that the N.A.A.C.P. is one of the sponsors? We had in mind three organizational sponsors - the N.A.A.C.P., American Jewish Congress and C.O.R.E. Such sponsorship would be very helpful in enabling us to raise funds for the fares.

Sincerely,

*Conrad J. Lynn*  
conrad j. lynn

cjl/mm



April 30, 1951

Mr. George M. Houser  
Executive Director  
Congress of Racial Equality  
513 West 166th Street  
New York 30, New York

Dear George:

Thank you very kindly for your letter of April 16.

I am familiar with the journey taken in 1947. This is the kind of project which might appeal to our youth groups but at the present time, our youth work is in the process of reorganization. I am sure that our branches in the South would be willing to cooperate with those who undertake such a journey this year. It would be helpful for someone from the group to come into the office and talk this matter over with our Legal Department and myself.

Sincerely yours,

GLOSTER B. CURRENT  
Director of Branches

GBC/cs



*WME*  
*4:00 P.M.*  
*Friday*

CONRAD J. LYNN

COUNSELOR AT LAW

271 WEST 125TH STREET

NEW YORK 27, N. Y.

UNIVERSITY 4-7810

11259 MAY 14 '51

*cc: Rob Carter*  
*in a* *ob*  
May 11, 1951

Mr. Gloster B. Current,  
Director of Branches, N. A. A. C. P.  
20 West 40th Street  
New York 18, N.Y.

Dear Mr. Current:

On April 30, 1951 in reply to a letter of George M. Houser of C. O. R. E. you expressed your interest in the proposal to conduct another interracial bus tour of the South. You suggested, moreover, that it would be helpful for someone from the group to come into the office and talk this matter over with your Legal Department and yourself.

George Houser is in Europe and has asked me to carry on in his absence. Unfortunately I haven't been able to reach you by phone. If it is convenient, a small group of three of 'The Pilgrimage for Brotherhood' would like to meet with you any afternoon next week at 4 P.M. Will you kindly phone and let me know what afternoon is best for you?

Yours very truly,

*Conrad J. Lynn*  
conrad j. lynn

cjl/mm

20  
Keystone  
Document/Bond



May 21, 1951

Mr. Conrad J. Lynn  
Counselor at Law  
271 West 125th St.  
New York 27, New York

Dear Mr. Lynn:

On Friday, May 18 we met with representatives of the C. O. R. E. relative to a proposed interracial tour of the south this summer. Among those was Mr. Nicholson of your office.

Mr. Robert Carter and myself agreed that the project is feasible and can be worked out in more detail at a later date. We promised to submit a list of suggested cities for inclusion in the itineraries of those who are planning to go.

Attached herewith is the list.

Cordially yours,

GLOSTER B. CURRENT  
Director of Branches

GBC:cer  
csae-1707-cio  
Attachment  
cc: Mr. George Houser