



**LET FREEDOM RIDE THE RAILS**

## **JIM CROW PAYS RAILROADS**

Railroads, the arteries of commerce and life stream of a great industrial nation, today employ more than 1,000,000 workers. Their gross operating revenues exceed 5 billion dollars. In 1951 they boasted a net capitalization of more than 15 billion dollars. Here is Big Business with a capital "B".

The profits they take in are steadily going up. These profits are based in large part on government contracts—OUR TAX MONEY. Their net income has steadily increased since World War II despite a decline of roughly 30 per cent in passenger mileage (The government paid out billions of dollars to the railroads for transporting soldiers and material during the last war.) But even so these giant corporations take in many more millions today than during the height of the global war. There's gold in those rails.

The total national net railroad income for the first six months of 1953 was 549 million dollars. This was an increase of 24 per cent over the first six months of 1952. The New York Central alone reported eight times as much income for the first six months of 1953. The Pennsy for the same period tripled its income. That's not hay, even for billionaires.

No industry holds greater drama in the struggle of the Negro people, past and present, than does the railroad industry. If Negro and white trade unionists and other democratic groups are willing to seize upon this history, upon this drama, we can present to America the most far-reaching democratic jobs campaign ever witnessed in America. We believe they are ready.

*Coleman A. Young  
Executive Secretary  
National Negro Labor Council*



**E**VERY TIME John Henry swung his mighty hammer, more miles of track stretched into the wilderness until the rails linked the Atlantic with the Pacific, and here was no wilderness anymore. John Henry and his hammer could lay

track and ties faster than any hundred men, and nothing but death could stop John Henry. He died with his hammer in his hand.

So goes the great workingclass legend of John Henry—the Paul Bunyan of the railroads.

But today the grandsons and granddaughters of John Henry have a rough time trying to get work on the roads built by the mighty man and his hammer. John Henry was a Negro.

It is no accident that the legendary hero of the great era of railroad expansion was a Negro worker, for it was largely the Negro working people, together with the Irish immigrants who performed the tremendous job of constructing the vast network of rails that physically united this country.

The tremendous job performed by the Negro people as pioneers in the true sense of

the word is largely ignored or hidden in the history books.

But there is no hiding or ignoring the brutal jim crow set-up on railroad jobs today. And no plan for Negro freedom by '63 can be complete without spelling out the program for victory over railroad jim crow.

That was why the fight to run jim crow off the rails was a keynote issue at the 1953 Convention of the Negro Labor Council in Chicago and why NLC Executive Secretary Coleman Young declared: "No industry holds greater drama in the struggle of the Negro people than does the railroad industry."

## **RAILROADS ARE GOING BACKWARDS**

While America moves forward against jim crow, the railroads are moving backwards.

Jim crow in its crudest form prevails on the nation's railroads, North and South. Nine out of ten Negro railroad workers are in common labor and service categories—as waiters, gang laborers, car cleaners, pullman porters, cooks, red caps, baggagemen.

Negroes are flagrantly excluded from jobs like telegrapher, dispatcher, ticket agent, and other office personnel. There are no Negro conductors, no Negro engineers, and only a handful of Negro roundhouse and maintenance men. Negro

women are almost 100% excluded from railroad employment.

### **But it wasn't always so**

For many decades, the heritage of John Henry was a strong one, and tens of thousands of Negro workers contributed to the running of the nation's railroads in almost every phase of these operations.

Employment of Negro workers by the roads was not due to any democratic instincts among the railroad monopolies. On the contrary, the railroads hired Negro workers in the decades after the Civil War because the Negro worker was forced into a posi-

tion where he could be exploited as "cheap labor."

Until World War I, it was usual for the railroads to use Negro firemen and trainmen on many of their southern and border runs, always being careful not to promote them to the engineer or conductor categories. The companies were even more careful to keep the wages of the Negro workers down, and by doing so to drag the level of all railroad workers—Negro and white—in the South and in the border areas down.

This was the wedge that the men who made millions in the railroad industry painstakingly drove between the Negro and white workers, laying the groundwork for the trap of white supremacy into which the railroad brotherhoods have tumbled.

The corporations used every weapon at their command—from subtle racist propaganda to out-

right Ku Klux Klan terrorism to prevent unity of all workers on the railroads. In this way, the companies were able to use the prejudices and animosities they fanned to make the railroad unions—the Brotherhoods—as instruments to drive the Negroes off the roads or into the labor and service categories. Just how completely the railroad brotherhoods were infected with the poison of white supremacy can be best illustrated by the story of the World War II FEPC hearings, when the companies and the unions actually teamed up to thwart the efforts of the Negro people and of liberal forces to bring democracy to the rails. This happened at a time when the nation was engaged in a worldwide struggle against Nazi racism, and when unions in many other industries were making a tremendous fight to wipe out the American version of this racism in industry.

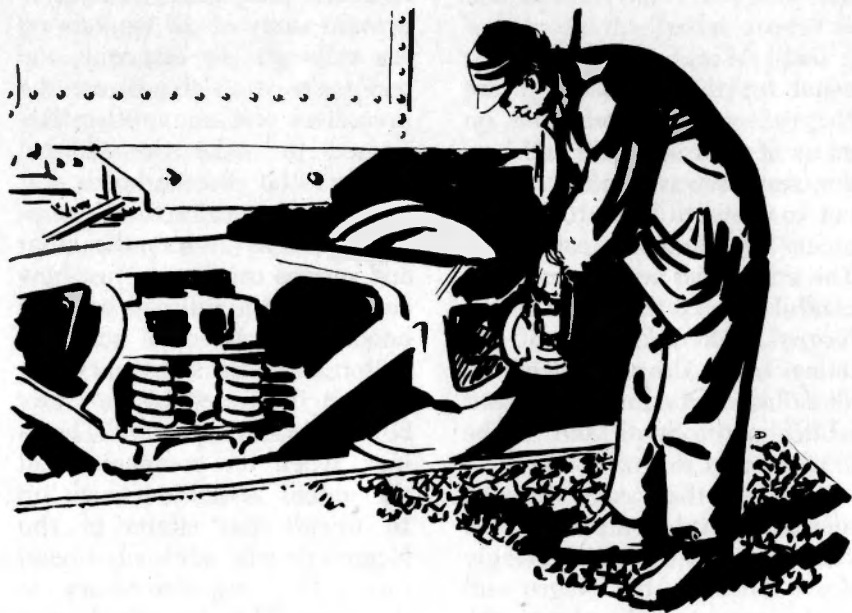
## THE FEPC STORY

During World War II the nation suffered a critical manpower shortage. Joseph Eastman, director of the Office of Defense Transportation, proposed as a solution the use of women workers, Mexican workers and war prisoners. He did not recommend the obvious solution, democratic hiring of Negro workers, many of them fully

qualified by experience for railroad jobs.

However, the democratic tide was too strong for this to be the last word. Recognizing the crucial need of the nation to rally everyone to the defeat of fascism, President Roosevelt in 1941 issued Executive Order 8802, establishing an FEPC. Although this was a step forward,





this first FEPC did not provide the necessary enforcement provisions.

It was not surprising that militant Negro railroaders, *faced* with the prospect of being driven completely out of the industry by the combination of the profit-hungry operators and the jim crow brotherhoods, should turn to the FEPC for help.

In 1943, hearings scheduled for the railroad industry were suddenly postponed "indefinitely" by War Manpower Commissioner McNutt. These hearings had been in preparation for more than a year, with a veteran fighter for equality, the late Charles H. Houston as one of the special counsel.

Liberal, labor and minority groups vigorously protested McNutt's action. Scores of delegations of Negroes and their allies went to Washington to protest. Meanwhile, the FEP Committee established by Executive Order 8802 died. Houston resigned from the Committee and wrote to President Roosevelt:

"It may be for the present that due to disenfranchisement in the South, the Negro by himself cannot muster as much political pressure on the government as the railroad industry and the railroad unions. But if the government thinks it has purchased domestic peace and has satisfied reactionaries by this surrender of

principles, it has forgotten the lesson of history, including Chamberlain at Munich."

## **New Committee Set Up, Railroad Hearings Held**

The struggle for job rights of the Negro people mounted. War Manpower Commission chairman McNutt was forced to declare that the railroad hearings would be rescheduled. President Roosevelt then issued another FEPC order (Executive Order 9346) establishing a new Committee under the chairmanship of Monsignor Haas.

The people had won the second round.

Discrimination on the railroads constituted the most difficult and crucial problem facing the Committee. Hearings in the matter had been postponed three times and their scheduling had been the first Committee's undoing. In the camp of the railroads were powerful financial and political interests, strongly organized labor unions, and influential southern forces. The battle was joined on September 15, 1943. The hearings opened in Washington, with 22 railroads and 14 unions as defendants. They were attended daily by an audience of more than 400 persons.

Bartley Crum, chief counsel, referred to the hearings as "undoubtedly the most important ever held so far as minority groups are concerned, either in

this country or abroad." Crum added that the hearings were needed because "the denial by the railroads of equal job opportunities to Negroes and other minority groups stultifies our moral leadership of the democracies, provides strong material for Axis propaganda against us, and is seriously hampering our effective prosecution of the war." The elimination of Negro firemen was being carried out, he asserted, by means of the Southeastern Carriers' Conference Agreement (Washington Agreement), executed on February 18, 1941. The agreement had been reached under the aegis of an agency of the United States government, the Railway Mediation Board, as the culmination of negotiations involving the Brotherhood of Locomotive Firemen and Enginemen and a number of southern railroads. Other Negro railroad workers discriminated against were brakemen, flagmen, baggagemen and yardmen.

An outstanding and historic case presented at the hearings was that of Bester W. Steele. This fireman on the Louisville & Nashville Railroad had been illegally squeezed out of his job as a result of the Washington Agreement. Steele had first petitioned the Brotherhood of Locomotive Firemen and Enginemen. When the union refused to bring his case before the Railway Adjustment Board, this fighting Negro railroad worker



took his case as an individual to the newly-created FEPC. Along with Steele, scores of Negro railroad workers testified at the FEPC hearings. Included among them were men having twenty or more years' seniority who had been driven from their jobs.

The unions boycotted the hearings. Sidney S. Alderman, the companies' lawyer, brazenly admitted discrimination against Negroes. The arrogance of the railroads was so great that at one point in the proceedings the railroad lawyers even proposed that all witnesses be dismissed "since the railroads were not denying the prevalence of discrimination." Alderman de-

clared that the railroads had to abide by the white supremacy practices of the areas they served.

This company lawyer further argued that the jim crow agreement had been concocted "by processes under the Railway Labor Act and earlier controlling United States labor laws, often with governmental assistance and approval." In all this he was unfortunately "dead right."

### Committee Issues Directive

On December 1, 1943 the FEPC released to the public its directive to the 20 railroads and seven unions, ordering them to



cease their discriminatory practices and to advise the Committee "within 30 days . . . the steps taken or efforts made to comply" with the directive. Ten of the carriers and one union were directed to set aside the South-eastern Carriers' Conference Agreement as a violation of the executive order. The unions cited in the directives were accused of maintaining a policy which "discriminates against Negroes because of race, in regard to membership, thus rendering it impossible (for said Negro workers) to have any adequate voice or representation with respect to grievances and the negotiation of agreements affecting working conditions, employment policy, practices and opportunities." They were directed to "cease and desist" from "discriminatory practices affecting the employment of Negroes." Both carriers and unions were advised that in the event they refused to comply with the directives, the matter would be referred to the President.

## **Railroads Defy Government And President**

The railroads flatly rejected the government order, calling it interference with the existing collective bargaining contracts. They declared: "your committee is wholly without constitutional and legal jurisdiction and power to make and issue the directives which it made and issued, and

for this reason the said directives are without legal effect."

In spite of the arrogance of the railroads, however, the people had won a victory, including, among other things:

1. The railroads did not succeed in killing the Committee. Rather, a stronger second Committee emerged.

2. The hearings were held and the directives were issued and, for the first time, a government agency in the form of the Committee stood on the side of those discriminated against, and had the backing of a strong President.

3. Some of the railroads, including the Union Pacific, the Pennsylvania and the New York Central, expressed a willingness to cooperate with the Committee in correcting the abuses of which they had been accused.

Subsequent to this matters of discrimination were dealt with successfully by the Committee in the Philadelphia Rapid Transit case and in the railway and street car cases in Los Angeles and Chicago.

Thus for an all too brief period, the government, impelled by the worldwide struggle against fascism and its racist basis, was cast in the role of a fighter against jim crow. A closer look at the history of Negro employment on the railroads shows that it was an unaccustomed role for the federal authorities.

## HOW DISCRIMINATION PAID THE RAILROADS

We have already noted that up until World War I Negro workers were employed on the railroads in many categories long since closed to them. We have noted too that the large railroad corporations used Negro employment for two main purposes, specifically:

1. As a source of cheap labor.

2. As a means of disuniting rail workers by on the one hand hiring Negroes at sub-standard wages, and on the other fostering the vilest forms of racism backed by the argument that the exploited Negro workers were unfair competition for the *almost* equally exploited white workers.

It was a classic example of jim crow serving the profit greed of big corporations. Here are



just a few of the hundreds of examples of the working of this exploitation:

—In 1909 the Georgia Railroad fired 10 white hostlers whose wages were \$1.75 a day, and replaced them with Negroes at a 50c cut.

—In 1917 several Southern carriers made agreements to pay Negroes \$1.75 for the same run that white firemen were paid \$2.27—a 52c hourly difference.

—Negro train porters have been used for a long time to do brakemen's work. While the porter receives a few cents more for doing this added work, his pay is much less than that of the brakeman.

—Similarly, Pullman porters have worked as supervisors-in-charge of trains, but have not received conductor's pay. Dining car waiters have run "in-charge," but have been denied steward's pay.

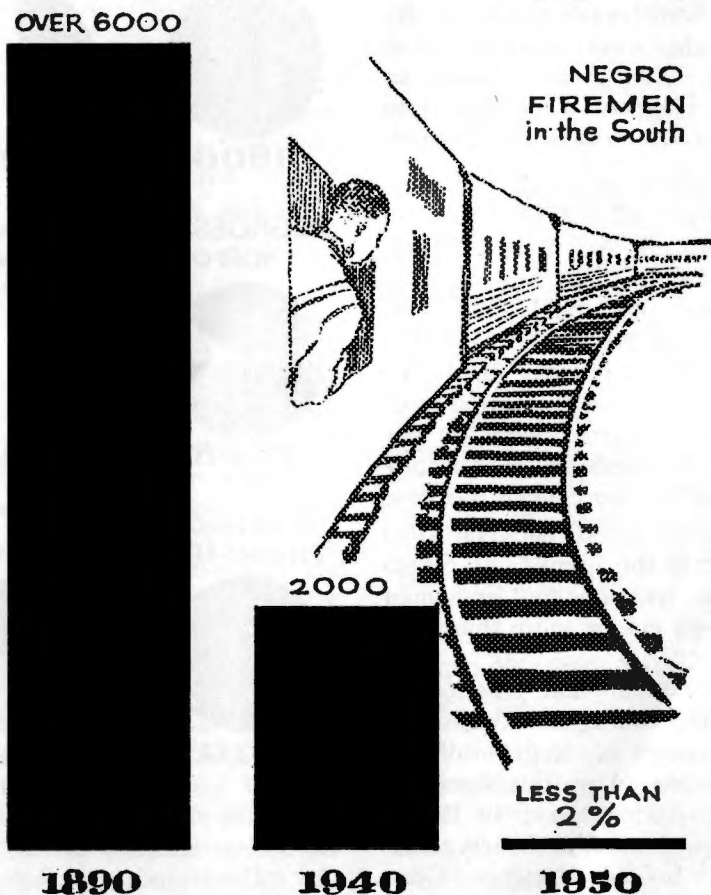
—In the railway maintenance shops, Negroes have generally been hired as helpers. Seldom have they had the chance to become apprentices and be in line for promotion to mechanic. (With increased mechanization of the roads, Negro laborers are fast being wiped out.)

## NEGROES IN RAILROADS

The railroads hired and increased the number of Negro workers as a source of "cheap labor" from the time of the Reconstruction Era until World War I. It was during World War I that the Negro railroad workers got their first chance to hit back at the cheaper rates they were paid. Jobs in the great northern and western industrial mills and factories were

opened up to them and they left the railroads in droves.

To halt this exodus, William Gibbs McAdoo, war-time railroad coordinator, issued his famous equal pay order. It will be observed that prior to this time not a single collusive agreement had been entered into by the roads. Although the railroad unions had mistakenly started campaigns to get Ne-



groes "off the lines" (instead of organizing them) as early as 1892, they did not succeed until after the McAdoo order was issued and the war was over.

## Negroes Driven Out After World War I

During the Reconstruction Era and right up to World War II, Negroes were hired throughout the South as firemen and trainmen.

In 1890 there were more than 6,000 such workers. By 1940 this number dropped to 2,000. Ten years later, in 1950, Negroes were less than 2% of the southern firemen.

At the turn of the century, practically all the yard jobs on the Norfolk and Western Railroad were held by Negroes. But in 1949 they held only one-quarter of these jobs. The decline since has been steady. In road service on this same road in 1908, Negroes were 90 per cent of the workers. In 1949 they held only 2 per cent of the jobs.

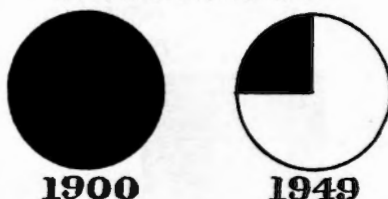
In the period between 1910 and 1940 the number of Negro firemen, trainmen and brakemen has been cut by more than one-half.

No wonder that Charles H. Houston, courageous counsel in many cases of Negro railroad men, summed up this shameful history during the 1949 House of Representatives hearings on FEPC before Harlem's Con-

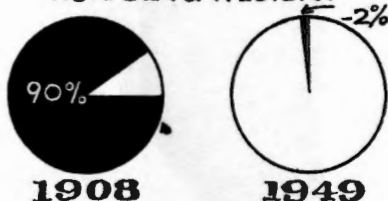
gressman Adam Clayton Powell, Jr., in these words:

. . . The history of Negroes on the railroads has been a history of exploitation on the part of the carriers and suppression on the part of the Brotherhoods. The carriers always used them when they could hire them for fractional percentages or substandard wages.

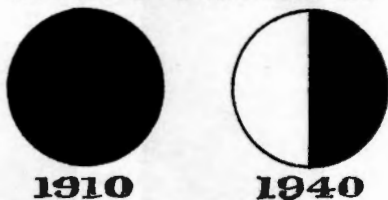
NEGROES IN YARD JOBS  
NORFOLK & WESTERN



NEGROES IN ROAD SERVICE  
NORFOLK & WESTERN



NEGRO FIREMEN,  
TRAINMEN & BRAKEMEN



By now skilled Negro workers have been virtually driven from the railroad industry that they

helped to build, back to other markets as a continual source of cheap labor.

## **Negro Women Excluded**

The railroad companies in extending their brutal jim crow policy have completely excluded Negro women. We have searched high and low for their

employment in any of the clerical-office categories without success. Is not this practice bringing shame upon our country?

**YES, OPERATION EXTERMINATION HAS BEEN THE PLAN OF THE WHITE SUPREMACISTS.**

**OPERATION EQUAL RIGHTS IS OURS.**

## **THE UNIONS**

In many instances, the railroad owners camouflaged their own role and purpose by maneuvering the unions to the front as a "cause and source" of friction between Negro and white workers.

### **The Role of The Brotherhoods**

Under the false illusion of protecting the jobs of their own members, the unions' leaders yielded to white supremacy, and played into the hands of railroad management. The unions then must share some of the responsibility for making the railroad lines of our country jim crow locals instead of a "Freedom Express."

There are four main operating railroad brotherhoods in the industry. They are the Brotherhood of Railroad Trainmen (BRT), the Brotherhood of Locomotive Engineers (BLE), the

Brotherhood of Locomotive Firemen and Enginemen (BLFE) and the Order of Railway Conductors (ORC).

The Big Four Brotherhoods have historically had color bars in their constitutions which exclude Negro workers from membership. Practically all of the other railroad unions (except the Negro unions) have similar restrictions. In some instances, jim crow auxiliaries were set up with Negro members paying dues to the parent bodies, but having no representation on them or any genuine collective bargaining rights.

### **Negro Workers Sounded Unity Plea**

In their age-old fight for first class citizenship, Negro workers have persistently fought for their place in every organization which seeks to promote the wel-



fare and the progress of all—particularly in the unions.

The fact that this fight goes far back into the history of our country is attested to by the stirring speech delivered by Isaac Myers, Negro Workmen's Association delegate to the National Labor Union (first American labor federation) convention in 1869. In a stirring appeal, Myers asserted:

**“ . . . Gentlemen, silent but powerful and far-reaching is the revolution inaugurated by your act in taking the colored laborer by the hand and telling him that his interest is common with yours, and that he should have an equal chance in the race for life . . . .**

**“I speak today for the colored men of the whole country, from the lakes to the Gulf—from the Atlantic to the Pacific—from every hill-top, valley and plain throughout our vast domain, when I tell you that all they ask for themselves is a fair chance; that you and they will dwell in peace and harmony together; that you and they may make one steady and strong pull until the laboring men of this country shall receive such pay for time made as will secure them a comfortable living for their families, educate their children**

**and leave a dollar for a rainy day and old age.**

**“Slavery, or slave labor, the main cause of the degradation of white labor, is no more. And it is the proud boast of my life that the slave himself had a large share in the work of striking off the fetters that bound him by the ankle, while the other end bound you by the neck.”**

Spoken 85 years ago, these words of Isaac Myers would have no less urgency today were they uttered at a union convention—particularly if it were a convention of one of the railroad brotherhoods.

The appeals of Myers and of other far-seeing men and women, Negro and white, went unheeded. As early as 1892, major railroad unions entered into agreements aimed at shutting Negro workers out of employment. With the companies exploiting the antagonisms thus created to the hilt, there were instances in which the fratricidal struggle actually resulted in the murder of Negro railroad workers.

From the turn of the century up to the infamous “Washington Agreement” of 1941, contracts were negotiated with some twenty-odd railroad companies to deprive Negroes of equal employment rights. The most devastating agreements included the following provisions:

—“Non-promotable” clauses to bar Negroes from promotion, and even from being hired in some of the lower classifications.

—Maximum percentage quotas on employment of Negro firemen.

—Banning on some lines of Negroes from any work as baggagemen, flagmen and firemen.

—Designation of areas in which Negroes are denied hiring rights to fill new runs and vacancies.

—“Examination” provisions which state that “promotion examinations” are to be held for fireman to engineer. Those who decline to take the examination, *after having met all other requirements* for promotion, or who fail to pass the examination, are dismissed from service.

What has been the cost of all this to white workers? Lower wages, less food, poorer houses, fewer opportunities for the kids.

## Negro Workers Forced To Act Alone

With the scales so heavily weighted against them, the heroic efforts of Negro firemen, trainmen and brakemen to protect their jobs, stand out as one of the greatest chapters in American history. Much has

been written about this or that cowboy hero, but nothing about these brave men who built the railroads, and upon whose backs the riches of our country were established.

In the non-operating crafts such as Pullman porters, dining car waiters and red caps—almost exclusively Negro, Negroes founded their own unions. Negro firemen and trainmen, barred from membership in the major unions, were forced, as a matter of self-protection, to establish their own unions. The Railway Labor Executives Committee, composed of the Association of Colored Railway & Locomotive Firemen, Colored Trainmen of America, Dining Car & Food Workers Union, and the Southern Association of Colored Railway Trainmen & Firemen, came into being and for many years helped to coordinate their work.

Despite great odds, these Negro unions succeeded in winning contracts and making some gains. In a limited number of cases, there was some cooperation between the Negro and white unions as white workers began to recognize the toll exacted by surrender to race-dividing, white-supremacist tactics. But such was not the general pattern.

Time and again these Negro workmen were forced to face violence and terror because the railroads had succeeded in pit-

ting Negro against white. In one strike alone on the Cincinnati, New Orleans, Texas and Pacific Railroad in 1911 ten Negro and white firemen died. Negro firemen were kidnapped and flogged. As late as 1933 Frank Kincaid, a Negro fireman on the "Creole," a crack train, had his head blown off as the crews changed at Canton, Mississippi. A few days later another Negro fireman, Ed Cole, got down from his cab on the same division to throw a switch at the Water Valley, Mississippi, junc-

tion. He got a full charge of buckshot in his side. Another Negro victim of the railroads' greed.

From their ranks came men like A. Philip Randolph and Milton P. Webster, who gave leadership to the fight for FEPC in 1941 through the powerful March on Washington movement. Webster was a member of the first and second FEP Committees.

Theirs is a glorious tale of the fight for democracy and first class citizenship in our country.

## **TODAY'S PROBLEMS FACE ALL**

Today the entire trade union movement is under attack. Present or proposed restrictive legislation is a threat to every union. Organized labor is in deep battle to maintain and improve working conditions. At this critical time, labor urgently needs the support of all sections of the population, including the 16 million Negro people. The railroad unions today simply cannot afford to brush aside the overall sympathy which millions of Negroes feel for, and are prepared to extend to, labor unions which practice democratic policies.

### **Government: Guilty As A Tool of The Railroads**

The railroad industry is a public institution subject to public control. The railroads admitted this when they fought for free public lands and government subsidies. They have also made this claim whenever the railroad workers prepared to strike for better conditions.

Our government, and its agencies, has been involved very deeply in the barriers that have been set up against Negro workers in the railroad industry.



Charles H. Houston

One flagrant example of this is the record of the National Railroad Adjustment Board, a government agency. Ever since 1926 collective bargaining in the entire industry has been conducted under the provisions of the Railway Labor Act. The National Railroad Adjustment Board, which considers disputes, is composed of only Brotherhood members and carrier representatives. Thus Negroes are barred.

The courts have ruled that individuals cannot bargain with the railroads. Not only are Negro workers and the associations representing them barred from representation on the Board. They are not even permitted to appear before the Board when their cases come up.

Equally anti-Negro in character is the Mediation Board, which is part of the Railway Labor Act machinery. This Board certifies the bargaining agent following election among unions in a given craft. It also has control over the handling of all grievances and the policing of contracts.

The late Charles H. Houston, at the 1949 House of Representatives hearings on FEPC, raised this pertinent question :

**“What possible chance does a Negro have to bring his complaint before a board where fifty percent of the members are taken from unions whose official policy is to drive them out of service?”**

In fact, as one authority, Herbert R. Northrup, put it in his book, “Organized Labor and the Negro,” the National Mediation Board’s practices create the impression that the Board “regards collective bargaining in the train and engine service as strictly a white man’s affair.” Northrup further reports that “any attempt on the part of Negro firemen or trainmen to avail themselves of the provisions of the Railway Labor Act by organizing unions for their own protection is looked upon as disruptive and to be avoided.”

For example, on June 8, 1936,

Dr. William L. Leiserson, then chairman of the Mediation Board, advised the all-white Brotherhood of Engineers and Firemen to pull out of an election for bargaining agent because the Negro workers were a majority on that line and might influence the outcome of the election.

Again, to quote Northrup, whose opinion many others share:

"... Because of the serious injustices suffered by Negroes by the provisions of the Labor Act, sound public policy demands that this law be drastically amended, rather than serve as a model for future labor legislation."

The government's record has been equally bad in other instances. During World War I, faced with an acute labor shortage when the government took over the railroads, William Gibbs McAdoo, railroad coordinator, issued his "equalization of pay" order. Negro porters who had been doing brakeman's work were classified as porter-brakeman, and received brakeman's pay. But when the seniority lists were consolidated, new white workers were eligible for porter-brakeman jobs, but Negroes were barred from the brakeman classification.

After the war, when the railroads were returned to private

management, and when unemployment increased, Negroes were "bounced" from the porter-brakeman category, but they continued to do brakeman's work at porter's pay. In 1926, the Railroad Adjustment Board ruled that "use of porters who do not hold seniority as brakeman violates the seniority rights of brakemen."

As usual, the railroads raked in huge profits by getting all this extra work done at the lower rate paid to porters. (Braking is 90 to 95 per cent of the Negro train porter's duties.)

This persistent bias on the part of the government and its agencies responsible for handling important questions affecting the working conditions of Negro workers as well as white workers obviously demands serious examination and prompt modification. As things now stand, at no level—through the key unions or the government—are Negro railroad workers permitted representation, voice or vote. This air-tight exclusion is not defensible on any ground. It must be changed.

## Fight In Courts Slow Process

Hemmed in from all sides, Negro railroad workers have turned to the courts for relief and redress. Here, too, they have found little comfort, despite



many brilliantly presented cases. As reported by Northrup in "Organized Labor and the Negro":

"The courts, however, have not felt that the exclusion of Negroes from unions alters the situation. State courts have dismissed cases brought by Negro firemen on the ground that, by working under a firemen's union agreement, they had ratified it, and were bound by its modifications; that discrimination is not shown merely because one contract is less favorable to a group of employees than a preceding agreement . . ." Federal courts refused relief to Negroes displaced by secret contracts of the same organization on the ground of no jurisdiction.

Another authority, Dr. D. H. Mater, revealed that of 57 seniority cases of Negro railroad men that came before the courts before 1940 only eight had been decided in their favor.

Undaunted by earlier court rulings and by capitulation of the federal government to the railroads, Bester W. Steele continued to fight. Along with Tom Tunstall, another Negro railroad man, and with Houston as counsel, they took their cases to the courts.

Finally on the historic day of December 18, 1944, Steele and Tunstall, latter-day John Henrys, struck a hammer blow at jim crow on the rails when the U. S. Supreme Court supported their

job fight and ruled that in view of the existing national non-discriminatory policy, all railroad contracts were invalid and illegal insofar as they discriminated against Negroes.

The significance of this ruling was that now for the first time the law was on the side of the democratic job rights of Negro railroad workers, and railroad jim crow was on the defensive. But jim crow does not die easily.

The arrogant railroad industry ignores the Supreme Court ruling, with the lily-white unions tagging along like a caboose.

A court decision alone is not enough to end job discrimination on the railroads. The collusive agreements are so widespread that it would take hundreds of court cases and tens of thousands of dollars to fight each case through the courts.

Then, too, the court decisions only confirm the job rights of Negro workers already employed on the roads. They do not affect the rights of Negroes to democratic hiring opportunities at all levels.

It is clear that a mass campaign must be initiated to implement not just individually, but on a wide scale, the court decisions preserving and protecting job rights of Negroes already at work, and to win the fight for democratic hiring.

## THE FIGHT ON CONTRACT COMPLIANCE

In 1951 President Truman created a Committee on Government Contracts. This was a substitute for a real FEP law, designed to take the political heat off the Democrats for their failure to carry out their promises on civil rights. The Truman committee never functioned. In August 1953 President Eisenhower reorganized the committee, with Vice-President Nixon as its chairman. This committee, which is specifically charged with the task of "improving compliance with the federal government's fair employment policy practices in performance of government contracts," in more than a solid year of operation has failed to discover one single instance of job jim crow by companies holding government contracts.

Vice-President Nixon has found time to travel half-way around the world finding "threats to our democratic way of life" at every turn in the road, but has not found time to deal with or even to recognize the brazen and continued de-

fiance, especially by the railroads, of "government fair employment policies" right under his nose.



As long ago as February 24, 1954, and as an initial action in

the National Negro Labor Council's campaign for freedom on the rails, a communication was addressed to Vice-President Nixon, which, following an indictment of the railroads, made the following demand:

"We would like to call your attention at this time to a long-standing, most flagrant and widespread violation of federal non-discriminatory requirements in government contracts, carried on, without exception, by the various railroad systems throughout the length and breadth of the United States. No industry in America draws a greater revenue from government subsidy than do the railroads. And it is a matter of public knowledge that no industry more arrogantly defies all executive, legislative and judicial precepts, as well as publicly recognized moral concepts, of fair employment practices.

"As the federal agency specifically formed for this purpose we urgently request that you immediately launch a full scale investigation, with open public hearings, of the discriminatory hiring and employment practices of the railroad industry, with the view of recommending the withholding of all federal funds from the railroads until such time as they live up to the federally required non-discriminatory clauses in their contracts."

The President's Committee continues to duck the issue.

In addition to the NNLC's demand for a general investigation of railroad job jim crow, several specific cases involving Negro railroad workers have been filed with the committee.

## Clarence Watkins' Fight To Be A Fireman

One of these cases is that of Clarence Watkins of Denver, Colorado, who is currently employed as a hostler on the Union Pacific Railroad. For several years he has been given the run-around by all responsible parties in his attempt to win up-grading to fireman. Watkins' experience as a hostler qualifies him for the 10-run training course given to all firemen. For a year and a half he was given the run-around by the union and the company. He then appealed to the President's Committee on Contract Compliance, which is using the dodge of "no jurisdiction" to avoid handling his case.

Mr. Watkins has enlisted the assistance of the National Association for the Advancement of Colored People, as well as the intervention of Congressman Adam Clayton Powell.

Here is Mr. Watkins' story in his own words:

"I first asked for the job of fireman on the Union Pacific Railroad in July of 1952, having been told by the Engineer's

griever that the possibilities of the application being accepted were very good. Whereupon I asked the District Foreman about the job. I was told then that all applications had been cancelled, only to find the next morning that applications were still being accepted. I then approached Mr. R. J. Dunn, and from him I was sent to Mr. Shimel, who at that time was out of town. From Mr. Shimel I was sent to Mr. Searle, who told me that he could not do anything without the "OK" of Mr. Shimel. I was then referred to Mr. H. T. Snyder, Master Mechanic, who was at that time in Kansas City, as everyone knew except myself. After a second attempt at securing an application from Mr. Dunn, I asked if race or color had anything to do with the refusals of my requests for application. After being convinced that race or color was not the problem, it was suggested by him that I get my organization behind the move.

"Again in July 1953, I asked for the identical job, and was told "to write an application" on a blank piece of paper, and submit it to the District Foreman. Through all my attempts of securing this application, all efforts and attempts by me were being kept a matter of strict secrecy by the company and the Brotherhood. My associate and myself were working alone with only the help of one member of the Urban League until the

appointment of the Government Contracts Committee.

"In an interview with the Denver Post, Mr. R. L. Baker, International Vice Chairman of the Brotherhood of Firemen and Enginemen, made this statement: "It is up to the railroads to promote their personnel. He can't get into the union, but we would have to represent him." Mr. A. E. Stoddard of Omaha, Nebraska, the U. P.'s President, told the Denver Post "We have a lot of colored persons employed on railroads, but we have never had anything like this charged against us. However, I would like to withhold further comment until we can have this case investigated. We will investigate it right away."

"On September 8, 1953, Mr. R. L. Baker was in Denver to address a union meeting. After contacting Mr. Baker, asking him to address the Brotherhood, I was kept waiting one hour and a half to be told that I could not be entertained because I was not a member. Later at the same meeting, the Brotherhood was assured by Mr. Baker that I would not be hired as a fireman. Also Mr. Baker stated "The day the Union Pacific hires a Negro fireman, not a train will move." I have an eye witness who was present and will testify publicly or privately that this statement was made by Mr. Baker."

## **ACTION - NOW!**

And so today, in 1954, the Negro railroad workers face bitter battles. Before them still lies the most far-reaching campaign that has to be waged to win first class citizenship on the economic front. Jim crow barriers must be destroyed in the railroad terminals and other places. Especially must they be smashed in employment.

What is needed is a positive program of action supported by all true believers in democracy, and particularly by the railroad Brotherhoods. The National Negro Labor Council proposes and will do its share to bring these demands and steps to life:

1. Demand on companies of the hiring, training and promotion of Negro railroad workers in all categories on all railroads.

2. Unqualified admission of Negroes to railroad training schools.

3. Encouragement of Negro applicants, both men and women, to apply for jobs on every railroad.

4. Democratic demand upon forthcoming executive boards and conventions of all railroad unions to admit Negroes as full and equal members.

5. Immediate and uncompromising enforcement of the

President's Contract Compliance order and acceptance of jurisdictions over railroads.

6. Full support to Clarence Watkins to get Committee to hold hearings on his case.

7. Nation-wide public hearings on the employment policies of railroads to be called promptly by the Contract Compliance Committee.

8. Passage of strong national FEPC legislation with penalties and enforcement power.

9. Revision of the Railway Labor Act to insure fair representation for Negro railroad workers.

10. Use and enforcement of all local FEPC laws in railroad cases.

11. Full support to Negro railroad labor groups in their fight for justice.

12. Support from all unions, church, fraternal, community and other organizations in this far-reaching jobs campaign.

The struggle of Negro railroad men and women for the right to work has been a sharp and continuous one for over 50 years. With the scales so heavily weighted against them, the heroic efforts of Negro firemen, trainmen, brakemen and others



to protect their jobs stand out as one of the great, but unfinished, chapters in American history.

Negro railroad workers have always demanded just the simple rights fought for and won by all other railroad workers. Theirs is a symbolic struggle today in a nation that preaches democracy to the world, demanding the role of world leadership while withholding equality from one-tenth of its own citizenry.

Our united efforts can make it possible for every Negro boy who plays with an electric train to be confident that, if he wishes, he too will have a "fair shake"

at becoming an engineer at the throttle of a main-line train, or a conductor walking the aisles; that his sister can be the worker selling tickets at Grand Central Station, and in the railroad stations in Birmingham, Mobile and Dallas.

The challenge is before us. The historic U. S. Supreme Court decision against school segregation shows what can be achieved. We *can* make the "Freedom Train" roll — faster and faster—to bring democracy to the rails.

These things for which we *fight* shall be ours.



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