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SEGREGATION IN INTERSTATE RAILWAY COACH TRAVEL

By

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Race Relations Department  
American Missionary Association  
Board of Home Missions  
Congregational Christian Churches  
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Nashville, Tennessee

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A Field Research Project of the

Race Relations Department  
American Missionary Association  
Board of Home Missions  
Congregational Christian Churches  
Fisk University  
Nashville, Tennessee

## PREFACE

This is a report of a study of railway segregation involving Negro coach passengers. It was done to provide a documentation of what the existing practices are, and to illustrate the effects of such enforced conscription upon the operation of the interstate facility itself and upon the interstate traveling public. We have considered it important, as a strategy aimed at eliminating segregation, to make the issue clear as a body of social facts for a specific area of concern, so that the implications for public policy and individual rights would, in a sense, be inescapable in the legislative and judicial decisions to be made. Transportation in train coach service is the special area given focus here; it is one of the most important public facilities of continuous contact between Negroes and whites.

In its larger dimensions, this report is but one phase of a project on segregation in interstate trains initiated by the Race Relations Department of the American Missionary Association Division, Board of Home Missions Congregational Christian Churches. Some recent judicial decisions have opened the door for changing existing practices, and it is intended that the practices here documented will give a further basis for negotiation between the responsible agencies of government and the public, in effecting general and uniform administrative adjustments.

I wish here to express grateful acknowledgement to Grace C. Jones, Jeannette Harris, Leon Holley and Edward Chesky for their work as field investigators in the study. They constituted the interracial teams of two persons each who provided the observations and experiences here recorded.

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## TABLE OF CONTENTS

CHAPTER		PAGE
I.	INTRODUCTION: SEGREGATION IN INTERSTATE RAILWAY TRAVEL .....	1
	Significance of Interstate Transportation .....	3
	The General Pattern of Practice .....	5
	Some Changes in Practice .....	8
	The Issue in Prospect .....	12
	The Inquiry .....	13
II.	THE CURRENT PICTURE .....	17
	Space Allotment and Use .....	18
	Space Quota .....	24
	Quality of Accommodations .....	26
	Crowding .....	35
	Passenger Treatment .....	37
	Through Passenger Service .....	42
III.	COACH RESERVATION PRACTICES .....	47
	Reservation Procedures .....	50
	Interviewee Reservation Seat Changes .....	53
IV.	CONFLICT: OBTVERSE OF SEGREGATION .....	57
	Sources of Difficulty and Conflict .....	58
	Some Types of Conflict .....	61
	The Press of Segregation .....	68
V.	OVERVIEW .....	70
	The Minimum Damage .....	74
	The Maximum Damage .....	77
APPENDIX		
	SAMPLE DIARY: ADJUSTMENTS AFTER DE-SEGREGATION .....	81



## ILLUSTRATIONS

	PAGE
Figure 1 .....	19
Coach and Seating Arrangements For Segregated Negro Passenger	
Figure 2 .....	21
Seating Capacity and Passenger Load	
Figure 3 .....	25
Variation in Negro and White Passenger Loads on Separate Trips	
Figure 4 .....	29
Difference in Quality of Negro and White Coach Accommodations	

# I

## SEGREGATION IN INTERSTATE RAILWAY TRAVEL

### INTRODUCTION

Segregation as public practice and as an expression of national and state policy is at the core of present civil rights and race relations issues. In both its benign and virulent forms, it stands as the unmistakable symbol of American racism and represents an acute distortion of the ideals of human equality and liberty so essential to the democratic free society. Discrimination as a public practice in race relations no longer has the support of even the silent public sanction which existed in some quarters of the nation during the recent past. The principle of non-discrimination, in large part, has been won; and this development in public practice represents one of the important and basic gains in recent years for human rights. On the other hand, enforced racial segregation is still an aggressively espoused and defended public practice; and in the South it has been vested with sentimental and political attachments which have sustained the cause of "white supremacy" and blocked efforts to extend civil rights. In this context, racial segregation is part of the same cloth as "white supremacy," and it shares in all of the special prerogative, derogative racial and human valuation and exclusive privilege commonly implied by this usage and frequently acted upon.<sup>1</sup> This is the inescapable reality of racial segregation and its actual meaning as a form of

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<sup>1</sup>See, Myrdal, Gunnar, An American Dilemma, The Negro Problem and Democracy, New York, Harper, 1944. E.G., "In this magical sphere of the white man's mind, the Negro is inferior, totally independent of rational proofs or disproofs. ... The Negro is segregated, and one deep idea behind segregation is that of quarantining what is evil, shameful, and feared in society." p. 100.

public practice, in spite of what may be puristically and theoretically conceived as a set of enforced separate relationships providing equal status and opportunity. The abolition of racial segregation, therefore, assumes a central and decisive position in the effort to extend the full benefits of democracy to all persons.

There is an urgency to the issue of segregation, too, that extends beyond the narrow individual and sectional preoccupations with it. This concerns the status and integrity of the nation as leader of a group of nations devoted to the democratic ideal and the free society. It involves the "cold war" with Russia and its satellites and the struggle of ideologies for the minds and loyalties of men throughout the world. For insofar as we are dealing with public policy and practice in the issue of racial segregation -- and this seems to be fundamentally the case -- the failures of the nation to measure up to the full standards of democracy and equality, in the continued existence of this partially sanctioned practice, constitute an ever-present danger to the cause of the free nations and peoples. The distinguished United Nations mediator of the Palestine conflict, Dr. Ralph Bunche, has said in this connection:

Can there be any question that our moral position and prestige in the world deeply suffer from these dangerous defects in the life of our society, defects which are known to all the world; and that this is so even among our friends? Can there be any question that undemocratic racial attitudes and practices are rich and fully exploited sources of effective propaganda for those who are opposed to us and all we stand for?"<sup>1</sup>

This is an essential feature of the background of our present interest in racial segregation in interstate railway travel. But, although it is

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<sup>1</sup>Bunche, Ralph J., "Equality Without Qualifications," Phylon, Vol. XII, No. 3, p. 218.



important to emphasize the urgency of the issue for the nation in terms of expedient political pressures from the outside, the basic concern is one of human rights and liberties, and the ideals and values we maintain in respect to them. It is not quite enough to say we must adopt national policies against the enforced segregation of pigmented people, simply because our enemies will win the support of strategic national and geographic areas if we fail to do so. The moral integrity and character of the nation is at stake, as well as the rights of men universally held to be of supreme value. The "Universal Declaration of Human Rights," adopted by the General Assembly of the United Nations, illustrates this principle. The Declaration sets forth the fundamental rights which exert a "potent doctrinal and moral and educational influence on the minds and ways of men,"... intending to serve as "a common standard of achievement for all peoples."<sup>1</sup> Article 3 of the Declaration gives an explicit and pertinent reference to the human right abrogated by enforced racial segregation; it states, simply: "Everyone has the right to life, liberty and security of person." It is against the broader ideals of human rights that practices of enforced racial segregation are exposed in their ultimate proportions.

#### Significance of Interstate Transportation

The primary concern of this report is with the practice of racial segregation in interstate railway transportation. It is an outgrowth of what has seemed to be of strategic necessity, in this day of increasing importance of the issue of segregation, and as we approach the basic constitutional and national policy decisions: namely, the demand to make relevant and concrete

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<sup>1</sup>United States Bulletin, Vol. V, No. 1.

the body of public practices which manifest racial segregation, and to demonstrate the effects upon persons and their rights. The intent in this approach is to make the issue clear as social fact and experience and thereby manageable for judicial, legislative and administrative settlement. This contrasts sharply with the approach to segregation which concentrates upon the broad issue in single treatment. A special advantage is that it permits emphasis upon the sensitive and strategic areas of practice which may be particularly vulnerable to change. Interstate transportation is such an area because it involves the vast network of movement and communication essential to maintaining the national life as an organismic unit. Within this larger area, interstate railway transportation assumes a special significance, not only because it is the major transport system but also because it has already undergone substantial changes in practice and is being subjected to the pressure of Negro passengers against inequities in treatment due to segregation.

It is important to emphasize that one of the most distinctive factors of this concern is that we are dealing with what is substantially a national enterprise and a national system of commerce. The regulation of interstate commerce, under provision of the United States Constitution, is a power of Congress. Although the states have the prerogative of establishing reasonable regulations affecting such commerce within their own boundaries, experience has shown that where these regulations have been so extreme as to constitute a burden on interstate commerce, they are substantially an unconstitutional use of state powers. The point is that we are dealing with a problem of the civil rights which lies predominantly within the realm of federal responsibility. In the consideration of possible legislative and administrative correctives for inequities due to segregating interstate passengers by race, the so-called "states rights" question is not a basic issue. Since this is rather clearly a matter of federal



competence, therefore, it is possible to give primary attention to national and civil rights policy considerations which the forced segregation of Negro passengers on interstate trains involves.

#### The General Pattern of Practice

The traditional, though now somewhat modified, practice of segregation on interstate railway travel follows a very simple formula: On trains traveling through states which have laws segregating Negroes and whites in various forms of public contact and association, the railroads have adopted the policy of putting Negro passengers in a separate coach, usually the first coach on the train. This has involved substantially the entire Negro train-riding population for, excepting occasional lapses in granting reservations; or subterfuges used by Negroes to obtain the comforts of first class travel, the use of Pullman accommodations was a typical occurrence. Even when these precious exceptions did take place, it was not unusual to place the Negro passenger in a drawing room quarantine arrangement commonly known as "lower 13."

Although this may seem to be a very simple expedient for the railroads, in adjusting to the segregation practices of the southern states, the pattern expanded to include practically all types of relationship involving the interstate Negro passenger and the railroads.<sup>1</sup> This pattern included: (1) separate waiting rooms in southern stations where transfers had to be made, or tickets and information obtained; (2) separate gates and passageways to and from trains; (3) special arrangements or the absence of any arrangements for getting food both on the train and in stations; (4) a kind of systematic exclusion of Negro passengers from all sections of the train except the segregated coach,

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<sup>1</sup>These practices are well known. They are fully described in Charles S. Johnson's Patterns of Negro Segregation, New York, Harper & Brothers, 1943.



particularly the dining and club car facilities; and (5) attitudes and verbal orders carried out through train functionaries -- the conductor, brakeman and porter, as well as ticket sellers and gatemen -- designed to enforce the racial etiquette and define the expectations as to what is appropriate behavior for the Negro passenger in transit. Each of these situations, as well as others that could not be anticipated, presented a problem to the Negro passenger in terms of deciding upon a form of action necessary to his travel needs, with realization that infraction of the racial code and various regulations might delay his trip, at the very least, or lead to personal danger and police action, at the most.

For Negro passengers travelling from the North to points of southern destination, the administration of what appears to be a simple segregation formula becomes a particularly difficult and troublesome procedure for the railroads. The problem presented is how to get the Negro passengers who have been seated in the same coach with white passengers into the segregated coach, when those points are reached in the trip which seem to require segregation. There have been two alternatives, and both actually have been employed. These are either to begin segregating Negro passengers illegally from the place of northern origin, or to order and administer removal from their present seats into the segregated coach at transfer places along the imaginary Mason-Dixon line. Such cities as Washington, D. C., Cincinnati, Ohio, Evansville, Indiana, St. Louis, Missouri, and Kansas City, Kansas, have served as these junctions when passage beyond, to southern destinations, is involved. Not only does this transfer of passengers and baggage present a hardship and inconvenience to the passengers themselves, but the process involves considerable time and trouble for the railroad as well.

It is apparent from this brief description of traditional practices that the application of the segregation formula to the handling of Negro interstate

passengers is a complicated set of administrative practices in which potential discrimination and hardship are conspicuous. The practices are themselves differential by definition and they are geared to the expediency of enforced separation demanded in southern areas. The separation of Negroes and whites travelling on trains with lines operating through these areas is required by law. Such statutory provision is given in North Carolina, South Carolina, Virginia, Florida, Maryland, Kentucky, Tennessee, Alabama, Georgia, Arkansas, Oklahoma, Louisiana, Texas and Maryland.<sup>1</sup> In the case of Maryland, however, the law is held invalid for interstate passengers, although the segregation of such passengers has been interpreted as a legitimate use of "reasonable police regulations to secure the safety and comfort of passengers."<sup>2</sup> In all of these instances the train officials are given substantial police authority to establish and maintain separation. Failure to do so is defined as a misdemeanor, punishable by fine or imprisonment, and in this case, both the official and the railroad are liable. Similar penalties are made for passengers refusing to ride in the segregated car or seat facility designated by the train conductor. In practically all cases the statutes likewise have a provision that the separate accommodations be equal, and at times the phrasing of "like and equal" is employed. There are, nevertheless, few provisions of penalty in the laws for failure to provide equal accommodations; nor is easement from the enforced use of the segregated facilities provided when accommodations are unequal. The brunt of these laws thus appears to be the maintenance of racial segregation, with the so-called equality provisions being incidental.

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<sup>1</sup>Source: Murray, Pauli, States' Laws on Race and Color, Woman's Division of of Christian Service, Methodist Church, New York, 1951.

<sup>2</sup>Ibid., p. 208.



### Some Changes in Practice

Although the general pattern of handling Negro passengers on interstate railway trains in southern areas still follows the segregation scheme, there have been some substantial modifications in recent years. These changes have come, in part, as a result of general improvement in train facilities, services and travel schedules with the introduction of streamlined, reserved-seat, through trains from the north to Florida and Gulf Coast areas; and in part from court action taken by Negro passengers against practices of discrimination resulting from segregation. The greatest advantages have come to passengers travelling in first class accommodations, where older practices of exclusion from Pullman cars, assignment to special berths or limitation only to drawing room space have been effectively curtailed though not completely abolished. There exists in this class of travel today effectual non-segregation, in spite of the existing segregation laws of the southern states. And except for instances where local ticket agents and clerks still exercise personal motives of race subordination through the services they discharge, the general pattern is also one of non-discrimination. The liberation of this class of travel and carrier service from the onus and encumbrance of racial distinction was achieved through the case of Congressman Arthur H. Mitchell who sued because of exclusion from Pullman accommodations. A far-reaching decision by the United States Supreme Court in this case, as recent as 1940, established the principle that, in spite of the volume of demand for first class services by Negroes, the failure of the railroads to provide Pullman accommodations, on the same basis as to whites, was in effect a violation of equal protection of the law as defined by the Constitution.<sup>1</sup> The Court made it clear that the right involved in this case was

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<sup>1</sup>Mitchell v. United States, 313 US80



an individual rather than a group right, and that the railroads were obligated to abandon such segregation practices as they have adopted to condition the services extended to individuals who happen to be Negroes. The implications of this decision extended both to dining car and parlor-observation car accommodations. Though in the initial period after this ruling various types of subterfuge practiced by reservation and ticket clerks prevented its effective realization, the increased demand for these services by Negro passengers during the period of expanded wartime travel hastened somewhat uniform compliance.

The Irene Morgan case in 1946<sup>1</sup> involved a different type of interstate carrier - motor buses, but the decision of the United States Supreme Court in this instance not only reaffirmed the position taken in the Mitchell case but also provided a broader basis for relief from segregation practices. In ruling that the Virginia segregation of interstate passengers was invalid, constituting an undue burden on national travel in motor bus carriers, a departure made toward segregation practices in railway coach travel, a situation unchanged by the Mitchell decision. The more recent Henderson case,<sup>2</sup> decided by the Supreme Court in 1950, made further inroads upon segregation on railway trains and helped buttress the general pattern of non-discriminatory service to Negro first class passengers initiated in the early 1940's. This involved the practice of serving Negro passengers on railway diners in southern areas only at a segregated table arrangement reserved exclusively for passengers of that group. The Court held that such procedure was discriminatory both for Negro and white passengers; that the civil right involved was an individual rather than a group right; and that the railroads must service individual passengers in the order

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<sup>1</sup>Morgan v. Virginia, 328 US 373, 66 Sct.

<sup>2</sup>Henderson v. U. ICC and Southern Railway Co.

of their request for dining service wherever space is available.

The effect of these important developments in railway practice has been the desegregation of segments of the interstate railway carrier for services to Negro passengers, first the Pullman and observation car accommodations, and later, the dining club car facilities. This is primarily within first class accommodations and extra passenger services such as dining and lounging. For the most part, the train facility that involves the largest segment of the passenger travel, coach accommodations has been left untouched by these desegregation developments. Interstate railway carriers serving southern areas still maintain, for the most part, completely disparate policies and practices toward Negro interstate passengers, even on the same train, depending upon whether they are in first class or coach accommodations. The existence of state laws of segregation are no longer the absolute factor; they are made to apply in the operation of one set of practices and not to apply in another.

The other developments which have affected practices and services in coach accommodations are related to the general improvements railroads have made on trains serving the South. Although this has brought indirect benefit to Negro passengers, in providing more comfortable and modern accommodations, it has introduced some new complications in services to the Negro passenger, on the one hand, and provided a limited modification of segregation, on the other. The type of facility of special concern here is the reserved-seat through train, operating from such points as Chicago and New York to Florida and other Gulf Coast areas. They are the fastest and best accommodations for passenger travel to southern points and all seats require reservations. Originally all of these trains followed the usual segregation practice by having a special coach reserved for Negro passengers; and since these trains began at northern stations, the Negro passengers were segregated even at



departure above the Mason-Dixon line. However, in response to protest over this enforced segregation in the North and to the complications which ensued in the South, when the train did occasionally relax on the through segregation practice, one of the major lines adopted a policy of non-segregation on all of its reserved seat train accommodations. Through the establishment of this new policy by the Pennsylvania railroad, during the latter part of 1948 and early 1949,<sup>1</sup> the first breach in the segregation of Negro interstate passengers on day coaches was made.

On the other side of the picture, the reserved seat trains introduced new problems. In most cases the introduction of these new facilities was done without any modification of segregation practices. This presented the additional hazard to the Negro passenger of getting a seat reservation on a facility in great demand, and in the South particularly this was met with the older attitudes of ticket agents and clerks which had attached to rendering first class accommodations to Negro passengers. In addition, since only one car or part of a car was available for Negroes, the fact that all seats were reserved placed a fixed limit on the availability of this accommodation to the Negro public. It presented a situation less adjustable to the demand and size of the Negro travelling public than the non-reservation train. The effect was a more rigid and unyielding segregation. But the most damaging feature of the new passenger facility was that it introduced, by definition of the reservation practice itself with its limited quota of Negro seats, a situation of racial discrimination. Regardless of demand, these trains can carry only a limited number of Negro passengers; and regardless of the priority of requests for seat reservations, a Negro passenger is automatically prevented from getting a seat on the train when the Negro quota is filled, even though space is available elsewhere in the train. And, contrariwise, a white passenger is also dis-

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Race Relations. A Monthly Summary of Events and Trends, Vol. V., 1948.



criminated against when the white seating quota is filled and the priority of his request entitles him to seating wherever it is available, even in unused seats in the Negro car.

#### The Issue in Prospect

This description of practice gives the outline and structure of the problem of segregation in interstate railway transportation, particularly as it relates to coach accommodations. It also details the issue of public policy that is involved in a national system of transport and communication which is under the regulation of the Congress of the United States. The human element -- the actual experience of individuals under these proscriptions of travel -- has been given only a passing reference. This is a fundamental dimension of the problem of concern. The difficulties, conflicts, inconveniences, forms of derogation and maltreatment which Negro passengers experience under these conditions of travel seem to be a constant and almost inevitable consequence of the policy of enforced racial segregation. And since this is an area of federal jurisdiction and responsibility, these human effects of segregation policy in operation assume a critical significance.

The core of this study and project is the simple fact of the enforced segregation of Negro passengers riding on coaches of trains travelling through the southern states. Our purpose is to provide a basis for easement, through law, court decision or administrative order, of the possible discriminations and abrogation of civil rights. There are three basic policy criteria against which segregation practices in this area can be judged: these are (1) the extent to which segregation practices in interstate rail transportation constitute an encumbrance on travel; (2) the extent to which they involve or

result in actual discrimination to the Negro passengers; and (3) the extent to which this pattern of public practice, administered under federal regulation, is an abrogation of basic civil and human rights. Any one or all three of these criteria may be at issue with a given practice or condition, and the description afforded by this study presents the relevant evidence. The latter consideration is primarily a legal and constitutional matter; and although the evidence to be weighed against these standards of justice will not be constructed in formal legal terms, it is of essential moment as social experience which justice in a democracy should seek to mediate.

#### The Inquiry

This study of current practices in this area was made by the direct observation and experience of investigators travelling on the major through trains between the North and South. During the period between November, 1949, when the initial trial trips were made, and June, 1950, forty-six field trips were completed, covering 27 individual trains on 19 interstate railroads.<sup>1</sup> The general procedure was for a staff of two persons to ride a given train from a point of departure in the North or South to a destination within either region. These trips covered approximately 28,000 miles and frequently a single trip would begin at the point of origin of the train itself, as in New York or Chicago, and cover the entire route of the train to its ultimate destination in Florida or Louisiana. Each team of investigators had one white and one Negro person who covered the corresponding areas of the trains. They were instructed to obtain

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<sup>1</sup>Atlantic Coast Line, Central of Georgia, Chesapeake and Ohio, Chicago and Eastern Illinois, Florida East Coast, Frisco, Illinois Central, Louisville and Nashville, Missouri Pacific, Nashville, Chattanooga and St. Louis, Norfolk and Western, Pennsylvania, Rock Island, Santa Fe, Seaboard, Southern, Southern Pacific, New York Central, and the Richmond, Fredericksburg and Potomac railway. See appendix for names of individual trains and list of trips.



tickets and reservations in the usual manner for Negro and white passengers, to occupy sections of the train to which they were directed by train officials, and to avoid taking issue on discriminatory or segregation practices when they occurred. They travelled on the same trains with only incidental contact with each other. The entire arrangement was such as to provide for them what would be the normal experience of passengers of their own group identification. For each trip the investigators prepared diaries of all of the important developments on all trains used on the journey, summarizing the means of getting on the trains, the administration of practices by train personnel, the incidents taking place on the trip, and significant comments made by passengers and train officials. In addition, information was obtained concerning the destination, type of train, size of train, number of passengers, car facilities and accommodations in the respective Negro and white areas of the carrier. Travel charts were also prepared to show the changes in pattern of seating and in Negro and white loads as the train progressed on its route to and from southern areas. All of this information was reduced to a prepared schedule for later qualitative and quantitative analysis.<sup>1</sup> On the reserve seat trains a few informal interviews were held with Negro passengers in order to see what their experience had been in obtaining reservations. This provided a base for documentation that was broader than the direct experiences of the investigators themselves. The information obtained in this way provides the basis for the present report. However, additional rich sources of information are used, including material from newspapers, magazines and other published sources.

The majority of trips were made on Friday, Saturday and Sunday, for it was assumed that these would be the days of heaviest travel; but it was neces-

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<sup>1</sup>See appendix for copies of schedules and seating charts.



sary also to make coverage on other days of the week. Two-thirds of the passengers on the trains studied were travelling on the week-end days. On the forty-six trips made, the trains contained a total of 4,571 passengers of whom 732 were Negroes, comprising 16 per cent of the total. Since a primary interest in the study was with through interstate passengers within and between north-south regions, and since the new facility of the reserved seat train was of crucial importance, the sample provided in the study is biased toward these better facilities and conditions of travel. Local trains originating at southern points and travelling exclusively within the area were covered only incidentally. Approximately 48 per cent of the investigation trips were made on 10 reserved seat trains covered, and 52 per cent on the 17 non-reserved seat trains. The variety of trips and of routes travelled in the study provides an ample basis for assessing current practices in this strategic area of public life. Although much of the data will be given in terms of numbers or percentages, it is important to note that these represent a summarization of the experiences and observations necessary for describing the general set of practices. We are, however, dealing with an area in which the individual case is important. Regardless of frequency, a discriminatory practice or accommodation, a personal hardship or inconvenience, an incidence of illegal segregation and of segregation resulting in discrimination or the violation of a civil right, all constitute matters of significance to the problem of concern.

In viewing these practices, whether in the individual case or more general pattern, it is necessary that they be contrasted against the background of National Transportation Policy<sup>1</sup> under which they are regulated and for which the Congress of the United States is responsible. As expressed in the Inter-

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<sup>1</sup>Interstate Commerce Act, 49 U.S.C.

state Commerce Act, that policy specifically provides for the impartial regulation of all modes of travel without unjust discriminations, undue preferences and disadvantages. A section of this act explicitly makes it unlawful for any carrier to cause or give undue preference or advantage to persons and to subject them to unreasonable prejudice and disadvantage.



## II

### THE CURRENT PICTURE

It may be well to have in view some conception of the size of the public involved in passenger railway travel and affected by segregation policies and regulations. For the year just preceding January 1950, the point approximating the beginning of our investigations, there were more than 245 million passengers who travelled on class I Steam railways in the United States as a whole.<sup>1</sup> Of this aggregate, there were almost 223 million coach passengers and 23 million parlor and sleeping car passengers, a ratio of about ten to one. Within the area comprising the Southern District, the section of special interest here, aggregates of 21,823,372 passengers in coaches and 4,510,226 in parlor and sleeping cars --- a ratio of nearly five to one --- were represented. Even though these figures were an actual decline of 22.1 and 15.5 percent in volume for the two classes of travel, as against the previous year, it is obvious that in this system of national transport there is a public of conspicuous magnitude. As an aggregate passenger group it is more than fifty percent larger than the total populations of the nation. In terms of these figures, the importance of regulations and policies governing the movement of persons and the operation of public interstate carriers takes on additional significance.

Since these figures are not broken down by race, it is also useful to have an estimate of the size of Negro public engaged in rail transport within the section of primary concern, the Southern District. On the forty-six field trips

<sup>1</sup>Interstate Commerce Commission, "Revenue Traffic Statistics of Class I Steam Railways in the United States, Statement No. M.220.

made, covering nineteen interstate railway systems, it was found that 16 percent of the total of 4,571 coach passengers were Negroes. On the basis of this percentage, and using the total figure reported for coach passengers in this district during the year preceding January 1952, there would be a Negro public involved of 3,491,740 passengers. This gross estimate represents a substantial citizenry group, for it is almost a fourth of the total Negro population estimated in the 1950 census for the nation at large.

Such details as seating space, quality of accommodations, methods of handling passengers, and procedures for obtaining seat reservations may seem relatively unimportant on the surface. However, viewed as items of public practice in an area of federal responsibility, and seen in the context of the magnitude of the public involved, their significance is revealed in true perspective. They are critical matters in the operation of this national facility of passenger transport.

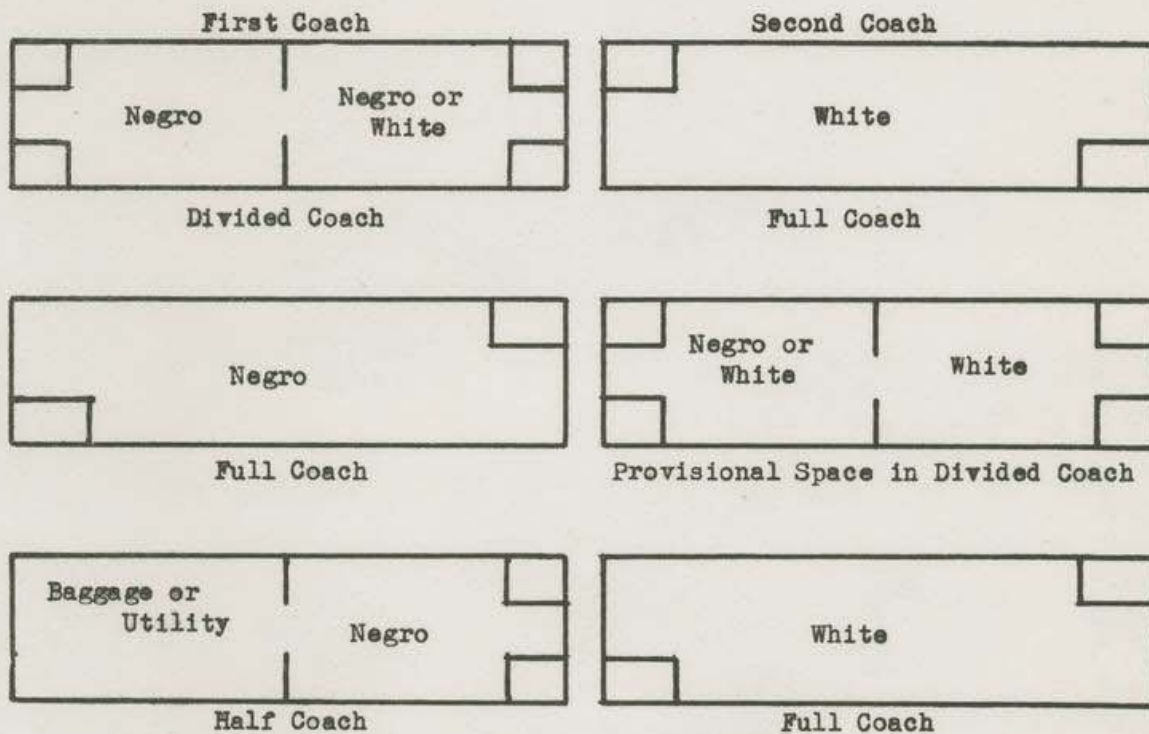
#### Space Allotment and Use

The major patterns of seating Negro passengers, under present segregation regulations, may be seen graphically in Figure 1. An elementary concern is whether the enforced segregation of Negro passengers provides even the barest equity of accommodation. The usual practice is to put Negro passengers in one car of the train, either at the beginning of the trip or at points where the Mason-Dixon line is reached. This means rather uniformly the first car and only in exceptional cases is it intended that Negro passengers occupy more than this one car. This coach varies in seating pattern, amount of space, toilet arrangements and quality of facilities. The three basic types are the Divided Coach, with Negroes occupying all or half of the space; the Full Coach, with small-sized toilets on both ends or larger sized washroom and toilet combinations; and the Half Coach which



Figure 1

COACH AND SEATING ARRANGEMENTS  
FOR SEGREGATED NEGRO PASSENGERS



may have a baggage or dormitory utility space on the other end. There are combinations of these arrangements and different kinds of placement for toilet accommodations. The second car may be used for the overflow of Negro passengers, and this is anticipated occasionally by joining a divided coach as the second car. Negro passengers are not regularly allowed to occupy this space, even though provisionally prepared for the overflow, unless a directive is given by the train conductor. In cases where the second car is not divided and it is partially occupied by white passengers, considerable difficulty is experienced when the overflow from car 1 does occur.

There is some measure of adjustability in these arrangements; but it is governed by judgment and prerogative exercised by the train conductor. The decision to open up additional space, when crowding does occur in the Negro car, may or may not be made; and there is not infrequently a considerable lapse of time and travel mileage before adjustment takes place. Since tradition has established car 1 as the segregated Negro space, and inasmuch as adjustment of space involves unpredictable and irregular factors, the space in car 1 may be considered as the basic quota of seating for Negro passengers.

Under these conditions, it is useful to see, on the basis of the trains covered in our sample, how adequate, how free of encumbrance to travel and hardship to Negro passengers these arrangements are in operation. Figure 2 gives a basis of appraisal as seen in our data.

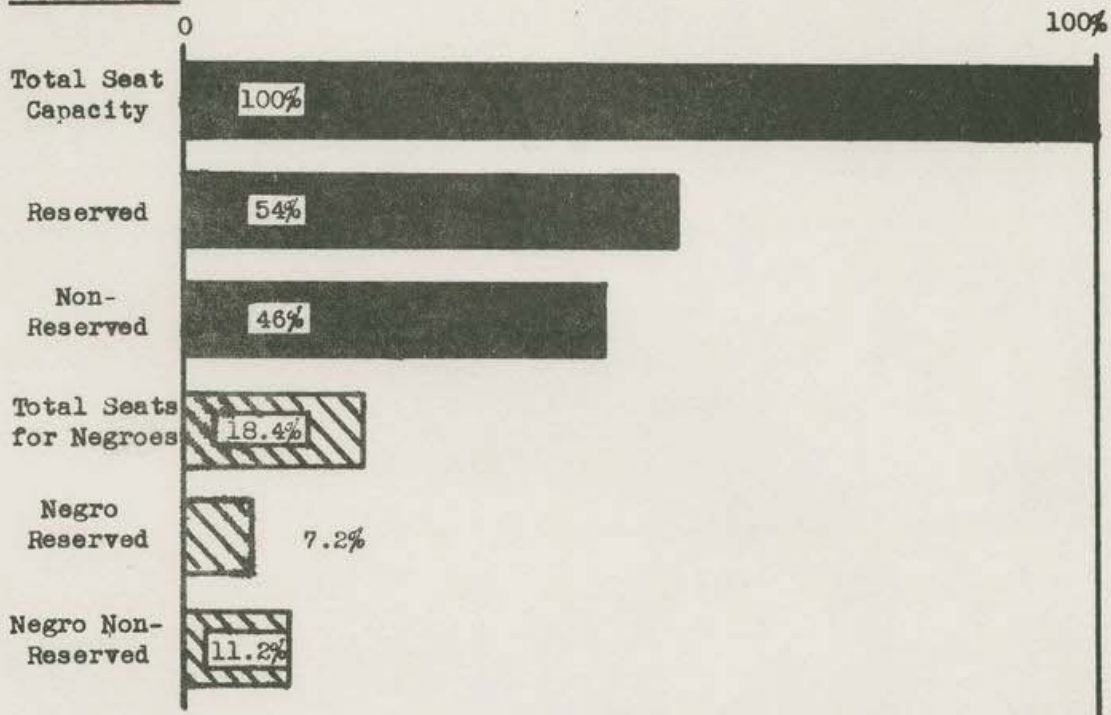
The total capacity of coaches on the trains covered was 10,560 seats. There was greater space accommodation in reserved seats than in non-reserved seats, even though the number of trains covered in the two respective categories were 22 and 24. Reserved seat capacity comprised 54 percent and non-reserved seat capacity 46 percent of the total. This is partly accounted for by the larger



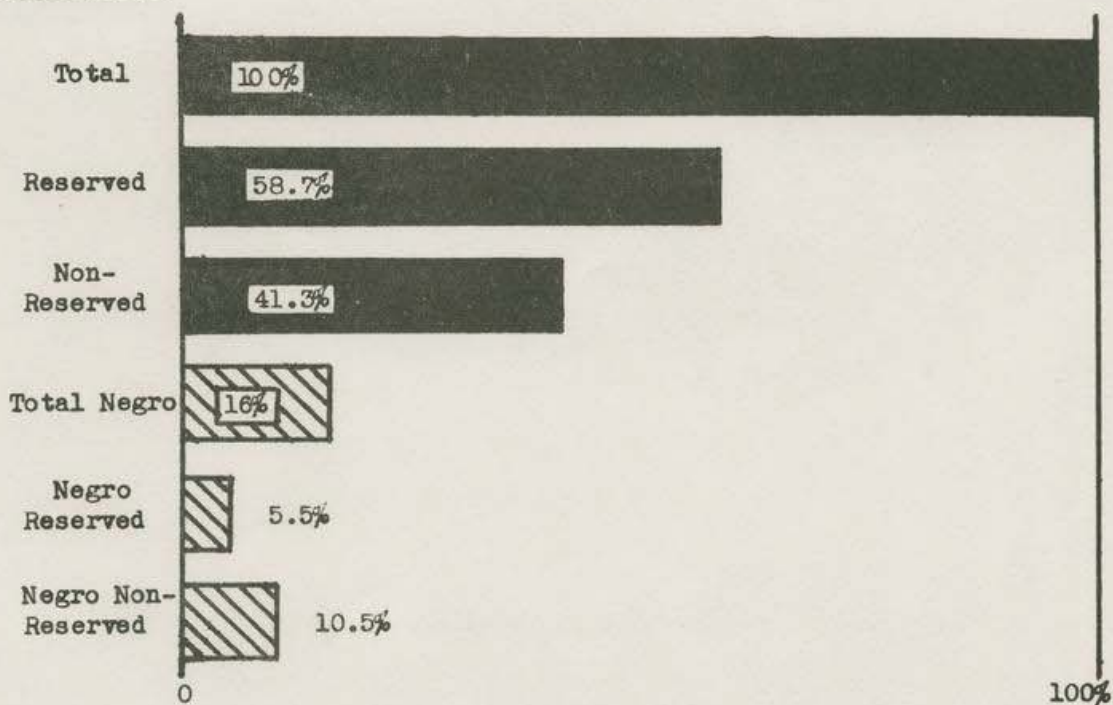
Figure 2

SEATING CAPACITY AND PASSENGER LOAD

ALL TRAINS



PASSENGERS



number of seats on the more modern cars found on reservation trains, and partly by the larger number of cars carried by them. As a mode of train accommodation, this represents a trend toward the increasing importance of reserved seat services on the through north-south routes.

Now, of this total capacity for seating passengers, 18.4 percent constituted the quota represented in cars occupied by Negroes, primarily car 1. This is, under segregation practice, a relatively fixed ceiling in providing for the Negro public in these facilities. The limits are fixed by the practice. Strains on the facility occur when the Negro passenger demand goes beyond this quota; accordingly, inequities unavoidably present themselves. On the other hand, with the Negro seating quota unfilled and an overflow in white passenger demand, the total train capacity is uneconomically used and inequities place upon the white public.

The situation involving reserved seat potential is even more revealing. Although more than half (54%) of the seating capacity of the trains covered was comprised of reserved seats, only 7.2 percent of this potential was allowed for seating Negroes in the segregated space. Except for those seat reservation trains which do not now systematically attempt to put Negroes in car 1, this quota is even more rigid than that of non-reservation trains. There is no allowance made for an overflow and unexpected high demand for seat reservation accommodations by the Negro public. This is controlled, as will be seen later, through the procedure involved in granting or refusing reserved seat space to Negroes. In general, when the reserved seat quota for Negroes is filled, no other provisions are made for accommodating the Negro public on these trains, regardless of the priority in which requests may be made in comparison with requests by white passengers.

It is also conspicuous, from the data graphically presented in Figure 2, that, whereas there was a greater amount of reserved as against unreserved seating capacity on the trains as a whole, the reverse is true for the segregated



space of Negroes. The segregated reserved seats for Negroes were 7.2 percent of the total capacity as compared with 11.2 percent in unreserved Negro space. This reverse trend is highly indicative of the attitude and operating policy governing the availability of this class of accommodation to the Negro public.

A further check on the adequacy of the segregated provisions is presented in the data involving the number of passengers actually found on the trains covered. In comparing passenger load as against the capacity of the coach facilities, it can be seen from Figure 2 that there is a gross similarity in capacity allotments and the actual use by passengers. There was, at the same time, even a larger difference between passengers in reserved as in non-reserved seat space. The use pattern thus suggests a stronger trend toward reservation train accommodations than the capacity provisions for these two modes of travel. With respect to Negro passengers, however, the reverse situation is again apparent and even in greater contrast. Of the total number of passengers in coaches on the trains covered, only 5.5 percent were Negroes in reserved seat space as compared with 10.5 percent in unreserved space.<sup>1</sup> There is adequate reason to expect among Negro passengers the same high demand for using these better trains and facilities as is found with the white public. The limited and fixed space allowance under segregation, on the one hand, and the racial restrictions systematically employed in granting reservations, on the other, seem to be the obvious determining factors. Apparently the paradigm described by these conditions is: limited provisions for Negro passengers plus restrictive admission to reserved trains. The operational policy is one of exclusion, selectively and opportunistically administered.

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<sup>1</sup>The disparity remains large, even when the total number of Negro passengers is used as base. In this instance, only 37.5 percent of all Negro passengers were in reserved seats as compared with 59 percent of the combined passenger group. Negroes also were only 9 percent of the total reserved-passenger group, while comprising 25 percent of the unreserved-passenger group.

### Space Quota

The segregation of Negro passengers may be assumed to be based upon a quota of space estimated to handle an average potential demand. Whatever the basis for determining this quota, it is obvious, a priori, that this relatively fixed segment could hardly be adequate to cover all possible situations. It is, therefore, not an assurance that discrimination and exclusion will not occur to Negro passengers, or to white passengers either, especially in such a large and mobile public. The Negro space quota represented in our sample, as seen in the previous data, was 18.4 percent of the total seat capacity. Since the average proportion of Negro passengers to the total on all trains was 16 percent, it may seem that this quota allotment is adequate and that the policy of quota space is assurance against discrimination. These are, however, average amounts; and a better appraisal can be obtained by looking at the distribution of the Negro and white coach-riding groups by specific trips made in the study. This can be seen in Figure 3 which shows the variation in train load for these groups by trips.

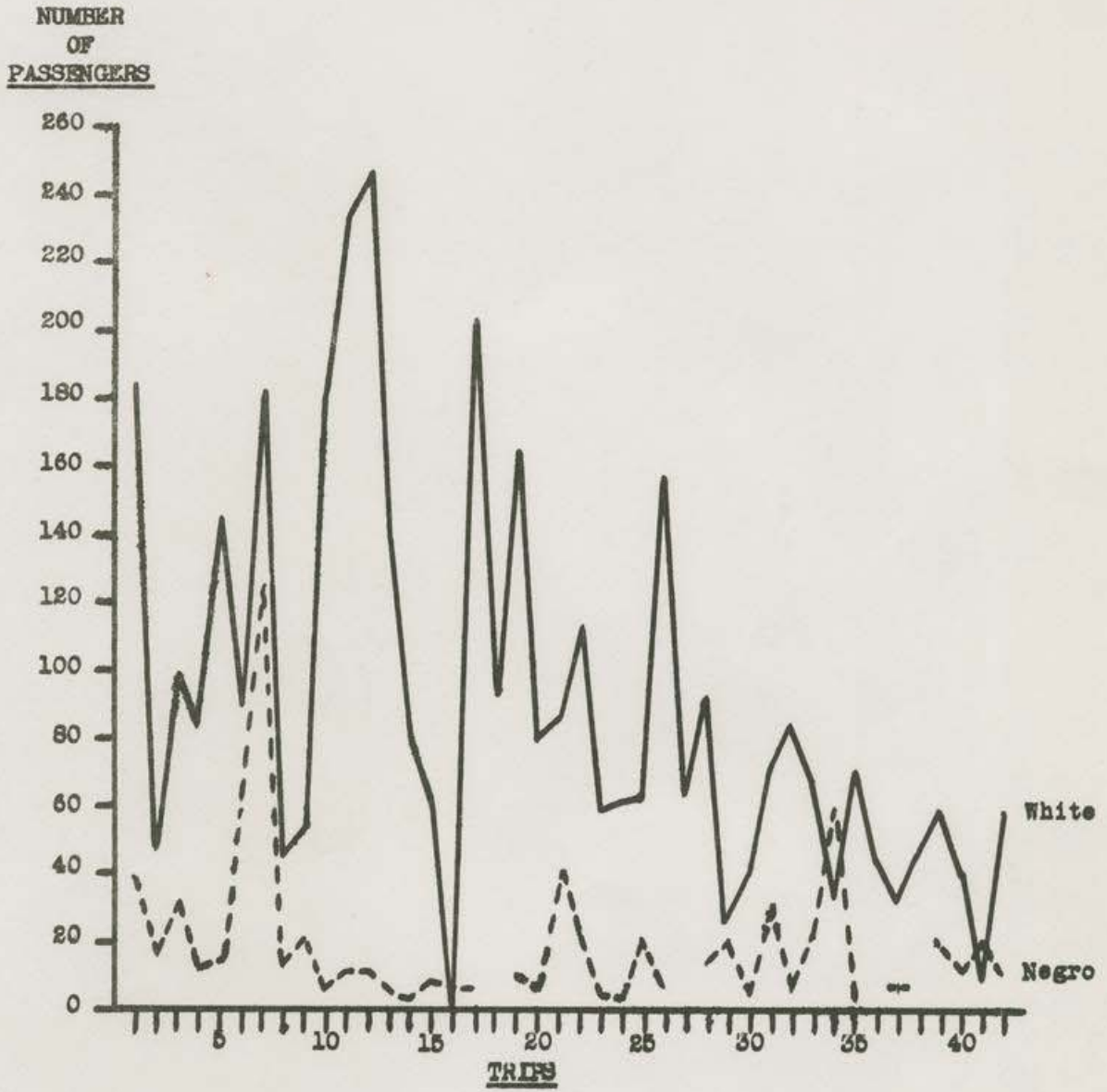
It should be pointed out initially, however, that even if a quota of 18.4 percent of the total space is used as a criterion, a similar basis has not been used, apparently, for determining Negro space on reserved seat trains. In the case of these trains, only 7.2 percent of the space was involved in Negro seating.

In looking at the total passenger load of these trains in terms of what might be a Negro quota of about 18 percent, the most striking thing that meets the eye (Figure 3) is the extremely high variation in size of passenger load on the different train-trips. This is true for both Negro and white groups, and the variation is even greater with the latter. The crucial factor of importance here, however, is that the actual number of Negro passengers exceeds the quota of 18 percent on several occasions. In fact, there were 13 trips on which the



Figure 3

VARIATION IN NEGRO AND WHITE PASSENGER LOADS ON SEPARATE TRIPS



proportion of Negro passengers to the total was 23 percent or more, and on two occasions it was greater than the size of white passenger load, comprising 69 and 65 percent of the total in these instances. On two trips between Chicago and New Orleans the Negro passengers averaged 40 percent of the total; on one Nashville to St. Louis trip, it was 34 percent; on a trip between Houston and New Orleans, it went up to 45 percent.

These trends clearly indicate the unreliability of the quota as a policy for avoiding racial discrimination and hardship. As the consequence of segregation practice, the probabilities and actualities are in the opposite direction. And if the segregation quota resulted in only a single case of hardship or exclusion, it would be contrary to obligations of the railroads under the Interstate Commerce Act. It is conspicuous that the variation in both the white and Negro loads on the trips made was greater in size than the average numbers of both groups for all trips. This means, of course, that the average of 91.4 white passengers and 18.7 Negro passengers on all trains are highly unreliable quantities. Quotas representing these estimates would likewise be unreliable.

#### Quality of Accommodations

Since segregation imposes upon the Negro passenger the use of only those facilities which the railroads stimulate, he has no choice as to the seating comfort, ventilation, lighting, lounging and toilet space available in other sections of the train. If the so-called "Jim Crow" facilities are inferior in these respects to any found elsewhere in coaches, the practice of enforced segregation obviously becomes discriminatory. Even though it has been commonly observed that the Negro car is customarily the oldest, least-modern and least-comfortable type of facility, it was considered necessary, for the purposes of the study, to make some current observations that might be expressed in quantitative terms.



A 1950 railway journal carried an account of observations made by one writer which seem appropriate at this point. In making a plea for greater concern of the railroads to give equal and friendly treatment to Negro passengers, the author made a special reference to the inferior accommodations provided:

Improvement of Jim Crow equipment on passenger trains is one of the most essential steps to be taken for the comfort and convenience of Negro patrons. Among Negroes the average Jim Crow car has a bad name, not because it has been set apart for him and he has to occupy it, but because usually it is a substandard coach. It is "separate" but far from "equal." It is not as good as coaches furnished white patrons.

The Jim Crow equipment on the new streamliners on all Southern roads is excellent. It is as near "separate but equal" as it can be, and Negro patrons respect it.

Though Negro passenger traffic appears to have increased since the installation of these new streamliners, I am told that some roads do not encourage the use of these reserved seat trains by Negroes. I believe that the fault lies with certain subordinate officials, who are more considerate of their personal prejudices than of their companies' welfare.

But the equipment on ordinary trains, especially branchline trains, is a different story. With few exceptions these trains carry Jim Crow equipment that saw its better days about the time of the first World War. Every road in the South has some of these poorly equipped trains.

The biggest kick Negro patrons make is that their accommodations are too small. Their "pieces of coaches" will not seat patrons comfortably. Often, especially on week ends, some passengers cannot find seats at all. And the most efficient porter cannot keep such equipment clean.<sup>1</sup>

On all trips of this study the coaches were observed as to the quality of accommodations provided Negro and white passengers. In this respect, coaches were rated in four categories of adequacy or inadequacy: Deluxe, Modern, Ordinary, and Antiquated. This provided a basis for comparing the quality of accommodations for Negro and white passengers. The descriptive criteria used for

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<sup>1</sup>Harris, Leon, "The Railroads are Losing Negro Patronage," Railway Progress, November, 1950, pp. 28-29.

these rating were as follows:

1. Deluxe Most recently built coaches, in good condition and clean. Reclining seats, movable foot rest, flourescent lights which can be dimmed, individual reading seat lights, spacious lounge type of rest rooms.
2. Modern Difference from deluxe essentially a matter of degree of newness and luxuriousness. However, usually seats more and have fewer special features as pneumatically operated doors, scenic pictures, loudspeakers for announcements and music, and rest rooms have fewer sinks.
3. Ordinary Older coaches, probably more than 15 years since made; no reclining seats. Two small rest rooms at end of coach, with few facilities and little space. Lighting by ceiling bulbs; no movable foot rests.
4. Antiquated The oldest coaches with the least modern accommodations - rigid, non-reclining seats, usually with uncushioned arm rests. Ceiling bulb lights, small rest rooms with poor facilities.

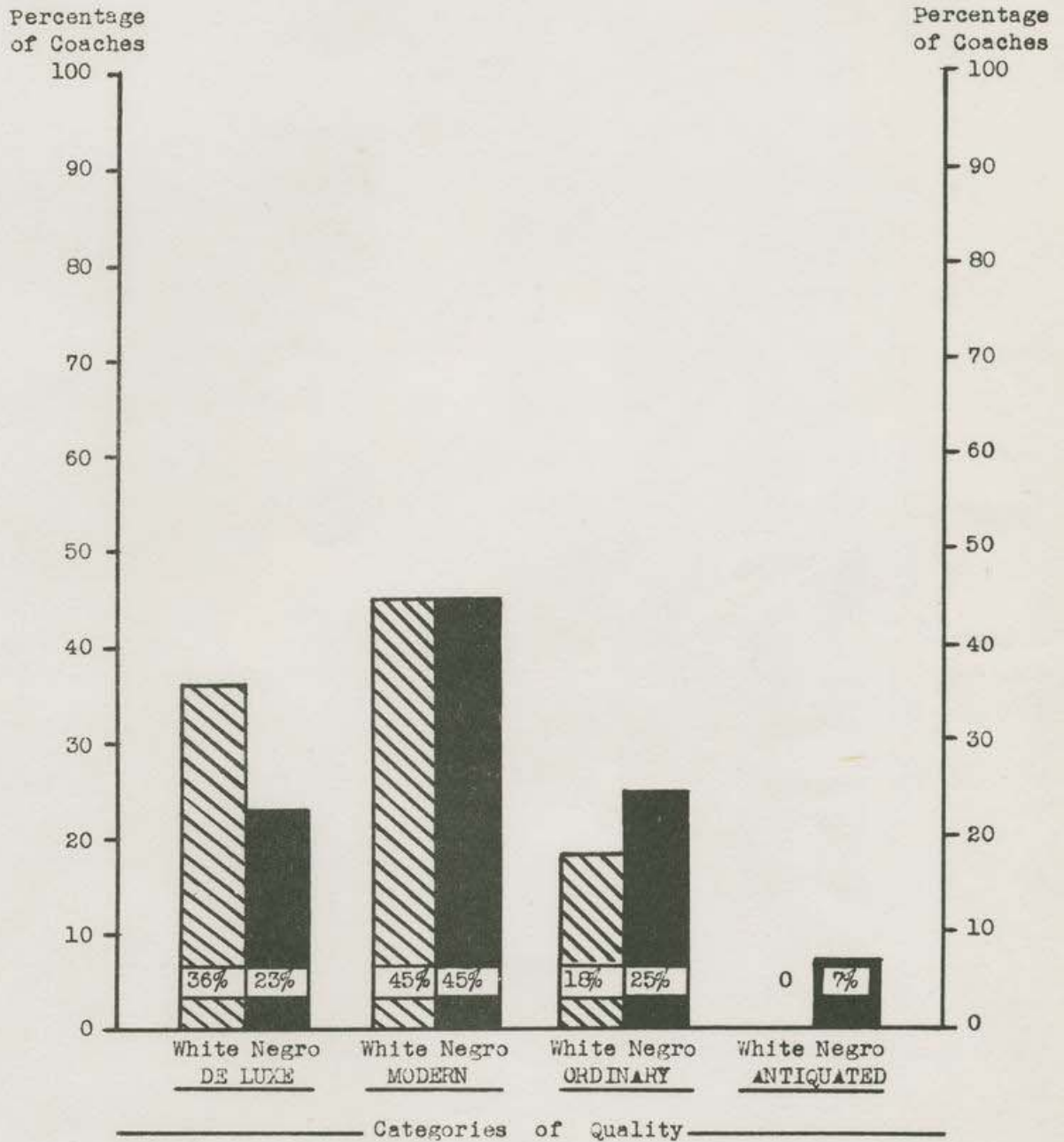
A comparison of the Negro and white coaches in terms of these categories of quality is given in Figure 4, showing the percentage of coaches rated in each group. On these best trains serving the southern area, differences between the accommodations of white and Negro passengers can be clearly seen. Assuming a "separate but equal" principle under enforced segregation, there would be no differences between the percentages of Negro and white cars in the quality categories. However, not only are there differences, but the advantage of better facilities is clearly on the side of white passengers. Approximately one out of every 2.7 white coaches (36%) were of the deluxe type, as compared with only one out of every 4.4 Negro coaches (23%). Both groups had the same percentage of cars classified as modern. In the classifications for the poorest accommodations, Negro passengers have the disadvantage of the greater proportion of cars; 32 percent or approximately one out of every three Negro coaches were in the ordinary and antiquated categories, as compared with 18 percent or about one out of every 5.5 white coaches.



Figure 4

DIFFERENCES IN QUALITY OF NEGRO AND WHITE

COACH ACCOMODATIONS



It is to be remembered that these trends represent the main-line through trains which carry the best available facilities. But even here, Negro passengers suffer a disadvantage which can be quantitatively expressed. On the short term connecting lines, the differential is probably greater, for customarily, whenever there is a deluxe or modern car used, it is set aside for white passengers exclusively. This form of disadvantage and discrimination could be eliminated, of course, if all passengers had an equal chance to use the available facilities. But with segregation imposed upon the operation and use of the train facilities, choices are limited according to the race of the passenger. In an ultimate sense, therefore, segregation places a discriminatory set of conditions upon the travel accommodations provided. These disadvantages could also be done away with, if all of the equipment on trains were equal in quality. This is not true at present, for even the better trains carry cars of varying quality of accommodations. To equalize the facilities within trains would hardly seem immediately practicable, since the railroads have been engaged in a postwar equipment-building program of considerable magnitude,<sup>1</sup> and this is reflected partly in the conditions observed on the trains studied. In spite of efforts to improve accommodations and equipment, there still is apparently a supply insufficient to service all the better trains with uniformity. Thus, when confronted with the necessity of imposing segregation upon Negro and white groups of passengers, and either group being subject to discrimination in the absence of opportunity to use the better facilities, the railroads have taken the escape of more frequently putting the less modern facilities to Negro use.

On some trains there was observed some attempt to share the best modern cars with Negro passengers. This was the case with the Pan American, for example,

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<sup>1</sup>See, Transportation in America, Association of American Railroads, Washington, D. C., 1947



which had two deluxe cars on the trains observed, one of which was used as Car 1 for Negro passengers, while the other was placed farther back on the train for white passengers. The remaining coaches were of lower quality, although one of them was observed to be "modern" in equipment. The same effort to share the best facilities with Negroes does not appear to apply to a companion train of the Pan American, the Azelean, which runs under auspices of the same railroad and covers the similiar points of destination.

On the whole, there is a rather uniformly high quality of accommodation throughout the reserved seat trains, and this applies to the Negro car as well. The Dixie Flagler, a through train from Chicago to Florida, presented a different picture, for it maintains a strict segregation policy and all Negro passengers are housed in the 22 seats provided in car 1, the remaining car space being set aside as dormitory facilities for the train crew. Not only is space limited, but the quality of facilities does not equal that provided by other cars on the train. This space is almost entirely unused at some points enroute, and at others it was observed to be quite crowded. Some excerpts from the diary of the investigator on this train will summarize these conditions, as seen on a Nashville to Miami trip:

Had considerable difficulty getting seat reservations straightened out at City ticket office in Nashville, although I began about a week before trip. Miami was slow answering.

When I reached Car 1, there was only one other passenger - a past middle-aged woman who had boarded in Chicago. She reported that the other Negroes leaving the train at Nashville had been in Car 1 the entire trip from Chicago, and that at no point had any white persons been seated in the car.

The facilities for Negroes on this train apparently make no pretense at equality, Car 1 is a part-car, a part of the baggage car, I understand. It seems cut off and is so far from the diner as to be positively discouraging to anyone who would like to dine.

The rest rooms of Car 1 are small cubicles as you enter the car. In the women's room, there is one hand basin, with liquid soap and paper towels, and one toilet similar to rest rooms in old coaches, except that the small seat pulls out from the wall. Evidently a crew dorm is at the front end of the coach....

Saturday, a.m. (next day) I went back to Car 1 before train stopped at Jacksonville. (Investigator had changed to sleeper for the night.) There were now five passengers in Car 1, the person who boarded in Chattanooga and four who got on in Atlanta.

10:00 a.m. EST. Car 1 now has 13 passengers, including me. The attendant says travel along this part of the trip -- from Jacksonville to Miami -- picks up. I asked him about the other coaches. He said, "they are just like this one, except they are full-length coaches." I asked, and "rest rooms?" He admitted the rest rooms were not the same. The other coaches have lounge rest rooms.

At West Palm Beach nine persons without reservation boarded Car 1 which then had only a couple of empty seats. At Delray one person got off, and at Ft. Lauderdale three more boarded. As we rode into Miami, persons were all over the aisles and two waiters joined the standing throng. One of the passengers went forward and tried the steward's door. "Boy, you can't go in there," said the conductor.

Waiter says that in the fall when students were going back to school, Car 1 was crowded and about ten persons were standing. Waiter asked steward in crew dorm to open his door and let some of the people sit down. One woman with baby in arms was standing. Steward is reported to have said he did not want to get in wrong, so he could not do it. Then conductor and passenger asked him and he is supposed to have said, "No", let 'em stand. That's what they are supposed to do."

The Southerner, a through-streamlined all reserved seat train from New York to New Orleans, originally had a similar arrangement for Car 1, that is 22 seats with the remaining space of the car used as a dormitory for the train crew. However, this train had a lounge and beverage counter in the next car which was available to Negro passengers and allowed for additional room for moving about and seating. Practices on the Southerner have changed considerably, however, since the Pennsylvania railroad, which operates this train jointly with the Southern railway, has adopted a policy of not segregating Negro passengers out of the New York terminus. It is now possible for Negroes boarding this train above Washington to ride a through trip to New Orleans without being segregated



in special cars. The Southerner thus bears a partly integrated and partly segregated character, for these passengers who board the train in Washington and points south are placed in car 1 and immediately adjoining space. A diary on this train is given in the appendix.

Outside the reserved seat trains, the quality of accommodations drops considerably, and it is on these facilities that the largest differentials occur between accommodations for Negro and white passengers. This can be seen strikingly in trains which travel the same north-south routes, and covering similar points of passenger designation. Out of Chicago, for example, the Southwind, a Pennsylvania reserved seat streamliner; the Dixie Flagler, a joint C. & E. I., L & N, NC & St. L., and ACL reserved seat operation; the Dixie Flyer and Dixie Limited, both non-reserved trains under joint operations, all go to Florida points. The Southwind does not attempt to segregate Negro passengers and all facilities of best quality are available. The Flagler persistently segregated Negro passengers in a 22 seat car lower in quality than others on the train. The Flyer and Limited both segregate Negro passengers in its unreserved coaches, and these facilities are consistently of poorer quality than the best coaches provided elsewhere on the train for whites. Of the Dixie Limited a diary entry reads:

Arriving at Chattanooga near 5:00 p.m., May 27, 1950, I boarded the Dixie Limited for Nashville. The train contained only two coaches, the first being a segregated one which was divided coach with 36 seats front and rear (#601).

The second coach was for white passengers, and it was modern with reclining seats (#439). Negro passengers must suffer discrimination on the Dixie Limited, because the segregated coach is antiquated, with straight, non-reclining seats.

The apparent complete lack of effort to furnish Negro passengers anything approximating the quality of accommodations provided to whites was observed

in two other instances. On the Houstonian, a Missouri Pacific train, and the Kansas City Special, a Frisco facility, Negroes had ordinary or antiquated coaches, with old stationary seats, while the whites had deluxe coaches with reclining seats and large rest rooms. Some railroads were seen to use divided coaches rather generally as a means of satisfying these segregation laws. This was true of the trains covered on the Rock Island, Sante Fe, and Missouri Pacific lines. A lower quality of rest rooms is provided in these instances, for there must be two rest rooms at each end of the coach. On occasion, the other half of the divided space may be used for the over-flow of Negro passengers. But there is usually additional coach space available for white passengers and these separate cars frequently present better accommodations.

There are, accordingly, degrees of difference between the quality of accommodations furnished Negro and white passengers, according to particular trains and the class of train involved. In some cases, there is a clear attempt to equalize accommodations in quality; in others, a gesture toward reducing the extreme differences in quality of facilities is made; while in still other cases there is negligence and disregard for providing accommodations equal or approximating those of white passengers. When these differences in quality of facilities are coupled with space limitation, the effects of imposed racial segregation practices, in terms of encumbrance to the operation of the interstate facility and undue discrimination, are augmented in fuller dimension. The trend and general pattern of the relative quality of facilities provided Negro and white passengers on these trains is differential and inequitable, with clear disadvantages to the Negro passenger. There are attempts to improve the character of accommodations provided all passengers and to establish some measure of parity between Negro and white clientele; but these are not uniform and still



are the typical cases. To this aspect of the problem must also be applied the rule of the single case. If only one instance were observed, of inferior car facilities being imposed on Negro passengers as a result of segregation practice, the validity of segregation policy in interstate transport of coach passengers would be vulnerable.

### Crowding

Still an additional factor is added to this picture when unusually heavy passenger loads occur. Under these conditions, the operation of the train becomes more difficult, and at points of departure and transfer delays in schedule may occur. In those instances when the passenger load for either the Negro or white group is unexpectedly high, with the load for the other small or moderate, segregation inevitable imposes hardship and discrimination. Unless additional cars are added to the train, or unless readjustment of the space is made by the conductor, one group of passengers suffers the discomfort of standing or crowding, while the other rides in seating space not fully occupied. In these instances, the racial identification of the passenger will determine whether one stands or sits during coach travel. Since the space allotted to Negroes is relatively small, as compared with the total amount available on these trains, an increase of a few Negro passengers may produce conditions of overcrowding. The saturation point is easily reached and it may occur unexpectedly at any point on the train trip. Even though the demand for space is potentially greater for white passengers, there are, on the average, about four times as many seats provided, and saturation may be less precipitous. The occasions of high demand do occur, however, on both sides.

On trains which usually carry large Negro passenger loads, it has been possible for additional cars to be added at the beginning of trips for adjusting

the high demand. This was observed in the case of the City of New Orleans, a quasi-reservation coach train, which travels between Chicago and New Orleans through the heavily Negro populated areas of Louisiana, Mississippi, and West Tennessee. On a trip out of New Orleans, this train had two extra coaches for Negro passengers, in addition to the six cars regularly carried for coach passengers, including the traditional "car 1." It is on lines where unexpected changes from usual light or moderate loads occur that crowding and hardship are extreme. At this point segregation enters directly as an encumbrance to operation of the interstate facility, for a possible adjustment of space is dependent upon the judgment of the train conductors. The conductor does one of several things on these occasions: (1) to do nothing at all about the excessive crowding in the Negro car, assuming, possibly, that the condition may be relieved later on in the trip; (2) to allow Negro passengers to use whatever overflow space is available in the adjacent car; or (3) to ask white passengers to move out of the partially-filled space in the adjacent car. On occasions it has been observed that conductors will put Negro and white passengers in the adjacent car, separating them in the front and back halves of the facility. Where personal attitudes of prejudice by the conductor are in the equation, the adjustment possibilities are doubly complicated, and the first alternative is likely to be followed. But even in the absence of such an attitude, when providing more space for Negroes means that white passengers must be asked to move, a difficulty of considerable psychological magnitude is still present. In this event, under the racial mores of the South, the conductor is put into the position of acting against the interests and the assumed superior prerogatives of the white passenger. If he attempts to provide a measure of comfort to the standing and crowded Negro passengers in car 1, by asking the white passengers in car 2 to move, he will be forced to act



against the traditional sentiment that "the Negro has no rights which the white man is bound to respect." In the administration of equitable regulations for handling passengers, these factors are some of the real determinants of what will be done and what will be avoided. The adherence to segregation practice and policy, under these conditions, creates both the encumbrance and the dilemma which is faced administratively.

As already mentioned, this situation is beset with potential discrimination against the white passenger as well. An example of how a racial judgment by the conductor of a train resulted in hardship to white passengers is afforded in an experience of one of our informants. An excerpt from the interview reads:

On my return trip from New York, I made a transfer at Cincinnati to the Pan American which left at 9:00 a.m. I boarded car 1 which was a comfortable and modern coach. It was moderately filled, but there were plenty of seats vacant. When I got up and walked toward the rear of the car, after we started on our way, I looked out of the door and noticed that the second car was occupied by white passengers. It was filled to capacity and many of the passengers were standing. A large number of soldiers were in this group, and when it became apparent that they would not get seats, a few of them came into car 1 and took seats.

The Negro passengers took only mild notice of them, but soon afterwards a train official came through and told them they belonged in the next coach. Several of them moved, and the official went to another part of the train. They stood in the next car uncomfortably, and came back after a while. A little later on, the conductor came through checking on tickets, and when he got to the white soldiers he said to them: "You were told you can't sit here." The soldiers got up and left, taking their bags with them. They stood in the crowded second coach and in the vestibule between the two coaches all of the way to Louisville. The Negro coach remained unfilled all of the way to Nashville.

#### Passenger Treatment

The entire pattern of administering train services to the Negro public, within the South and on northern trains whose terminus is the South, is geared to segregation. This ranges all of the way from the purchase of a ticket, to use of station facilities, passing through admission gates to the train,

boarding the train, and to the train trip itself. The administration of segregation is done by a number of functionaries, including ticket sellers and reservation clerks, gate attendants, conductors, brakemen, porters and even red caps. All of these persons operate under orders and customary expectations and procedures, with more or less absolute authority for their areas of responsibility but within an hierarchical authority system which has the conductors, ticket and passenger agents at the top. The treatment of Negro passengers within this organization of administrators of railroad services is marked by strict adherence to the racial code. Not infrequently, the manner of ticket sellers, conductors and passenger agents is derogative of the Negro passenger, reducing him to the status of one whose presence is merely tolerated on the train through the generosity of the powers that be. Many of the practices which ensue from this authority system, hinged not only to the necessity of segregation but also the impulse of white superiority, are punitive in their impact upon the Negro public. This covers such things as brusqueness of manner, referring to passengers as "boy" or similar titles, failure to give adequate information or giving necessary information grudgingly.

Probably the best example of the extremes to which these practices are taken is afforded by occasions when Negro passengers must purchase tickets at southern terminals. All station facilities of the South have separate accommodations for white and Negro passengers, and in many instances this includes not only separate waiting and rest rooms, but also separate ticket windows and stairways for entering and leaving the train platforms. The arrangement is such that the Negro passenger has no occasion to go into the general or white waiting room, and to enter upon such territory, by accident, necessity or ignorance, may result in trouble. Since the Negro passenger must therefore buy his ticket from



the window facing the Negro waiting room, he must, perforce, suffer the uncertainties of being noticed by the ticket agent and having the agent decide to serve him. The uncertainties turn into occasions of undue hardship and discrimination, for it is commonly reported that agents will often ignore the waiting Negro client, deciding to render service at his own leisure and after all white clients have been sold tickets. The agent's back is usually to the Negro window and he can easily busy himself with work on the white side of the enclosure. The priority of appearance of the Negro and white passengers for service is frequently overlooked - ignored - for it is a feature of the racial code and etiquette that the Negro has no priority of rights and expectations over the white person. If there is concern on the agent's part for fairness, he must alternate his services between the Negro and white windows, at the risk of censure and criticism in breaking the racial code. If there is no such concern, discrimination results. This is another example of the demand of physical segregation, administered under the exactments of the racial code, producing inequities and hardships to the Negro passenger.

Not all of the railroad stations of the South, however, have Negro ticket windows separate from those of whites. In such cities as Louisville, Nashville, and Charlotte, for example, all passengers buy tickets from common windows, although waiting rooms are separate. On the other hand, the cities of Memphis, Birmingham, Atlanta, Montgomery, New Orleans, and practically all of the terminals in the smaller towns, the ticket window and services to Negro passengers follow the segregation pattern. Where there are common windows for service, passengers are taken in order; but where the windows are separate the occasions of discrimination occur. At present, the common windows are the exceptional cases, while the separate windows are typical for the South generally.

An additional feature of the situation is the varying character of practices and arrangements which the Negro passenger may experience in different stations and cities. This is not only a hardship but also a personal hazard. In the pioneering and comprehensive study made by Charles S. Johnson of segregation patterns in the United States, the situation is summarized in the following way:

The typical station has the Negro waiting room adjoining the baggage room, with a window aperture to the ticket agent's office. Negroes are served when they can get the attention of the ticket agent. The entrance to the Negro section is generally on the side or back of the station.

Some stations have separate entrances and exits from trains, but this is cumbersome. It is simpler to leave it to custom to enforce a sort of caste etiquette in passing through the gates to trains. The rules and expectations vary. For example, at the Union Station in Atlanta Negroes may leave the waiting room provided for them and patronize the newstand and lunch counter in the white waiting room. At the Terminal Station in the same city they cannot enter the white waiting room for any purpose, and they are denied the use of facilities other than those provided for them specifically. The station master stands at the entrance to the white waiting room and directs Negroes away if any attempt to enter.<sup>1</sup>

Another study made of racial practices during the World War II period comments on the ticket selling situation:

The ticket agents are not apparently particular whether Negroes get tickets or not since business is so good. Agents sometimes refuse to give Negroes any information at all about train time, as to arrival or departure, and sometimes wait so long to sell the Negroes tickets that the train they wished to catch has come and gone; and they have to wait for the next one, which is usually a matter of hours. They usually have to stand at the "colored" window until all white persons have been waited on.<sup>2</sup>

Even in such a large and cosmopolitan city as New Orleans a similar kind of neglect of the Negro passenger is currently shown in the experience of one of

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<sup>1</sup> Johnson, C. S., Op. cit. pp. 45-48

<sup>2</sup> Johnson, C. S. and Associates, To Stem This Tide, A Survey of Racial Tension Areas in the United States. Pilgrim Press, Boston, 1943, p. 38.



the Negro interviewees of this study. The case is that of the Head of the Mathematics Department of Talladega College who had occasion to make monthly train trips between Talladega and New Orleans for business purposes. The interview account reads:

Dr. Brothers said that he experienced considerable difficulty in the station at New Orleans during the first part of 1951-52 school year, when he went to the ticket window for his ticket. The Negro ticket window is separate from the white, and Negro passengers had been forced to wait until all passengers were served before the agent came to them. This occurred several times. Finally on one occasion Dr. Brothers said that he and about four other Negroes were waiting to be served at the Negro window off the general waiting room. Again the agent took his time and served all of the white passengers first. The white passengers were coming to the window continuously although the Negroes had been in line all along. "After this kept up for awhile, I couldn't stand any more of it," said Dr. Brothers. "So I stepped out of line and called to the ticket agent - he was not far away. He walked over and listened to me as I told him about the situation, and we had an altercation right there, but with words. He became angry and turned his back on me; then he went back to the window and waited on one or two white passengers. He then came back and served all of the Negroes who were there."<sup>1</sup>

A similar experience is illustrated by another interviewee who travels regularly as a field representative for the National Recreational Association. He reported that this sort of thing frequently happened to him at stations in the Florida area and cited a recent happening at Orlando.

I had a reservation out of Orlando for Savannah. It was over the Florida West Coast train leaving about one-thirty in the morning, but passengers could board sleeping cars as early as nine-thirty. I had called in by phone for my reservation and so I came to the station to get my ticket and board the train early. I went to the colored waiting room and over to the ticket window for colored passengers. There was nobody there at the time, so I would be taken first by the ticket agent. I looked through the window and saw that there were one or two white people the ticket agent was serving and so I waited. As I waited, too! The agent had looked over and seen me there, but when he finished with those two, he didn't come directly over to me, and then another white passenger came, and then another a little later. I waited there twenty minutes before the agent finally came to me, and that was after he had taken care of all the white people who came up after I did.<sup>2</sup>

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<sup>1</sup>Interview with Dr. Warren Brothers, Talladega College.

<sup>2</sup>Interview with Mr. James Madison, National Recreation Association.

### Through Passenger Service

The discriminatory effect of imposing segregation practices upon the operation of interstate trains is clearly demonstrated in the class of service which trains give to passengers going to secondary points of designation. Inasmuch as this service has to be carefully planned, by providing special cars and arranging train connections, failure to provide similar services for Negro passengers cannot be explained by accidental oversight. Through service on coaches to secondary points is an improvement in train passenger provisions. It means simply that although a given train may be scheduled primarily for passenger services between two major points of destination, special coaches are attached which go through to points off of the regular travel route. At given transfer stops on the route, through cars are detached and shunted onto make-up or connecting trains, and these trains negotiate the subsidiary route. There is a tremendous saving in passenger comfort and convenience in these arrangements, for the trouble of shifting baggage to and from trains, changing seats or cars, and not infrequently going out into cold or inclement weather is avoided. If there is a considerable wait for the connecting train, the transfer may mean carrying baggage up stairways to the waiting room and back again to the train. For aged persons or women traveling without their spouses but with small children along, changes of this sort present a very real problem. Through coach service eliminated these inconveniences.

The simple fact of current practices toward Negro interstate passengers in the South is that through coach services are rather uniformly absent. This is a convenience almost exclusively enjoyed by white persons. Segregation practice would require that wherever there is a through coach for white passengers, a through Negro coach would also be provided, except in cases where the through coach may be a divided one. Only with one exception did our researches



reveal that this was done, the general practice being no special through coach services for Negro passengers, necessitating that they change to new cars and trains at the transfer points. There are considerable practical difficulties in adding this service for Negroes because of the imposition of segregation practices, such as providing additional cars, making additional car transfers, and placing the cars on the original train so as to facilitate the switching. The simple expedient for this additional complication has been to withhold these services and conveniences from Negro clients.

On the basis of the field trips and analysis of time tables, involving the major trains, eleven trains were discovered which had through coach service for white passengers and failed to provide the same for Negroes. In three instances, trains carried a divided coach as the through facility, and this avoided the undue burden upon the Negro passenger. In still another case, that of the Pan American - Georgian facility, rather extreme hardship was placed upon the Negro passenger going from New Orleans to Chicago, but recent improvements have corrected. In the original arrangement the railroad provided through coach service for white passengers going from New Orleans, Mobile, Montgomery and Birmingham to Chicago. A special coach was attached to the Pan American which was switched at Nashville onto the Georgian, a through Atlanta to Chicago train. On the other hand, Negroes going from these same points in Alabama and Louisiana were required to detrain at Nashville and transfer their luggage and themselves onto the Georgian. Normally a five minute wait was involved, but if the Georgian was late, the passengers would have to go up the stair with baggage and then come back again when the train arrived. On the trip South out of Chicago, passengers would leave on the Georgian and connection would be made at Nashville with the Azelean. The waiting period this time would be fifty minutes, and this always meant for Negro passengers getting off of the train, going up to

the station and coming back. These transfers came around eleven-thirty at night on the northward trip and from about one to two o'clock in the morning on the southward trip, periods at which passengers may have been able to find sleep on their trip. The L & N railroad has now added an additional Hummingbird train between New Orleans and Chicago, as an improved service between these points, and through coaches are carried for all passengers.

At the same time however, similar adjustments have not been made on the collaborating train, the Georgian, for through Negro passengers from Atlanta, Chattanooga and Nashville who are going to St. Louis. This is a through Atlanta to Chicago train, but it carries a through coach, Ga-4 to St. Louis with reserved seats. Segregation out of both Atlanta and St. Louis does not permit Negroes to use this coach, and this means that through Negro coach passengers to St. Louis have to detrain at Evansville, the transfer point, and board connecting facilities, while the through white coach is merely switched. On the trip northward, the wait at Evansville is only half an hour, but on the southward trip, the wait may be thirty-five minutes or two hours and twenty-five minutes, depending upon whether the transfer to the train from Chicago will be the Dixie Limited or the Georgian.

Even though the L & N has adjusted the through New Orleans to Chicago inconvenience for Negro passengers, it has not done so for those traveling on the Pan American between Cincinnati, Louisville and Memphis. This is a train whose principal route is between Cincinnati, Louisville, Nashville, Birmingham, Montgomery and New Orleans; but it carries a through coach from Cincinnati to Memphis for white passengers. Segregation out of Cincinnati and Memphis does not permit Negroes to use this coach, so that they are required to change with baggage and parcels at Bowling Green, Kentucky. The white passengers are merely switched onto the mainline train while riding on the through coach.



A fuller documentation of these discriminatory practices can be seen from a listing of some of the major trains providing through coach service to secondary points. They are given below according to the railroad involved, the name of the train, its main route, and the kind of through service:

<u>Railroad</u>	<u>Train</u>	<u>Main Route</u>	<u>Through Coach Service</u>
Illinois Cent.	City of Miami	Chicago-Miami	St. Louis to Miami Negroes out of St. Louis must change at Carbondale 30 min. wait
Illinois Cent.	City of New Orleans	Chicago-New Orleans	St. Louis to New Orleans Negroes from St. Louis change at Carbondale 11 min. wait.
Mo. Pacific	Texas Eagle	St. Louis-Houston	St. Louis to San Antonio No change for Negroes; Divided coach
Mo. Pacific	Sunshine Spec.	St. Louis-San Antonio	St. Louis to Hot Springs Negroes from St. Louis change at Smithton, Ark.
Mo. Pacific	Southerner	St. Louis-San Antonio	St. Louis to El Paso No change for Negroes; Divided Coach
Rock Island	Oklahoma Rocket	Kansas City-Oklahoma City	Kansas City to Dallas No change for Negroes; Divided Coach
L & N	Southland	Cincinnati-Jacksonville	Cincinnati-Tampa Cincinnati - St. Petersburg Negroes change at Atlanta
L & N	Georgian	Chicago-Atlanta	St. Louis-Atlanta and Atlanta to St. Louis; Negroes change at Evansville 30 minute wait northward, 30 minute or 2 hours and 25 minutes wait southward.
L & N	Pan American	Cincinnati-New Orleans	Cincinnati to Memphis Negroes change at Bowling Green for both directions.
A.C.L.	West Coast Champion	New York-Miami	New York - St. Petersburg Negroes change at Jacksonville.

A.C.L.	West Coast Champion	New York-Miami	New York-Sarasota Negroes change at Tampa
Norfolk & Western	Pocahontas	Cincinnati - Norfolk	Columbus to Norfolk Negroes change to Negro coach at Bluefield, W. Va.
Seaboard	Silver Meteor	New York-Miami	New York - St. Petersburg Negroes change at Wildwood, Florida
Seaboard	Silver Comet	New York- Birmingham	Portsmouth to Atlanta Negroes change at Hamlet, N. C. 4 hr. wait north; 45 min. south.
Seaboard	Sun Land	New York-Miami	Portsmouth to Atlanta Negroes change at Hamlet, N. C.

This listing does not purport to cover all situations of through coach service, but it indicates what occurs on several of the mainline trains through the South. It should be added that not only does the failure to provide through coach accommodations for Negroes represent clear cut discrimination, but also when the changes are made from the mainline to the subsidiary trains, the change of equipment and car accommodations is to an inferior class in many instances. This means that the practice not only gives differential treatment and hardship but that it also imposes less comfortable accommodations.

The paradigm suggested by the through coach service situation for Negro passengers is: Segregation imposes the restraint and complication and the customary racial code the implied valuation of secondary citizenship; hence, exclusion and differential treatment.



### III

#### COACH RESERVATION PRACTICES

It has been mentioned that through reserved seat trains constitute a new and significant development in railway operations. The effect has been a considerable improvement in passenger accommodations and services and speeding up of travel schedules for interstate trips. For the southern area which has traditionally lagged in fast, high-grade train facilities, the addition of this class of accommodation has been especially salutary. An increasing volume of passenger traffic is being carried by these trains, and further improvements in train service for the South will probably involve an extension of this class of facility. For this reason, current practices affecting Negro passengers adversely in the operation of this kind of accommodation demand particular mention. Special attention is attached to this area also because of the fact that, as a new operation, the railroads had the opportunity of starting afresh with practices which would give Negro passenger equitable treatment. But if the older traditional ways of administering railway services to Negroes were followed, it was apparent that the new facilities would augment rather than diminish existing differentials. Moreover, if segregation practices and quotas were to be imposed upon reserved space, it was obvious that discrimination would be unavoidable. Since there is no way of adjusting the reserved car space to fluctuations in Negro passenger demand, the racially designated space constituted a fixed quantity. Priority of demand would not determine whether a Negro passenger would be granted accommodations, as compared with a given white passenger; and the volume of Negro demand could be pared down to fit the Negro space quota by the simple expedient of denying requests of Negro passengers

for seat reservations.

The experience of our field investigation revealed that quite generally the railroads have followed traditional practices toward Negro passengers, and this has meant that Negroes have been given space only when available in the Negro car. The result has been widespread discrimination and differential treatment. It is also strongly indicated that where demand for the limited space by the Negro public became high, especially with certain trains, some officials took administrative measures to reduce the demand and thereby avoid complaints and immediate complications. These appear to be primarily local practices adopted to meet the circumstances peculiar to the situation confronting a particular office. For example, in one city the practice was adopted of not issuing space for reserved seat coaches at the city ticket office, this procedure being handled entirely at the railroad station. Presumably the station officials would be better appraised of the immediate situation on the train enroute and therefore able to gauge the quantity of reservations to be issued. At the same time, it was observed that Negro passengers could not secure space until the day of their expected trip and not until a specific time period before the scheduled departure. This kind of situation would particularly apply to stations removed from the origin of the train trip. Refusals of reserved seat space and policies limiting the granting of possible space until just before train time, with the hazard involved of not being assured of getting on the train, would naturally reduce demand from the Negro public. On the reserved seat trains covered by field trips, the proportion of Negro passengers was consistently lower than that found on the non-reserve seat facility.

The policies adopted by the Pennsylvania railroad, affecting its through reserved seat trains out of New York and the Southwind out of Chicago, are an exception to the general practice. It should be remembered, however, that these



were not changes voluntarily enacted by the railroad, but rather changes of practice growing out of the protest of disaffected Negro passengers and the vigorous prosecution of official race relations agencies of the city and state of New York. The railroad adopted a formal statement of policy in this connection and made its enactments and orders to train officials public. This was in effect an admission of the existence of segregation practices and differential treatment of Negro passengers on reserved seat trains out of the New York terminal. At the same time, it provided a corrective. Field trips on all of the major Pennsylvania trains out of New York to southern points, just after the new policy was effected, revealed that through Negro passengers from New York were consistently given equitable treatment on the reserved seat trains.

Insofar as the North is concerned, the primary foci of the segregation practices for trains of this category are Chicago and cities like St. Louis, Washington, D. C., and Cincinnati. There remains also the vast area of the South where the practice is still fairly uniform of issuing reservations to Negro passengers only in the separate coach, even in cases of the Pennsylvania trains which is desegregated policywise. In these instances, the difficulty is that local agents continue to follow the older practices which accord second class status to Negroes. The core of the problem facing the Negro travelling public in the availability of these services without differential treatment and segregation is getting reserved seat space on one of these trains. The methods used by ticket agents to maintain segregation on reserved seat coach trains going to and from southern areas are determinative. The principal patterns of reservation procedure to insure segregation, as shown in the experience of our investigators and from interviews with Negro passengers, betray something of the persistence with which segregation practices are administered and the trouble involved of handling a rather minor service.

### Reservation Procedures

One fairly general method used by ticket offices in complying with request for seat reservations via the telephone, particularly in southern areas, is to assure the potential passenger that space is available, telling him to pick up his reservation at a certain time before train departure. Thus, it is not until the individual appears at the ticket office that specific seat assignments are finally made. The juggling of seat assignments according to the racial identity of the passenger may and does occur at this point. This avoids raising the racial issue between the agent and passenger over the phone and in the transaction, although Negro passengers have raised objections out of northern points, when they see that they are being put into a segregated car. It has the distinct disadvantage, however, of the agent having to refuse issuance of a reservation or to give seat space in a white car, when the passenger appearing before him happens to be a Negro and the limited space of the Negro car is filled.

Partly because of this kind of complication, as well as for other reasons, agents follow other kinds of practice designed to obtain the racial identity of the person requesting seat space over the telephone. In the southern cities, and occasionally in northern and border points, the passenger may be asked, "Are you colored or white?" or "Do you want space in the Negro car or white car?" or just "In what car do you want space?" All of these, of course, are direct efforts to allot seat reservations on the basis of race. The Negro passenger, not wishing to enter into argument with the agent or to say anything which would prevent his getting space and proceeding with the trip, is inclined to comply.

At northern points, and most notably out of the Chicago area, more subtle measures are used for getting the racial identity of the persons request-



ing seat space via the telephone. At the initial phase of the conversation, just after space has been asked for a given reservation seat train going to the South, the agent may ask from what hotel, address or phone the passenger is calling. This is always done before the agent indicates whether or not space is available on the train. Since the inference is that it may be necessary to call the passenger back, in the event that there is not space or that some may be released, the passenger will give the requested information. Yet this is not a service given by railroad reservations offices, as is the case with airlines. The passenger has to take the initiative in checking and re-checking reservation openings. Since about eight out of every ten Negroes in Chicago lives in the densely settled southside area, and since the telephone exchanges and the number prefixes rather clearly define these areas, it is relatively easy to ascertain whether it is a Negro or white passenger seeking a reserved seat. Other possible clues may escape in the conversation which will enable the agent to reduce the possibility of making an erroneous identification.

There is bound to be a small proportion of errors in this procedure, but it is always possible to make a correction when the passenger appears at the ticket window to pick up his space and ticket. Investigators reported from their experience that this may be done in one of two usual ways: (1) by making a direct shift in the reservation, or (2) pretending a conflict exists on the original assignment. In the former case, the agent will check with the reservations clerk, appearing to be merely making a routine check on the space but actually arranging for a transfer of the space to the segregated car. No questions are raised with the passenger, and when he is handed his ticket and reservation enclosed in an envelope, presumably everything is in regular and good order. Later, in casually looking through the envelope or presenting his space ticket for checking by the conductor or passenger agent, he will discover

that his seat is in a different car -- Car 1 or its equivalent for Negro passengers going into the South. It is too late for protest or modification, and the urgency of being on the train and completing the trip is immediate. In the second case, the agent will ask the passenger what space had been reserved for him. If the passenger is not quite sure or haltingly indicates the space, the agent may say, after conversation with the reservations clerk, that the passenger is probably in error and that the space reserved for him is in Car 1 or its equivalent. On the other hand, if the passenger knows clearly what car and seat space he has and appears confident of this knowledge, the agent will effect a transfer by simply saying that the clerk must have made an error, because a previous commitment had been made for the space. He will add reassuringly, however, that there does happen to be space available in Car 1 or its counterpart and that fortunately the passenger can have it.

Even if the segregation sieve still fails to catch one or two Negro passengers, there is a final measure of a direct nature which can be effected while the train is enroute. This is simply for the conductor to change the Negro passenger to the segregated car at the point on the trip where the Mason-Dixon line is reached. Although this is a usual procedure on the non-reservation trains, it is a somewhat hazardous undertaking for these trains, since the reserved space is for the entire trip from points of departure to destination. Suits of complaint and damage against the railroads by disaffected Negro passengers have grown out of this kind of situation. Conductors now make the changes hesitatingly, if at all, and they do so after assessing the Negro passenger and the situation quite carefully. On one trip out of Chicago on the Georgian, an investigator was asked if he would move, instead of being ordered to do so as with older practices. The occasion was one in which the Negro and white investigator were seated side by side in GA-2, the former a man and the



latter a women. By the time the train had reached Evansville after a five hour trip, it became apparent that the two persons were acquainted and travelling together. A change of conductors was made at Evansville, and shortly before departure the new conductor walked through the car and made an appraisal of the situation. Just after the train pulled out of the station, he returned and said to the two passengers: "We have two very good seats prepared for you people up here in the next car. You needn't bother about your baggage. I'll send the porter back to get it." At this stage, the white female investigator apparently had been classed as Negro, but the remaining uncertainty only increased the awkwardness of the trainman's efforts. The male investigator spoke up saying in effect, "But we have through reservations to Nashville for these seats, and we are quite satisfied with them." After an additional urging with no reference to race or segregation by the conductor, and further expressions by the investigator, of nor seeing the necessity of changing from quite adequate accommodations the conductor backed out of the car saying, "All right, all right, if you want to stay, that's all right."<sup>1</sup>

#### Interviewee Reservation Seat Changes

Some additional light is thrown on these practices from some of the data obtained from the 290 Negro passengers who were interviewed by investigators incidental to the field trips. One hundred seventy-one of these were on reserved seat trains, and the primary concern of the interview was to discover how the Negro passengers had obtained their reservations, whether difficulties or refusals had been experienced, and whether changes had been made from the original reservations -- provided that they had been obtained over the telephone. The

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<sup>1</sup>Diary, trip 101a.

significant responses may be summarized in the following way:

Reservation Status of Negro Passengers Interviewees	Percentage (rounded off)
All Negro reservation passengers	100.0
Had obtained reservation	78.0
Had no reservation; did not try	8.0
Tried to get reservation, refused	14.0
Reservation Difficulties Encountered	
All Negro reservation passengers	100.0
No difficulties	67.0
Difficulties encountered	
Phone number, race, address or car wanted referred to	9.0
Difficulty not specified	2.0
Tried to get reservation, refused	14.0
Did not seek reservation	8.0
Reservations Changed	
All Negro reservation passengers	100.0
Changed at office or on train	5.0
Not changed	74.0
Had no reservation originally	21.0

All of the Negro passengers interviewed were enroute on trains in the South or going to southern places of arrival, and this means that they had somehow managed to get seats on reservation trains. Therefore, the responses mean that a little more than three-fourths (78 percent) of the passengers had obtained prior reservations either over the telephone or at the ticket office. The procedure involved was that just described for serving Negro passengers with reservations and effecting a segregated travel arrangement. The remaining group of Negro passengers (22 percent) did not have prior reservations, either because they did not attempt to get them (8.0 percent),



or because they had tried to get seat reservations and for various reasons were refused (14.0 percent). Since 38 percent of the reservations were obtained on the day of departure from the city and 14 percent of the Negro passengers had been previously refused, this suggests either a high rate of passenger defaults on committed space or a tendency for the ticket offices to leave a large proportion of Negro space uncommitted until the final day.

The responses concerning difficulties in getting reservations and seats are particularly significant. A little more than two-thirds (67 percent) of the Negro passenger interviewees reported no difficulties in getting space on the reserved seat trains, while one out of every four (25 percent) experienced difficulties; the remaining 8 percent were passengers who had made no prior effort to get reservations. Those passengers reporting difficulties due to efforts of clerks to obtain their racial identity over the phone, by asking their phone number, address, or car preference, constituted 9 percent of the total interviewee group; and additional 2 percent did not indicate the kind of difficulty experienced and 14 percent were refused space in their initial requests.

Approximately three-fourths (74 percent) of the Negro reservation passengers had not been subjected to changes in their reservations. This does not mean an absence of a differential racial treatment in these instances, but rather that the methods used for getting the racial identity and reserving space on that basis had operated without a hitch. There were 5 percent of the Negro passengers who definitely indicated that changes had been made from their original telephone reservations, through measures taken by officials at ticket windows or on the trains. This is the group of Negro clients which the segregatory reservation procedure failed to catch initially and for whom the later expedients were required for maintaining a segregated pattern of travel through southern areas.

These practices illustrate not only how segregation policy operates in the day to day administration of railway passenger services but also the special discriminatory effects of such policies when applied to reserved seating space. The pattern of practice is unmistakably clear, in spite of the one major instance where relief has been achieved from the encumbrance of segregation and in the occasional and unpredictable cases where necessity dictates that exceptions be made for the few, more alert, more demanding Negro passengers. The administrative details involved not only have the character of the picayune and arbitrary, but they also show the extremes of subterfuge and misrepresentation to which segregation policy unavoidably leads in transactions with the Negro public. And there are the imponderables of the effects of these practices upon the individuals toward whom they are directed -- the uncertainty of getting on a reservation train and of following a given travel plan, the irritations from the delays in getting reservations, the embarrassment of changes in committed seat space in ticket offices and on trains. Though these effects are not measurable quantities, they constitute a basic and important part of the segregation -- discrimination equation insofar as these special railway services are concerned.



#### IV

#### CONFLICT: OBLVERSE OF SEGREGATION

The situation in railway coach transportation, insofar as Negro passengers and Negro-white relations are concerned, may be described as one of almost continuous conflict. This is characteristic both of the potentials inherent in the system of racial regimentation and of the actualities of the experience of Negro passengers on trains. Whether it be the attitudes of resentment toward differential and discriminatory treatment on the part of the Negro passengers, the complaints and minor instances of difficulty, or the serious cases of violence, beating, arrests and court suits, the dominant and recurrent element is one of conflict. The mood appears to be one of tension and uncertainty, and it is shared not only by the Negro passengers toward whom the set of differentials is directed, but also by the train officials from the conductor down to the porter and butcher. The shadow of the unanticipated incident looms in the background. Passengers are watchful of the conductor, his bearing and manner of addressing them and dispensing information. They may be alternately defensive and avoiding or keenly resentful and aggressive in their orientation. The conductor, passenger agent and brakeman may betray similar extremes of orientation to the Negro passengers in maintaining the segregated regime. But if there is a major preoccupation with preserving the racial code of behavior expectations, either implied or demonstrated, combined with an unyielding and inflexibly administration of segregation measures which ignores possible discriminations, difficulties and conflict frequently result. A change in personnel of the train crew at a given point of the trip may produce quite radical changes in mood and behavior of passengers in

the segregated situation. Such changes may add a critical provoking and irritating element to the situation, on the one hand, or they may remove them on the other. The factors in the total equation may shift in prominence, from time to time, but the central feature remains the imposition of segregation practices and the resulting differentials and undue hardships.

#### Sources of Difficulty and Conflict

Although every incident of violence, conflict and difficulty has its own peculiar circumstances and history, it is possible to designate the general sources of major importance. The first of these is probably -- at this point in the discussion -- the most obvious; and it is certainly the most basic; namely, the nature of the segregated railway coach situation itself. There is an underlying contributing effect of the physical situation of the train generally, with its fixed space dimensions and the restricted opportunities for movement during the relatively long interstate trips. Added to this is the even greater physical restriction in space and movement placed upon Negro passengers whose habitat must be the one car containment. Crowding of this space not only intensifies awareness of physical confinement but the personal discomfitures and irritations as well. However, it is not the physical dimension itself which is most determinative but rather the set of social and psychological realities which segregation practice is and connotes. This is the basic definition of the situation. The realities are vivid for the Negro passenger in the wide range of clues of the situation immediately before him: the limited space, the accommodations, the treatment and attitude of train officials, and the hardship and inconvenience which characterize his own personal experience in negotiating what would normally be a simple interstate trip from one locality to a desired destination. And there is available a wider range of reinforcing clues, such as the



treatment afforded him in the effort to get food in the dining car and the hazard of a visit to the club or beverage car. Moreover, there is superimposed upon these immediate realities the customary code of racial etiquette whose facets are both capricious and arbitrary and whose limits and prerogatives are almost boundless. It is the necessity of imposing segregation upon these operations which is crucial and which defines the situation in such a way that conflict, difficulty and even violence are the by-product.

A second general source of the difficulties which occur is the manner in which segregation practices are administered. These have been described in sufficient detail already and need not be repeated here. The point here is to underscore the way or manner of administration of segregation by the officials involved, for it is this element which is not uncommonly the provoking spark to eruption. There is considerable variation in this dimension of the practice, not only as it concerns the attitude and bearing of officials, the factor of judgment in a given situation, and the degree of preoccupation with exacting the full demands of the racial behavior code, but also insofar as different localities and regions of the South are concerned. If the manner of administration is punitive in nature with a view to what is judged the appropriate "place" and behavior for the Negro passenger, the possibilities of conflict and even violence are maximum.

A third source, of course, is the attitude of the Negro passengers themselves, and this is in large part a derivative of the former two. There is resentment against the situation of the segregated car itself as well as against the persons empowered to regulate and control services. When these resentments are deep and keenly felt, the slightest occasion may prompt to resistance and protest. Closely allied with this source of conflict are the efforts made by Negro passengers to protect themselves against violations of

personal freedoms and actual legal rights. This is particularly true of Negroes traveling from northern points through the South who believe that the railroads are obligated to maintain the same kind of equitable and fair treatment of them, as interstate passengers, as they are accorded in their own state. Accordingly, these passengers resist efforts to move them from their original unsegregated car seating when southern areas are reached, and the imposition of any form of segregation is reacted to as an infringement of individual constitutional rights.

The local police officials and other law enforcing agents constitute a further general source of difficulty. When these persons are called upon to enter into the already complicated situation, difficulties assume serious proportions. The occasions of beating and killing Negro passengers usually have been those in which a police official has been summoned by the train conductor. In many of these cases, the trains will be stopped at small rural towns where the racial behavior code and segregation are more inexorably demanded. Police power is wielded with greater absoluteness than any administrative measures which train officials seek to enforce, and no qualifications or compromises enter into the settlement of difficulties. At this point, the Negro passenger is charged not merely with failing to obey the orders of the train conductor but with the more serious offense of breaking the law. He is now a criminal, and regardless of how legitimate his cause or how much his protest is characterized by restraint, he is treated as a criminal. And, in terms of the mores of the South, he is, in a sense, the most dangerous of criminals -- he has dared to challenge the word and authority of a white man; he has broken the racial code and defame the sacred idol of "white supremacy." When these local officials enter the picture, the situation is taken out of the hands of the railroad, but actually they act as the instrument and at the instigation of railway officials, through enforcing the segregation practices of the railway facility.



### Some Types of Conflict

The actual cases of the involvement of Negro passengers in difficulties and violence on railway coaches illustrate quite well the effects of segregation policy. Most prominent among these instances are those involving a request or order to move because of segregation, crowding of the Negro car and passenger efforts to get relief, and cases where Negro passengers have made infractions of the expected racial code of behavior. It should be remembered that many cases never reach the attention of the press or attain the status of a court suit. These examples therefore do not show the frequency of occurrence of conflict and violence as much as they do the nature of difficulties growing out of segregation practice.

Shortly before the beginning of this study two very serious cases of violence appeared in the news involving the moving of Negro passengers from one car to another because of segregation. These were the cases of Fletcher Melvin<sup>1</sup> and George Serrell.<sup>2</sup> Both men lost their lives, the former as the result of being shot by a railway conductor and latter from shooting by a railway detective. Fletcher Melvin, a twenty-four year old Negro orderly at Provident Hospital in Baltimore, Maryland, was traveling to his home at Dunn, North Carolina in the spring of 1947. According to fellow passengers, Melvin was asleep when the general order was given for all Negro passengers to go forward to the Negro coach. At Enfield, North Carolina the conductor nudged Melvin and ordered him to go to the "Jim Crow" Coach, whereupon Melvin is alleged to have resented this action and resorted to disorderly conduct, walking up and down the coach and objecting to moving. At a high point in the argument, the Atlantic Coast Line conductor shot Melvin, killing him instantly. He reported to a corner's

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<sup>1</sup>Reported in A Monthly Summary of Events and Trends in Race Relations, Fisk University, Nashville, Tennessee, Vol. IV, No. 10, 1947

<sup>2</sup>Ibid. Vol. V, Numbers 7 & 8, 1948.

jury in Smithfield that this was done in self-defense, and he was released on that basis. A newspaper account of the incident reports that no weapon was found on the body of Melvin.<sup>1</sup>

As reported from Charlestown, West Virginia, the George Serrell case was of a similar pattern. Serrell, a twenty-four year old Negro war veteran was accompanied by his wife on the train trip and refused to move into the Jim Crow car upon order by the train conductor. He was arrested and while being transferred to the county jail by auto, he was shot in the back by a railroad detective. The cause of the shooting was alleged to be that Serrell resisted arrest. At the coroner's inquest, Prosecuting Attorney John C. Skinner was reported as calling the incident a clear case of resistance, saying that as far as he was concerned the case was closed.

Other less extreme cases of violence but serious difficulty over passenger moving may also be cited:

1. A case involving passengers traveling from the West Coast into the South is briefly reported as follows:

Two Negro passengers between San Francisco and Oklahoma City were beaten, on the train in Texaco, Texas, in September when they refused to move.<sup>2</sup>

2. At Evansville, Indiana, three white and one Negro soldier from the same town, who had been traveling together, were ordered by the conductor to separate. One of the white soldiers objected strongly and insisted they were going to continue together if it meant fighting the entire train crew.<sup>3</sup>

3. Reverend William H. Jernigan, Ralph Matthews and William J. Scott were forced to leave a Southern train at Lynchburg, Virginia by police officers

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<sup>1</sup>Chicago Defender, April 19, 1946

<sup>2</sup>Johnson and Associates, To Stem This Tide: A Survey of Racial Tension Areas, Boston, The Pilgrim Press, 1943, p. 38.

<sup>3</sup>Ibid.



called to the train by the conductor. They were occupying seats reserved through from Philadelphia. A \$45,000 damage suit resulted from this incident.<sup>1</sup>

4. On returning to his home in Rock Mount, North Carolina from the Republican National Convention in 1948, William C. Chance refused to move into a segregated coach at Richmond which he described as being less comfortable and having less accommodations. He was permitted to remain in his seat, but when the train reached Emporia, Virginia he was taken from the train and charged with disorderly conduct. The conductor had wired ahead for police officers to meet the train. Chance sued for damages and some aspects of the suit are still in litigation.<sup>2</sup>

5. Thomas T. Patterson, Eastern Representative of the Brotherhood of Sleeping Car Porters, refused to take a seat in the Jim Crow car of a Southern Railway train on a trip between New York and Atlanta. At Charlottesville, Virginia he was put off the train, arrested and charged with disorderly conduct. Patterson also sued the railroad for damages, saying that the company had violated his constitutional rights and that he had been mistreated in the Charlottesville prison.<sup>3</sup>

6. While riding on a Chesapeake and Ohio train, Norvell Lee, who fought in the heavy-weight division for the United States in the 1948 Olympic games, was arrested for refusing to take a seat in the Negro car assigned to him by the conductor. He was charged at the town of Covington, Virginia with violation of the state's segregation law.<sup>4</sup>

7. Lillie Belle Perez of New York complained to the Interstate Commerce

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<sup>1</sup>Chicago Defender, September 28, 1946.

<sup>2</sup>New York Times, July 22, 1948 and May 29, 1951. See also Chicago Defender, October 11, 1952.

<sup>3</sup>New York Times, July 28, 1948.

<sup>4</sup>Ibid. September 16, 1948.

Commission that she had been subjected to humiliation and discrimination while riding the Silver Meteor. She reported that she had been forced to move from her reserved seat when the train reached Virginia and sent to the "Jim Crow" car. An additional discrimination was involved, she indicated, when all Negroes had to take another train at Wilwood Florida, while the white passengers could go through.<sup>1</sup>

Quite often it is just the crowded condition of the Negro car, with the attendant confusion, standing in aisles and efforts to get seats in the present or adjoining car, which leads to conflict and violence. It is just such situations which produce the greatest strain on segregation practices and require the most skillful handling by train officials. If there is no relaxation of the segregation measures and -- as frequently occurs -- a resort to the racial code as a means of controlling the situation, the principal ingredients are present for overt conflict. The case of Dr. Hugh Gloster is a typical illustration of what may and does happen in such situations.<sup>2</sup> During World War II, the Morehouse College professor, on a trip from his home in Atlanta, was traveling through Mississippi on a Frisco train. He was riding along with other Negro passengers in the half-coach space provided for persons of color. The space was excessively crowded with several Negro passengers standing; the other half-coach space was designated for white passengers and there were only two men occupying it at the time. Dr. Gloster took the initiative of asking the train conductor if some of the standing Negro passengers might sit in the other half-coach section. The conductor is reported as answering that he was running the train and needed no suggestions. At Tupelo, Mississippi the train stopped and

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<sup>1</sup>Ibid. October 11, 1950, also January 30, 1951.

<sup>2</sup>Johnson and Associates, Op. cit., p. 37.



the conductor called the police. Gloster was arrested and taken to the police station, after being beaten by the police. He was kept incommunicado at the police station. Later he was approached by a "Frisco" agent, and, according to the account, forced to sign, under police pressure, a statement which cleared the railroad of blame.

The case of Mrs. Nina Bethran involves complications over both crowding and moving under segregation requirements.<sup>1</sup> Although it was not a case of arrest, an encounter with the police and physical violence resulted. Mrs. Bethran was on board a Pennsylvania train enroute to Columbia, South Carolina. When the train reached Raleigh, North Carolina, the conductor ordered all Negro passengers in the coach to go forward to the Negro car. Mrs. Bethran gathered her baggage and five year old son and proceeded to the Negro car but when she got there, she discovered no seats available. Accordingly, she returned, baggage and small son, to her original seat in what had now become the white car. When the conductor came through again and found her there, he is reported to have berated her. On reaching Hamlet, North Carolina, the conductor called a police officer who used physical violence on Mrs. Bethran and forced her to go to the "Jim Crow" car.

In two other instances suits were threatened or filed against the Illinois Central Railroad because crowding of the Negro section of the train, with seats available in white cars, had forced Negro passengers to stand for all or part of their journey. In a direct complaint to the railroad by Mrs. Susie S. Meyers and her attorney, Sidney A. Jones, it was reported that Negroes had to stand all of the way from Chicago to Urbana, Illinois, on the City of New Orleans, while there were many empty seats available in white cars.<sup>2</sup>

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<sup>1</sup>Chicago Defender, April 19, 1947.

<sup>2</sup>Chicago Defender, October 25, 1947.

Even though the train originated in Chicago, segregation is effected at the start by giving Negro and white passengers numbered seat and cards designating where they were to go. Leon May actually filed a damage suit for ten-thousand dollars against the railroad, because he had been forced, in a similar situation, to stand all of the way from Chicago to Cairo, Illinois.<sup>1</sup> May had been given seat number 20 in the Negro car but could not occupy it.

There are still other cases of conflict which resolve simply into violations of the racial behavior code. Though these matters concern relatively minor details such as the manner of speaking to white officials, or a display of presumptuousness in taking the freedom of the train allowed to whites, they can result in consequences as serious as an actual infraction of the law. In his study of racial tension during the World War II, Johnson has pointed out, with respect to forms of violence generally, that "in a large proportion of the cases of police brutality, the precipitating cause has been an infraction, small or large, of the racial etiquette rather than an infraction of the law."<sup>2</sup> In almost all of the instances of difficulty just cited over moving or crowding on coaches, the element of acting out of character and not displaying the expected racial deference has been present. The case of Willie McClain, a Negro war veteran who was beaten on board an Illinois Central train, shows how behavior interpreted as a challenge to the authority and prerogative of the white official may result in violence.<sup>3</sup> When told to change to the Negro coach at Cairo, Illinois, McClain apparently had done so along with other colored passengers. He discovered, it is reported, that he left his vest in his original

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<sup>1</sup>Ibid., May 10, 1947.

<sup>2</sup>Johnson and Associates, Op. Cit., p. 73

<sup>3</sup>Chicago Defender, July 14, 1948



seat, and went back to get it. There he encountered the train conductor who is said to have demanded: "What did you come back here for? Hell, I guess." McClain was said to reply, "No. I only came back to get my vest." In the exchange of words, the conductor struck McClain with his ticket puncher, cutting his ear. He traveled to Fulton, Kentucky with his ear bleeding, according to the report, and where the ticket agent called the police to investigate. McClain was taken to the hospital where eight stitches were taken in his ear.

Mrs. Bertha M. Sawyer<sup>1</sup> and Pfc. James Moore<sup>2</sup> are additional cases of difficulty growing out of infraction of the racial etiquette. Mrs. Sawyer, riding on a first class ticket from Cheehaw, Alabama because of inability to get a berth, attempted to change from the white coach in which she had been sitting to the Negro coach, at the order of the train conductor. Not finding a decent vacant seat, she returned to the original car and ran into trouble with one of the train officials. She is reported to have said to the official that she was an interstate passenger and therefore not subject to any inconsistent state laws. The news report observes; "The conductor then pushed her around and said he wished he had her where he could give her what she needed." The Moore incident resulted in the Negro passenger being put off of the train. Difficulty arose between the soldier and the conductor because Moore did not sit down when the conductor ordered him to do so. Moore objected by saying that he was not in the conductor's way, to which the conductor responded by summoning MP's to put the Negro soldier off the train. The account of the incident terms the nature of the conductor's demand as "spiteful" and observes that the MP's were hesitant because they sensed this element present in the difficulty.

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<sup>1</sup>Ibid., April 19, 1947

<sup>2</sup>A Monthly Summary of Events and Trends in Race Relations, Vol. 1, No. 6, January, 1944.

### The Press of Segregation

Whatever the peculiar facts of these and other cases of conflicts, the underlying precipitant is segregation practice. Under the pressure of the imposed segregation practice in railway coach services, the Negro passenger is in a position of defenselessness. He is caught, as it were, in a wedge between state segregation laws, on the one hand, and the racial etiquette and code on the other, with segregation being the forcing instrument. If the Negro passenger is actually discriminated against or experiences undue hardship, he has little recourse to the protection which should be guaranteed him under interstate commerce regulations. He will encounter the state law if violation of the segregation regulation is made. Moreover, should he take the initiative in raising objections or complaints with the train conductor, he may run into a violation of the racial behavior code and the righteous indignation of the offended official. And once this die is cast, the full vengeance of the racial justice may be wreaked. Now made a criminal by the situation and the system, he may suffer the inconvenience of being put off of the train, subjected to beating and abuse, and imprisoned. It is possible to prosecute the passenger either under the state segregation statutes or disorderly conduct charges, and in both instances the railroad and the officials involved receive protection of the law. For the Negro passenger protection of the law is almost non-existent, for the constitutionality of segregation laws by the states, to which even the disorderly conduct charges may also relate, has not yet been disavowed by the highest court. In the case of William Chance, this kind of entrapment of the Negro passenger between the railroad segregation rules and the state laws has been challenged.<sup>1</sup> In violating the segregation regulation of the train, Chance

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<sup>1</sup>Op. Cit.



was arrested and charged with disorderly conduct under the Virginia statute. The railroad later withdrew charges, but Chance sued on the basis of breach of contract by the railroad, unlawful assault, arrest and incarceration. A Virginia court has held that his failure to comply with the segregation rules of the railroad was not unlawful, at the same time upholding the railroad's right to enforce its segregation regulations. A Federal Court of Appeals later ruled in this case that the railway segregation rules constituted an undue burden on interstate commerce and therefore were invalid. This is the first direct and major break in the legal network of coach segregation, although since 1951 ruling a general relaxation of segregation practices has not followed. It may be said that there is relief for the injured Negro passenger if recourse to the courts is taken, in the event that the beating, ejection from the train and arrest should take place. It is nevertheless true that once such events take place, in spite of whatever later relief may be given, the damage already has been done. This, in substantial measure, is the real control which is still held over the situation and will doubtless remain so until all segregation rules and regulations have been removed by clear policy and order on the part of all of the railroads involved. Under present circumstances, the violence, conflict and hardship are the ominous potentials which easily become the actualities under the imposition of segregation regulations in interstate coach travel.

## OVERVIEW

This study has afforded a description of the services rendered to Negro interstate coach passengers by railroads operating in the South and between North-South areas. The dominant character of these services and practices is one of segregation, growing out of the official policy of the railroads to observe in southern areas those state laws which require the separation of Negro and white passengers in coach facilities. Segregation is the general common practice, and the rules and regulations adopted for maintaining this practice cover almost all aspects of the situation confronting the Negro passenger. There are instances of exception to this general practice, but they exist in such few cases as to leave the larger pattern of services relatively unaffected. It is apparent that segregation is not only a descriptive designation for the physical pattern of Negro coach accommodations, but more significantly that it is the determinative element in the deeper complexities and vagaries of the train experience for the Negro public. What we have, in effect, is a specific area of public policy and practice clearly governed by the segregation principle, and one, therefore, affording an ideal opportunity for testing the "separate but equal" theory in actual operation.

It is evident from the practices designed to administer passenger services under segregation rules that neither the practices themselves nor the principle they represent stand alone. In the realities of the immediate situation, they are intertwined with and reinforced by the larger network of racial behavior codes and etiquette traditional to the South. It is these



which give the actual substance and meaning to the railway segregation practice and defines its character. Theoretically, at least, these two sources of segregation might be conceived as opposed to each other, if equality of opportunity and treatment is conceived as a controlling motive under segregation laws and practices. In view of the history of the Negro in America and the specific context of segregation laws, this could hardly be assumed. But, at any rate, the customary racial behavior codes and etiquette are punitive in nature, designed to indicate the Negro's inferior status and to maintain all that is meant by the sentimental reference, "white supremacy." On the other hand, the segregation laws and regulations might be considered as providing equality in a racially segmented society without any special advantage of status or prerogative to whites. If this be so, then the two sources of segregation practices are in conflict with each other. In actuality, of course, they are not, for the formal segregation rules and laws are subjugated to the controlling pattern of the customary racial code. It is difficult or impossible to abstract from this context the element of equality as an actual social reality for the Negro passenger, for whom the regulation and the custom constitute a part of a single instrument. This enters into all phases of the segregation-administering process on the railroads -- the roles assumed by officials, the judgments made in adjusting accommodations, the manner of serving Negro passengers, selling tickets, giving information granting reservations, and the actual resort to enforcement. In the railway train situation facing the Negro coach passenger, the elements of the segregation regulation and the racial code are, for the most part, indistinguishable.

This description and analysis has shown, further, that several forms of discrimination and undue hardship clearly exist in the current practices affecting Negro passengers. Although such differential treatment as would occur in a situation defined by imposed segregation might be expected, the detailed

aspects of this treatment have been demonstrated in the analysis of present actualities. The amount of space allotted to Negro passengers and the difficulty of making adjustments for increases in passenger load, the quality of accommodations afforded on the Negro coaches, the special provisions of through train service, the entire arrangement for segregating Negro passengers in the fixed space of reservation trains, the devious methods of handling reservation requests, the provisions in terminal facilities, and ticket selling services to Negro passengers in southern stations -- all of these phases of the nominal arrangement for handling the Negro public contain racial differentials which place the Negro passenger in a position of undue disadvantage. Although considerable improvements have been made by the railroads in accommodations and services to the Negro public, these differentials still remain. In some critical respects, these improvements have had the effect of emphasizing more definitely the contrasting services to Negro and white passengers, for the present resources of the railroads do not permit the addition of facilities of uniform character for Negro and white passengers on all trains. The introduction of the reserved coach train facility, for example, has complicated rather than reduced the discriminatory aspects of coach accommodations for Negroes in all cases where segregation policies and practices are still carried out. On some trains, like the City of New Orleans and the Hummingbird out of Cincinnati, the trains have become unreserved or quasi-reserved coach facilities because of the pressure of the large travelling Negro public on these routes. In Chicago, the City of New Orleans devised the system of giving car and seat numbers to Negro passengers as they passed through the gate, the procedure of accepting prior reservations having been dropped. This facilitated getting the Negro passengers on the train without involving the same degree of obligation as would obtain by prior reservation for a given seat. At the same



time, it permitted a direct means of segregating passengers. But since this meant that Negro passengers were segregated in a state which did not have segregation laws, difficulties arose. The practice was maintained for several years until recently. On the basis of a complaint raised by a Chicago Negro passenger, the Illinois Commerce Commission ordered the Illinois Central Railroad to stop segregating Negro clients on trains operating in the state.<sup>1</sup>

In addition to these regular features of segregation practice which result in undue disadvantage to the Negro passengers, there are also the unexpected emergency situations which occur. One of these was dramatically illustrated in the case of an unfortunate train wreck which took place at Woodstock, Alabama at the end of the 1951 Thanksgiving holiday.<sup>2</sup> According to the press account, a head-on collision of the Southerner and the Crescent Limited took place, resulting in the loss of seventeen lives, fifteen of which were Negroes. All of the deaths occurred on the Southerner and the car carrying the Negroes was described as a half-baggage and half-coach facility with twenty-two seats. Because Negroes were segregated in this front portion of the train and the crash of the train was head-on, the brunt of the accident was suffered by them. The disproportionately high number of Negro deaths according to leaders of the National Association for the Advancement of Colored People and the American Council on Human Rights, was due to segregation and the additional hazard of the front position of the Negro coach.

There is still an additional general finding from the study which should be stressed, namely that the situation of the segregated Negro coach is characterized by both potential and actual conflict and difficulty. This is a more or less constant element growing partly out of the nature of the situation itself, partly out of the attitudes of train personnel and passengers toward

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<sup>1</sup>Chicago Defender, May 24, 1952.

<sup>2</sup>Ibid., December 1, 1951 and December 15, 1951. Also Associated Negro Press, December 5, 1951.

each other and the situation, and partly out of the actual discriminations, injustices, and inconveniences which occur. Since the enforcement of segregation rules and regulations on the train, under dictation of southern state laws, is the controlling factor, it is the imposed segregation which is responsible. Not only the minor difficulties but the serious cases of violence -- usually against the Negro passenger -- must be accorded to this ultimate source. Whenever the stage of enforcement is worked in the various situations of administering the rules, the extreme result of open conflict may be expected. In a very direct way, therefore, segregation becomes not only an encumbrance to operation of the interstate facility but it is the determining and provoking element in numerous injustices which Negro passengers experience. There is finality in the threat and act of enforcement, and the Negro public, wedged in between state segregation laws on one hand and the southern racial behavior code on the other, is in a position of defenselessness.

#### The Minimum Damage

The elementary and inescapable conclusion which emerges from this evidence is that present administration of coach services to Negro interstate passengers on the basis of segregation constitutes a violation of the Interstate Commerce Act and its clearly stated policy of prohibiting "any undue or unreasonable prejudice or disadvantage whatsoever." This is the minimum damage to the legal rights of Negro passengers which the existing system perpetrates. On this basis alone, it would seem that a clear mandate exists for the removal of segregation practices from the operation of these services. There is an additional and even more persuasive reason which vitiates current railway segregation practices, and that is that they violate a constitutional principle. To the extent that the practices are an undue burden upon interstate commerce,



they may be considered as repugnant to the Federal Constitution. This principle was reaffirmed in the United States Supreme Court decision in the case of Irene Morgan, involving segregation in interstate bus transportation.<sup>1</sup> The Court held that the state law of Virginia requiring the segregation of Negro passengers in interstate transit was unconstitutional, since it did place an undue burden upon the operation of the bus facility. Inasmuch as it is the state law which required the segregation regulation, then the regulation itself, as the immediate impingement, would also be invalid. Insofar as the regulations affected by the bus facility and the laws requiring them were concerned, the Court said that the situation was one clearly indicating the necessity to "require a single uniform rule to promote and protect national travel." The concurring opinion of Mr. Justice Frankfurter leaves no room for doubt as to the interpretation that segregation laws and regulations constitute a burden on interstate travel. He said, in part:

The imposition upon national systems of transportation of a crazy quilt of state laws would operate to burden commerce unreasonably, whether such contradictory and confusing state laws concern racial co-mingling or racial segregation.

Although this decision involved a different mode of interstate transport, where the housing of all passengers was within the same compartment, the railway coach practices documented by this study exhibit a similar burdensome character of segregation regulations and practices.

It would seem that the William Chance case, mentioned in the previous section, has cut away completely the legal ground supporting segregation in interstate railway transportation. In the decision handed down by Judge Soper of the Federal Appeals Court,<sup>2</sup> the principle involved in the Morgan case was

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<sup>1</sup>Morgan v. Virginia, Op. Cit.

<sup>2</sup>Chance v. Lambeth, 186 F2d 879 (CAA 4th 1951).

ruled pertinent to the railway coach situation, namely that the state segregation laws were an unconstitutional burden on interstate commerce. At the same time, the decision disposed of the fallacious theory that, quite aside from the state segregation laws, the railroads had a valid right, under interstate commerce regulations, to segregate passengers according to race. It said that the question of carrier regulations or practices which denied equality of treatment to races had been declared violations of the interstate commerce act in both the Mitchell and Henderson cases. The basic problem under consideration was the standard of conduct observed by the carrier in dealing with the public, and the Court sharply observed:

The ill effect upon the passengers and the disturbance of interstate traffic were much the same whether the carrier's conduct was treated technically as a denial of equal privileges to the races or as a burden upon interstate commerce.. The decisions which invalidated carrier regulations as contrary to the statute must therefore be considered in the instant case, although the regulation is here attacked as an undue burden upon commerce.

The language of the decision leaves no equivocation as to the applicability of the principles to the total train situation, as regards both the unconstitutionality of the state laws and the railway segregation regulations.

It makes a pointed thrust to the heart of the matter:

We reach the conclusion that the railroad regulation now before us must be declared invalid. Not only does its enforcement interfere with the uniformity which should characterize interstate carriage from one end of the route to the other, but its irregular enforcement for the convenience of the carrier, dependent upon the number of passengers and the character of accommodations which they purchase, adds to the burden upon traffic by increasing the confusion and discomfort of passengers. When white and colored passengers are permitted to ride together for part of their journey through the state of Virginia, and then are compelled to separate and change cars; and when passengers in coaches are segregated on account of race while passengers in pullman and dining cars are permitted to ride together irrespective of race, the burden upon inter-



state commerce is as clearly manifest as that imposed by the statute of Virginia which was invalidated in the Morgan case.

Since this decision meant that the railroad could not further validly maintain segregation regulations, and since railroads had assumed the prerogative of segregating Negro passengers over a period of years, the Atlantic Coast Line asked for a final clarification from the United States Supreme Court. Action taken by the Court in November, 1952, as reported in the press,<sup>1</sup> upheld the decision given by Judge Soper at the appeals level, validating the principles which had been cited against the legality of segregation regulations and state laws involving interstate railway travel. The decision was given in a brief order without written opinion, and this apparently indicates rather clearly the constitutional validity of the construction of the law given in the Appeals Court opinion. In substance, these decisions mean that there is no longer any valid legal basis for the continued segregation of Negro passengers in interstate transit, and, further, that deliberate administration of such regulations by the railroads constitutes a violation of interstate commerce regulations.

#### The Maximum Damage

Although relief from segregation in interstate railway travel seems assured because of the burdensome and inequitable character of the segregation regulations, the larger issue of segregation as public policy in a democracy is still unresolved. Strangely, the breakdown of the legal basis for segregation on interstate trains has been predominantly in terms of the injurious effect of train regulations and state laws upon commerce. Only by indirection has the effect of such imposed regulations upon individuals been involved in the consti-

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<sup>1</sup>The Afro-American, November 22, 1952.

tutional questions decided. And yet, the rights of the individual, free from the arbitrary imposition of presumed authority by the state, nation or other individuals in limiting status of citizenship or person, would appear to be basic to the democratic concept. In the school segregation cases now before the Supreme Court, it is expected that a major clarification of public policy will be made in this respect, just as in the race restrictive housing covenants, white primary voting, state supported higher education, and previous transportation cases where significant inroads were made upon segregation as public policy limiting individual rights.

In the absence of a somewhat final policy regarding the right of the individual to be free of the imposition of segregation, we are left in the uncertain and conflicting realm of existing laws, regulations and the prevailing custom and etiquette. It is substantially these areas of public policy and expectation that the rights of Negroes and other minorities have suffered. A recent study of legal controls over discrimination has observed in this connection:

The nature of minority discrimination is in part dependent upon what the law allows, and what the law allows depends in part upon the customary pattern of dissemination in the community. Neither law nor custom alone has imposed upon Negroes their low caste status. The law itself grants Negroes sufficient equality in some realms to raise them above this status, but in practice these legal guarantees have been too weak to protect them from customary disabilities. Yet the large number of discriminatory statutes indicates that the law is itself a strong (perhaps the strongest) means by which discrimination is imposed and supported. It is clear, for example, that in the Black Codes eight Southern States attempted to maintain by law the pattern of Negro-white relations disturbed by the Emancipation and the Confederate defeat.<sup>1</sup>

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<sup>1</sup>Berger, Morroe, *Equality by Statute*, Columbia University Press, 1952, p. 67.



It seems evident that as long as any semblance of policy remains which in any degree gives validity to segregation laws, the racial creed and custom will continue to have a large and almost unlimited field for operation. This will mean not only a perpetuation of present disabilities affecting the Negro and other minorities but likewise the maintenance of a situation which is by definition predisposed to conflict. Edward B. Ruter, one of the most penetrating observers of the American racial problem and one of the pioneer modern sociologists devoted to this field of concern, has given a cogent argument to this point:

The existence of a policy of exclusion and segregation inevitably leads to the development of a racially self-conscious group. The existence of a nationalistic sentiment, in turn leads to the voluntary withdrawal of the racially conscious individuals. Such segregated groups must, as a result of the cultural isolation, become or remain culturally retarded. Such groups inevitably come into competition with other groups in society. When such competition becomes keen it becomes conscious and results on slight provocation in racial conflict. If such segregated, self-conscious groups are to be created in the community, it is necessary that some machinery be developed to mediate the relations with other groups in order to avoid open hostilities. The existence of such groups means the restriction of individual competition with all that such restriction means in the limitation of individual success and development.<sup>1</sup>

In the interstate railway situation, of course, we are now in a position where the legal buttress to segregation has fallen. The imperative at the moment -- if the legal change is to become an administrative and procedural reality in the train situation -- is for implementation by the Interstate Commerce Commission and the railroads. At present, public admission is lacking of any direct, overall orders to desegregate, and it appears that

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<sup>1</sup>Reuter, E. B., The American Race Problem, New York, Thomas Y. Crowell Co., 1938, pp. 12-13.

adjustments toward a new pattern are to be made on a laissez faire basis. However, only by achieving a new set of arrangements for the Negro public, backed by order and clearly expressed policy, can adjustments be made with dispatch and the full effect of the judicial decisions against segregation be felt. The time for initiative by the railroads and the responsible agencies of government is at hand.



APPENDIX

SAMPLE DIARY: ADJUSTMENTS AFTER DE-SEGREGATION

Train: The Southerner  
Trip: New York to New Orleans

Date: January 27, 1950

This trip was made to test segregation practices on the Southerner, super deluxe streamlined train with all reserved seat accommodations (no sleeping car accommodations). Train operates out of New York City over the Pennsylvania Railroad; at Washington, it operates over the lines of the Southern Railway. Since the Pennsylvania Railroad had declared a policy of non-segregation, this train offered a good opportunity to test its own practices and the type of agreement involved with the Southern Railroad which had not declared such a policy but which must honor passenger rights on the cooperating line.

ORDER OF CARS

S1 - A combined seat and dormitory car for train personnel.  
Carries seat accommodations for 22 passengers.

S2 - Divided Car: One half for lounge and Club Car.  
One half for passenger accommodations,  
carrying 30 seats.

S0 - DINER

S3 - Seating -- full space

S4 - Seating -- full space

S6 - Seating -- full space

C2 - Seating -- car was dropped at Atlanta

S - Club and lounge car

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Train carried 3 Negro car attendants; 1 hostess, a passenger agent, brakeman and conductor. An additional attendant or waiter assigned to the club cars.

Boarded train in New York City with seat accommodations in car S6, sitting beside fellow investigator Edward Chesky (white). This car, along with all

of those toward the rear of the train reserved for passengers going through to New Orleans. Through passengers boarding at points south of New York are usually assigned to seats in the forward cars. Car C3, apparently, is entirely an Atlanta car, and it is dropped from the train at that point.

My reservations obtained in New York through the office of the American Missionary Association. No difficulty involved, and apparently no concern shown by train officials when I boarded the train that I was seated far back into the train and that I was going through to New Orleans unsegregated, and over Southern Railway lines. The major train stops during the trip developed to be: New York; Atlanta; Birmingham; Meridian, Mississippi; and New Orleans. The major changes in passenger load and racial character occurred at these points.

#### Character of Passenger Load

At the peak of the trip, there were approximately one hundred and eleven passengers on the train distributed throughout all of the cars. This number included a total of 16 Negro passengers, representing about 14 percent of the total load. The distribution of Negro passengers by cars was as follows:

Car S1	...	7	(At New York)
S2	...	3	
S3	...		
S4	...		
S6	...	3	
C2	...	3	

Car attendant advised that it was not a matter of general practice, since the new non-segregation policy was adopted by the Pennsylvania Railroad, to seat any passenger out of New York in Car 1. This arrangement (7 Negroes in Car S1) at the New York terminus was not typical. It developed, upon interview, that all of the seven passengers in Car 1, did not obtain advance reservations and had been given these seats until the conductor could make more permanent assignments. At least three of these passengers (women) were light skinned and could have been



taken for white persons. The same was true of one of the men; but he was traveling with a group of Negro seamen of undoubted identity. It developed that the women had chosen to be Negroes; for they were New Orleans creole types. They were met at the end of the trip in New Orleans by members of their family whose complexions left little doubt of association. The group of Negro seamen in the car, four in number, had just returned from an extended world-round trip which began some three months earlier in Galveston, Texas. They were hurrying home to New Orleans and had been able to obtain seat reservations only a short while before the train was scheduled to leave. This is why they were given accommodations in Car 1.

#### Change in Character of Passenger Load

After Washington, D. C. was reached, the distribution of the Negro passengers was changed. All of the passengers in Car 1 were put in other cars, with the exception of two Negro men. Two of the Negro seamen changed to Car 3. The total number of people in this car now was 7, and all of the new persons who got on in Washington were Negroes. At this point, Car 1 became an all-Negro coach and was to remain so throughout the remainder of the trip.

On leaving Atlanta, all of the three Negro passengers in Car S6, with the exception of myself, all of those in Car C3, left the train. This made two Negro passengers in Car S3, one in S6, and two in S1 who went on to Birmingham. This constituted the basic load all of the way into New Orleans, although one passenger boarded the train in Birmingham going into Meridian, Mississippi. He was placed in Car S1.

#### Policy Involving Car S1

It seemed obvious, and it was substantiated by comments from the car attendant, that Car 1 is left vacant so that at Washington and points thereafter,

it can become the segregated Negro car. This is in agreement with policies of the Southern Railway, for the Pennsylvania Railroad will not place Negro passengers in the separate accommodation. This means in substance that the train is integrated, insofar as policies and practices of the Pennsylvania Railway are concerned, but that it is also segregated, insofar as policies and practices of the Southern Railway are involved. The selling of tickets, obtaining reservations and assignment of seats to Negro passengers at all points distributed from Washington southward, all follow patterns of segregation. Yet, in terms of the seat accommodations in other parts of the train where Negro passengers have been given tickets by the Pennsylvania Railroad, no interference is made by the train officials operating under the aegis of the Southern Railway System.

The arrangement suggests rather definitely something in the way of an agreement on policy and practice between the two railroads -- each honoring the policy and practice of the other, insofar as the rules governing the seating of passengers ticketed by each. In discussion with the Negro attendant in the Club Car, it was mentioned by him that on another train, the Comet (Seaboard and Pennsylvania train), Car 1 is not taken into New York, being cut off at Washington on the return trip. Negroes on this car then have to change to other cars and become integrated. Moving of Negro passengers, though in agreement with the new policy of integration by the Pennsylvania railroad, thus constitutes discrimination, involving a hardship to which other through passengers are not submitted.

#### Practices and Policies Involving Car S2 -- Combined Club Car and Coach

This train of only six passenger cars (excluding the diner) has two club cars, one next to Car S1 and the other at the end of the train. The combined club and coach car (S2) has recently been added. In actual practice, this car becomes a Negro Club car, although Negro passengers are not told to leave the



end club car, should they happen to wander to that far extreme of the train. White passengers may use the facilities of the forward Club Car, though on occasion, according to the car attendant, it has been suggested by some of the train officials that they use the car at the far end. Sometimes, when white passengers come into this car and see a predominance of Negro faces, they leave and go to the other club car. On this trip, a few white passengers used the forward club car for it was nearest their own coach. No awkwardness seemed to be involved. On the whole, very few Negro passengers used this car, as did few of the other passengers.

Attendant on this car, on the return trip, said that the railroad was losing money in the operation of this forward club car. On the basis of his own reports, the railroad did not receive enough in receipts from this car to pay his own salary. Two Negro men are involved in the operation of this car; one from New York to Atlanta; another between New Orleans and Atlanta. The purpose of this car, apparently, is to block a possible flow of Negro passengers toward the rear of the train to use the other club car. It functions to give a segregated character to the train, even though the small number of Negro passengers is distributed throughout all sections. Nevertheless, Car S1 is segregated throughout most of the trip; and this is the reason why S2 is significant in reducing the flow of Negro passengers backward to the accommodations which would make for "social mingling."

Whereas the Club cars afforded only a modified form of segregation, the dining car, south of Washington, operated in the usual segregated manner. There was one segregated table (seating 4) for Negro passengers, opposite of which there was a cash register and small office for the dining car steward. Only three Negro passengers used these facilities on the entire trip downward. Although I traveled

with a white friend on an unsegregated basis, we had to forego the pleasure of eating together. A low, stationary partition separates the Negro table from the rest of the car.

#### Return Trip

The practices involved on the return trip were very similar to those observed on the way down. Seven Negro passengers left New Orleans, but four of these left the train at Meridian, Mississippi. The remainder went to New York. All of the Negro passengers were located in Cars S1 and S2 (Coach-club car). These are the segregated Negro cars out of New Orleans. In fact, car S1 is thought of as a dormitory car for the train personnel and not the major accommodation for Negro passengers.

#### Incidents on the Trip

No racial difficulties occurred on the trip. It was leisurely and comfortable. I remained ensconced in my unsegregated seat in car S6 as the super-deluxe Southerner plied its way through the deep South. Aside from some mild feelings of incongruity, as I looked out of the window at Meridian, Mississippi and later watched the cotton stubble pass by in the delta area, the experience was the same as if I were traveling through New England or the Midwest. The white passengers who sat about me were friendly and betrayed no discomfiture at my presence. They had accepted the situation for what it was. As I passed up and down the aisle, several nodded to me. We had become so accustomed to each other that by the time New Orleans approached, we were exchanging conversation as well as smiles. The conversation revealed that most of these people were themselves southerners residing in New Orleans. Some had visited in New York; some had relatives there. The two cities and two areas had become joined in easy communication through efficient and quick transportation. A week-end in New York was almost the same as for a person living in Pittsburg.



I encountered one drunken soldier in the washroom who had an unlimited supply of whiskey in his bag. He had just returned from overseas and was entertaining a group of young fellows as I entered. His conversation quickly turned to me, as I smoked a cigarette, posing a series of nonsensical and unanswerable questions. He was southern and it was apparent that in his alcoholic and psychological fog, he was trying out both himself and me. The occupants had no heart for his ineffectual efforts, and the atmosphere for racial baiting never developed. He soon changed his approach, and after opening a fresh bottle and drinking from it, he extended it to me, insistently, as a gesture of proof of his belief in friendship and equality. On this tour of the bottle, everybody refused, even those who had drunk before I entered. The next morning we happened to meet in the washroom, cleaning up for the day. He had forgotten the entire incident and plagued me with expressions of anxiety over meeting his family again after several months overseas. They met him at the station in Birmingham.







TRIP NO. \_\_\_\_\_

BY \_\_\_\_\_

## RESERVED SEAT TRAIN-PASSENGER INTERVIEW

SCHEDULE \_\_\_\_\_

TRAIN \_\_\_\_\_ DATE \_\_\_\_\_ DAY \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ LEAVES \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Northbound \_\_\_\_\_ Above MD \_\_\_\_\_  
Southbound \_\_\_\_\_ Below MD \_\_\_\_\_ Interview near \_\_\_\_\_

Passenger: \_\_\_\_\_ (City)

Sex \_\_\_\_\_ Code \_\_\_\_\_ Traveling from \_\_\_\_\_ to \_\_\_\_\_ Car \_\_\_\_\_  
Seat \_\_\_\_\_

(1) Did you have reservation when you boarded this train? Yes \_\_\_\_\_ No \_\_\_\_\_ If not, did you try to get reservation? Yes \_\_\_\_\_ No \_\_\_\_\_

(2) How did you get reservation? Where? City \_\_\_\_\_ When? \_\_\_\_\_  
In person \_\_\_\_\_ At the station \_\_\_\_\_ Day of \_\_\_\_\_  
Friend got it \_\_\_\_\_ Code \_\_\_\_\_ City ticket office \_\_\_\_\_ trip \_\_\_\_\_  
By telephone \_\_\_\_\_ At the train \_\_\_\_\_ No. of days \_\_\_\_\_  
Other \_\_\_\_\_ On the train \_\_\_\_\_ before trip \_\_\_\_\_(3) Did you have any difficulty getting reservation? If yes, what? Yes \_\_\_\_\_ No \_\_\_\_\_ If over telephone  
Were you asked for race? Yes \_\_\_\_\_ No \_\_\_\_\_  
Or what car you wanted? Yes \_\_\_\_\_ No \_\_\_\_\_  
Or to give your address? Yes \_\_\_\_\_ No \_\_\_\_\_  
Or telephone number? Yes \_\_\_\_\_ No \_\_\_\_\_(4) Has your reservation been changed? If yes: \_\_\_\_\_ Where? City \_\_\_\_\_  
Yes \_\_\_\_\_ From Car \_\_\_\_\_ At station ticket window \_\_\_\_\_  
No \_\_\_\_\_ Seat \_\_\_\_\_ At gate coming down \_\_\_\_\_  
To Car \_\_\_\_\_ On the train \_\_\_\_\_ Near \_\_\_\_\_  
Seat \_\_\_\_\_ (City)

Interviewee \_\_\_\_\_ Address \_\_\_\_\_

Occupation \_\_\_\_\_ City and State \_\_\_\_\_

COMMENTS:



TRIP NO. \_\_\_\_\_

BY \_\_\_\_\_

## NON-RESERVED SEAT TRAIN -- PASSENGER INTERVIEW

SCHEDULE \_\_\_\_\_

TRAIN \_\_\_\_\_ DATE \_\_\_\_\_ DAY \_\_\_\_\_ FROM \_\_\_\_\_ TO \_\_\_\_\_ LEAVES \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_ Northbound \_\_\_\_\_ Above MD \_\_\_\_\_  
Southbound \_\_\_\_\_ Below MD \_\_\_\_\_ Interview near \_\_\_\_\_  
(City)

Passenger: Name \_\_\_\_\_ Address \_\_\_\_\_

Sex \_\_\_\_\_ Code \_\_\_\_\_ Traveling from \_\_\_\_\_ To \_\_\_\_\_ Car \_\_\_\_\_

Segregated car \_\_\_\_\_ Non-segregated car \_\_\_\_\_

1. Did you select the car which you now occupy? Yes \_\_\_\_\_ No \_\_\_\_\_  
2. Did you select seat which you now occupy? Yes \_\_\_\_\_ No \_\_\_\_\_

If not, by what means were you assigned to it?

_____	1. Directed by conductor or trainman	_____
_____	2. Directed by porter	_____
_____	3. Directed by redcap	_____
_____	4. Told by white passenger	_____
_____	5. Told by colored passenger	_____
_____	6. Followed crowd	_____
_____	7. Other _____	_____

3. Have you changed cars (or seats) during this trip? Yes \_\_\_\_\_ No \_\_\_\_\_  
If so, why? \_\_\_\_\_

(FOR PERSON IN NON-SEGREGATED CARS)

1. Have you been asked to change car (or seat) Yes \_\_\_\_\_ No \_\_\_\_\_  
If so, by whom and for what reason: \_\_\_\_\_2. Did you refuse to do so. Yes \_\_\_\_\_ No \_\_\_\_\_  
What was the reaction to your refusal? \_\_\_\_\_

3. Have you had previous difficulty in securing train accommodations Yes \_\_\_\_\_ No \_\_\_\_\_

Place of occurrence \_\_\_\_\_ Intended destination \_\_\_\_\_  
Railroad \_\_\_\_\_ Train \_\_\_\_\_ Approximate date \_\_\_\_\_  
Nature of difficulty \_\_\_\_\_

