

To: Mr. George M. Johnson
Deputy Chairman and Acting Chief of Legal Division

From: Clarence M. Mitchell
Acting Director of Field Operations

Subject Southern Pacific Railroad, 13-BR-281
Brotherhood of Railroad Trainmen, 13-UR-435

Date March 10, 1945

Mr. Ellinger, in the attached memorandum dated March 6, asks us whether we will have a hearing on the Southern Pacific case. I have discussed this matter with Mr. Hubbard and he informed me that the committee does intend to hold a hearing on this company.¹

Please let me know whether I may send this information to Mr. Ellinger.

Attachment

MS: LH, DI, HqR5, Office Files of George M. Johnson. Maceo Hubbard.

[1] Johnson said that the Legal Division discussed the Southern Pacific case at its meeting on 3/20/45 and agreed that an examiner-type hearing should be held as soon as possible. He said plans called for assigning A. Bruce Hunt as hearing examiner and Simon Stickgold as trial attorney. A final decision, however, would be made after a review of possible hearings for the remainder of the year against budgetary limitations. In the end, no hearing was held. Johnson to Mitchell, memorandum, 3/23/45.

In this case, the newly hired complainant charged that upon seeing him in the train's cab, the superintendent telephoned the hiring office and demanded an explanation for how someone whose skin color was so dark was able to "get by." Upon ascertaining that the man was an African American, the division examiner said a mistake had been made and fired him. Related materials are in HqR38, Memoranda,

Maslow, Will, 1944, and Metzger, Stanley. For earlier preparation for previous hearings, see Hubbard to Johnson and Cramer, 12/22/42, HqR38, Central Files. Memoranda, Houston, Charles.

Document Information

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Author:

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Recipient:

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All Organizations:

[Southern Pacific Railroad Company](#)

All People:

[Maslow, Will](#)

[Johnson, George Marion](#)

[Metzger, Stanley David](#)

[Hubbard, Maceo William](#)

[Ellinger, W. Don](#)

[Houston, Charles Hamilton](#)

[Hunt, Alexander Bruce](#)

[Stickgold, Simon](#)