

16 January 1946

Mr. Charles W. Mole
543 N. W. 34th Street
Miami, Florida

Dear Mr. Mole:

I refer to your letter of 14 December 1945, in which you pose the question of a possible violation of state statutes as regards the required separation of races in certain states.

May I state that Army Regulations make no distinction as to either race or color in the furnishing of transportation, meals or sleeping accommodations. This policy has been strictly adhered to by the Office of Transportation.

As precedent for the question you pose, I direct your attention to the Supreme Court decision in the case of Mitchell vs. the Chicago Rock Island Pacific Railroad. It was declared illegal to change or deny accommodations in inter-state travel after purchase had been completed. In this case about which you write the purchaser of transportation was the United States Government.

I trust that this will answer the questions in your mind concerning the legality of the incident you report.

Sincerely yours,

Marcus H. Ray
Civilian Aide to the Secretary
of War.



ARMY SERVICE FORCES
OFFICE OF THE CHIEF OF TRANSPORTATION
WASHINGTON 25, D. C.

SPTOT 201-PA Mole, Charles W.

10 JAN 1946

MEMORANDUM FOR CIVILIAN AIDE TO THE SECRETARY OF WAR

SUBJECT: Segregation of Colored People on Troop Trains

1. Inclosed is letter dated 14 December 1945 from Mr. Charles W. Mole, which was referred to this office by The Adjutant General, and which is forwarded to your office for such action as may be deemed appropriate. Mr. Mole has not been advised of this reference.

2. It is advised that Army Regulations make no distinction to either race or color in the furnishing of transportation, meals or sleeping car accommodations and this policy has been strictly adhered to by this office.

FOR THE CHIEF OF TRANSPORTATION:

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Ltr dtd 14 Dec 45



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MAIL ROOM
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W.D. Transport
Policy

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Jacksonville, Fla,
14 December 1945

The Adjutant General
War Department
Washington, D. C.

Dear Sir:

On 23 November 1945, I arrived at Camp Kilmer, N.J. from the ETO, and on 25 November, was sent on Train No. 5 to Camp Blanding, Florida, for discharge from the Army. The troops were loaded into the cars regardless of color, and Negro and white troops actually occupied the same car to which I was assigned. Of course, nothing was thought of the incident as we were in a State that did not require passengers be segregated according to color. When we crossed into Virginia the situation remained the same and it remained so until we arrived at Starke, Florida.

The above practice is in direct contravention of the Statutes of the State of Florida and I wonder why the Army allows it to continue. Could it be that the Army is now beginning to ignore State Statutes and have no regard for State Rights.

I was a member of the Army (enlisted man) during prohibition and the Army then adhered strictly to the State Statutes in regard to this law, in addition to all other laws passed by the various state legislative bodies, - hence the question: "Why is the Army ignoring State Laws regarding intermixing of different races on trains?"

Yours very truly,

/s/ Charles W. Mole
Charles W. Mole (Mr.)
543 N.W. 34th St.,
Miami, Fla

Copy:
Attorney General
State of Florida
Senator Claude Pepper
Washington, D. C.

