

AIHE JIM CROW DOCUMENT SET

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Sec. 1 Be it ordained by the police jury of the parish of St. Landry, That no Negro shall be allowed to pass within the limits of said parish without special permit in writing from his employer. Whoever shall violate this provision shall pay a fine of two dollars and fifty cents, or in default thereof shall be forced to work four days on the public road, or suffer corporal punishment as provided hereafter....

Sec. 3 ...No Negro shall be permitted to rent or keep a house within said parish. Any Negro violating this provision shall be immediately ejected and compelled to find an employer; and any person who shall rent, or give the use of any house to any Negro, in violation of this section, shall pay a fine of five dollars for each offence.

Sec. 4...Every Negro is required to be in the regular service of some white person, of former owner, who shall be held responsible for the conduct of said Negro. But said employer or former owner may permit said Negro to hire his own time by special permission in writing, which permission shall not extend over seven days at any one time....

Sec. 5...No public meeting or congregations of negroes shall be allowed within said parish after sunset; but such public meetings and congregations may be held between the hours of sunrise and sunset, by the special permission in writing of the captain of patrol, within whose beat such meetings shall take place....

Sec. 6...No negro shall be permitted to preach, exhort, or otherwise declaim to congregations of colored people, without a special permission in writing from the president of the police jury....

Sec. 7...No negro who is not in the military service shall be allowed to carry firearms, or any kind of weapons, within the parish, without the special written permission of his employers, approved and endorsed by the nearest and most convenient chief of patrol....

Sec. 8...No Negro shall sell, barter, or exchange any articles of merchandise or traffic within said parish without the special written permission of his employer, specifying the article of sale, barter or traffic....

Sec. 9...Any negro found drunk within the said parish shall pay a fine of five dollars, or in default thereof work five days on the public road, or suffer corporeal punishment as hereinafter provided.

Sec. 11...It shall be the duty of every citizen to act as a police officer for the detection of offences and the apprehension of offenders, who shall be immediately handed over to the proper captain or chief of patrol.

APPE #2 Jim Crow

TITLE V.

CONVICTS.

SECTION 1. Inferior Courts to provide for convicts; counties may combine; Governor may refuse to receive.

SECTION 2. May confine convicts in jail at certain times; may determine jail fees.

SB 83

(No. 38.)

408-11

An Act to amend an Act to regulate the manner of convicts laboring upon public works, and to define the powers and duties of the Inferior Court and Governor of the State touching the same, and for other purposes therein mentioned, approved 20th March, 1866.

Power of Justices of Inferior Ct relative to convicts.

Two or more counties may work together such convicts.

2d section of Act of Mich, 1866. repealed.

1. SECTION I. *Be it enacted, etc.,* That the Justices of the Inferior Courts of the several counties shall have power, and are required to provide suitable places for the safe keeping of all convicts, and to make provisions for their support by the county, and to employ such overseers or guards, or both, as may be necessary for their safe keeping, and for their constant and diligent employment upon the public works; and shall also have power to hire out, or bind out, such convicts to contractors on the public works, or to individuals, upon such bonds and restriction as shall subserve the ends of justice; and for the purposes aforesaid, any two or more counties, by said Justices, may combine, keep and work together such convicts, on such terms and upon such public works, any where in the State, as they may agree upon; and the Governor may, if he deems it advisable, refuse to receive such convicts from said Justices, as required of him by the second section of said act.

SEC. II. Repeals conflicting laws.

Approved 11th December, 1866.

SB 136

(No. 39.)

34-37

An Act to authorize the confinement of convicts in the jails, and prescribe the manner of determining the compensation of jailors therefor.

Convicts may be confined in Jails on Sundays & at night.

Compensation.

2. SECTION I. *Be it enacted, etc.,* That convicts in charge of the Justices of the Inferior Courts, or of others deriving their authority over such convicts from such Justices, may be confined and kept in the jails of the several counties, at night, on Sundays and other times, as such Justices may direct, and only such fees or compensation shall be paid the jailors for receiving or discharging such convicts or turning the key for such purposes, as may be determined by such Justices

Governor authorized to farm out Convicts.

sary expense in getting the books from the express office, he shall give an order on the County Treasurer for said sum, and it shall be the duty of the County Treasurer to pay the same.

§ 4. Sec. II. *Be it further enacted*, That it shall be the duty of the Librarian, as soon as he shall have expressed said Laws and Journals, to notify each Ordinary thereof by mail, and also to notify him of the office to which said Laws and Journals have been sent.

Sec. III. Repeals conflicting laws.
Approved March 2, 1874.

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TITLE VI.

CONVICTS.

SECTION.

1. Governor authorized to farm out Convicts—term, consideration, bond, etc.
2. Officers of Penitentiary discharged, except Principal Keeper—his duty.
3. Convicts—where worked, etc.; punishment—buildings, etc.
4. Governor may annul contract, etc.—Lessee's duty.
5. Governor required to itemize property.
6. Expiration of sentence, pardons, etc.
7. More than one Lessee—feeble to be proportioned.
8. Classification of Convicts.
9. Escapes—how punished.
10. Commutation for good behavior.

SECTION.

11. Lessees violating laws—penalty.
12. Governor failing to lease Convicts, may appoint officers—Contingent appropriation.
13. Convicts may hire out in certain cases—agreement, etc., approved by Judge—penalty.
14. Relations of the parties; Convicts—how surrendered.
15. Taken before Judge or Ordinary, shall have facts; Convict in fault, penalty; abuse in fault, penalty.
16. Convicts becoming insane, Judge's duty.
17. Other like provisions applicable.
18. Convict recovering, Superintendent's duty.

No. XXIV.—(O. No. 415.)

An Act to authorize the Governor to farm or lease out the Convicts of the Penitentiary of the State of Georgia, and for other purposes.

§ 1. SECTION 1. *Be it enacted, etc.*, That the Governor is hereby authorized and directed to farm or lease out the convicts of the Penitentiary for a term of years, not less than one nor more than five years, and in such numbers as in his discretion he may deem proper, to any person or persons, or company of persons, as shall take the said convicts at a consideration to be agreed upon with the Governor, and give sufficient bond and security, as the Governor, nor in his discretion may require, for the faithful and full compliance with their contract with the State, and which contract shall require the humane treatment of the convicts, their security and management, in accordance with the rules and regulations now in

Governor authorized to farm out Convicts.

force for the control of the convicts, in so far as the same may be consistent with the working of the convicts on any public or private works in the State of Georgia, and the Governor is hereby authorized and directed to turn over to the lessee or lessees hereafter contracting under this Act, such convicts as may hereafter be sentenced to the Penitentiary, having due regard to the rights of contractors, and the priority of date of their contracts: *Provided*, no contract shall be made which shall not relieve the State from all expenses, except the salary of the Principal Keeper; *and provided*, the lease herein provided for shall not go into effect and operation until the present lease of the convicts shall expire.

§ 2. Sec. II. That all the officers and employees now required by law in and about said Penitentiary shall be discharged, except the Principal Keeper thereof, after such contract or contracts as hereinbefore named shall have been made, and the convicts turned over to the contractors. The Principal Keeper shall continue in office as inspector of convicts, and shall report to the Governor any and all violations of the contracts by the persons to whom the convicts shall have been farmed or leased, and discharge all the duties now required of him by law, as well as those of Inspector of the Penitentiary, so far as such discharge shall be consistent with the carrying out of the contract or contracts hereinbefore authorized.

§ 3. Sec. III. That the lessee or lessees of said convicts shall not be permitted to work the convicts outside of the limits of the State, nor more than ten hours each day; nor shall the convicts be permitted to work on the Sabbath day; nor shall corporeal punishment be inflicted upon any of said convicts, unless the same shall be absolutely necessary to secure discipline; and, at the expiration of the lease, the said lessee or lessees shall deliver possession of the machinery, buildings, fixtures, and other property received by them, in as good repair as the same is when received by them.

§ 4. Sec. IV. That upon the failure of the lessee or lessees to faithfully comply with their contract with the State, in regard to the humane treatment, security and management of said convicts, in accordance with the rules and regulations now in force for the control of the convicts; that the Governor be, and he is hereby, empowered, in his discretion, to annul and cancel the contract or contracts of the lessee or lessees so violating, and to farm out the convicts so leased by him, or them, for the unexpired term remaining after said breach of contract as aforesaid.

§ 5. Sec. V. That his Excellency, the Governor, be authorized and required to nominate, in the contract, or contracts, which may be made, all items of public property which may be turned over by the Principal Keeper of the Penitentiary to the contractor or contractors under this Act, and it shall be the duty of the lessee, or lessees, faithfully to return and account for the same at the expiration or termination of their contract, or contracts, from any cause.

Governor authorized to farm out Convicts.

§6. Sec. VI. That it shall be the duty of all lessees of the Penitentiary, and all persons having charge or control of any convicts, to discharge such convicts immediately upon the expiration of the term for which he or she may have been convicted and sentenced, or when such convict or convicts shall have been pardoned, and any lessee or other person having the custody, charge or control of such convicts, who shall willfully violate any of the provisions of this section, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished as prescribed in section 4310 of the new Code.

§7. Sec. VII. That in the event of the convicts being farmed or leased out to more than one party, in separate squads, then the disabled and feeble shall be proportioned in proportion to the number that each of said parties may have.

§8. Sec. VIII. That the Governor be, and he is hereby authorized and directed, so far as is practicable, in the distribution of the convicts, to make a classification thereof, so as to keep separate such convicts as are or may be convicted of crimes involving no great moral turpitude, and to provide, so far as possible, for their humane and kind treatment.

§9. Sec. IX. If any of said convicts shall escape from the custody of said lessee or lessees, and be thereafter re-taken, such convicts shall be indicted for an escape, and, on conviction, shall be punished by imprisonment and labor in the Penitentiary for the term of four years.

§10. Sec. X. That it shall be the duty of the Principal Keeper to make reports to the Governor, of the names of all convicts whose uniform good conduct show them to be proper subjects for Executive clemency, and the Governor is hereby authorized to make such commutation of time for such convicts, as in his discretion shall seem proper.

§11. Sec. XI. That if any lessee, or lessees, their agents or employees, or overseers of said convicts, shall violate any of the criminal laws of this State in the treatment or management of said convicts, said person or persons so offending shall be indicted or presented in any county of this State where such offense may have been committed, and upon conviction, shall be punished as prescribed by law for such offense.

§12. Sec. XII. That in case the Governor cannot let or hire out said convicts as provided for in this Act, then he is hereby authorized and directed to return said convicts, or such of their number as he may not have hired out, to the Penitentiary at Milledgeville in this State, and have them confined in the prison walls of said Penitentiary, to labor as provided by law, and shall also appoint such officers as may be necessary in and about said Penitentiary, and the Principal Keeper shall appoint such employees as may be required in and about said Penitentiary, and the Governor is hereby authorized to draw his warrant on the State Treasurer for a sufficient amount of money to put said Penitentiary in a good state.

To authorize certain Convicts to hire out.

condition, if such a contingency as is provided for in this section should happen.

Sec. XII. Repeals conflicting laws.
Approved March 3, 1874.

HB 223 No. XXV. -- (O. No. 283.) 132 - 67

An Act to authorize the hiring of a certain class of Convicts to private citizens, to prescribe the conditions thereof, and to regulate the relations between the parties.

§13. SECTION I. *Be it enacted, etc.,* That when any person is convicted of any crime or misdemeanor, the punishment whereof, according to the sentence of the Court under the law, is fine or term, in default of payment, it shall be lawful for such convict to hire himself or herself to any citizen of this State, who pays the amount of said sentence, for said prescribed term, by an agreement in writing signed by the parties in the presence of and with the written approval of the presiding Judge, which agreement shall express the kind of labor to be performed, and the place of performance, and when thus executed, expressed and approved, shall be entered on the minutes of the Court.

§14. Sec. II. That during the term of said hiring, said hirer shall sustain to said convict the relation of bail on recognizance, and if such convict, before the expiration of such term, shall abandon his hirer or in any way substantially refuse to perform his said contract, he, the said hirer, shall have the right and power to surrender said convict, as prescribed by law in cases of bail on recognizance.

§15. Sec. III. That, when surrender shall thus be made, the convict shall, by the officer to whom surrendered, be at once taken before the Judge of the Court wherein the sentence was passed, if in the county, and if not, then before the Ordinary of the county, who shall summarily hear the facts, as in cases of *habeas corpus*; and if, after such hearing, he shall adjudge the convict in fault, he shall remand him to serve out so much of the term as may be unexpired from the date of his violation of his contract; but, if the hirer is adjudged in fault, by ill treatment or other violation of his contract or duty, said convict shall be fully and finally discharged from the penalty of such sentence.

§ Sec. IV. Repeals conflicting laws.
Approved March 2, 1874.

AIHE #4 JIM CROW

Voting Literacy Test

In order to deny African Americans access to the polls following the ratification of the Fifteenth Amendment in 1870, southern governments adopted increasingly complex barriers to voting. States implemented poll taxes, literacy tests, "moral character requirements," and other tactics designed specifically to evade implementation of the amendment. Below is a sample section of a test that required potential voters to read and interpret a section of the U.S. Constitution. Though officially color-blind, these tests were administered by white officials who almost always passed white candidates and failed black applicants.

EXCERPTS FROM THE CONSTITUTION

Part 1. In case of the removal of the president from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the vice-president, and the congress may by law provide for the case of removal, death, resignation or inability, both of the president and vice-president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected.

Part 2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be a party, the supreme court shall have original jurisdiction.

Part 3. In all the other cases before mentioned, the supreme court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations as the congress shall make.

Part 4. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

INSTRUCTION "C"

(After applicant has read, not aloud, the foregoing excerpts from the Constitution, he will answer the following questions in writing and without assistance:)

- 1 In case the president is unable to perform the duties of his office, who assumes them? _____
- 2 "Involuntary servitude" is permitted in the United States upon conviction of a crime. (True or False) _____
- 3 If a state is a party to a case, the Constitution provides that original jurisdiction shall be in _____
- 4 Congress passes laws regulating cases which are included in those over which the United States Supreme Court has _____ jurisdiction.

I hereby certify that I have received no assistance in the completion of this citizenship and

literacy test, that I was allowed the time I desired to complete it, and that I waive any right existing to demand a copy of same. (If for any reason the applicant does not wish to sign this, he must discuss the matter with the board of registrars.)

Signed: _____

(Applicant)

Document Analysis

- 1 Take the test yourself. How difficult is it?
- 2 What is the significance of the final paragraph, which begins "I hereby certify"?
What recourse did an applicant have if he or she disagreed with the policy?
- 3 Read the text of the Fifteenth Amendment. How was it possible for literacy tests to exist under the Constitution?

AIHE #5 JIM CROW

A Sharecrop Contract (1882)

To every one applying to rent land upon shares, the following conditions must be read, and agreed to.

To every 30 and 35 acres, I agree to furnish the team, plow, and farming implements, except cotton planters, and I do not agree to furnish a cart to every cropper. The croppers are to have half of the cotton, corn, and fodder (and peas and pumpkins and potatoes if any are planted) if the following conditions are complied with, but-if not-they are to have only two-fifths ($\frac{2}{5}$). Croppers are to have no part or interest in the cotton seed raised from the crop planted and worked by them. No vine crops of any description, that is, no watermelons, muskmelons, . . . squashes or anything of that kind, except peas and pumpkins, and potatoes, are to be planted in the cotton or corn. All must work under my direction. All plantation work to be done by the croppers. My part of the crop to be housed by them, and the fodder and oats to be hauled and put in the house. All the cotton must be topped about 1st August. If any cropper fails from any cause to save all the fodder from his crop, I am to have enough fodder to make it equal to one-half of the whole if the whole amount of fodder had been saved.

For every mule or horse furnished by me there must be 1000 good sized rails. . . hauled, and the fence repaired as far as they will go, the fence to be torn down and put up from the bottom if I so direct. All croppers to haul rails and work on fence whenever I may order. Rails to be split when I may say. Each cropper to clean out every ditch in his crop, and where a ditch runs between two croppers, the cleaning out of that ditch is to be divided equally between them. Every ditch bank in the crop must be shrubbed down and cleaned off before the crop is planted and must be cut down every time the land is worked with his hoe and when the crop is "laid by," the ditch banks must be left clean of bushes, weeds, and seeds. The cleaning out of all ditches must be done by the first of October. The rails must be split and the fence repaired before corn is planted. Each cropper must keep in good repair all bridges in his crop or over ditches that he has to clean out and when a bridge needs repairing that is outside of all their crops, then any one that I call on must repair it.

Fence jams to be done as ditch banks. If any cotton is planted on the land outside of the plantation fence, I am to have three-fourths of all the cotton made in those patches, that is to say, no cotton must be planted by croppers in their home patches. All croppers must clean out stable and fill them with straw, and haul straw in front of stable whenever I direct. All the cotton must be manured, and enough fertilizer must be brought to manure each crop highly, the croppers to pay for one-half of all manure bought, the quantity to be purchased for each crop must be left to me.

No cropper is to work off the plantation when there is any work to be done on the land he has rented, or when his work is needed by me or other croppers. Trees to be cut down on Orchard, house field, & Evanson fences, leaving such as I may designate.

Road field is to be planted from the very edge of the ditch to the fence, and all the land to be planted close up to the ditches and fences. No stock of any kind belonging to croppers to run in the plantation after crops are gathered.

If the fence should be blown down, or if trees should fall on the fence outside of the land planted by any of the croppers, any one or all that I may call upon must put it up and repair it. Every cropper must feed or have fed, the team he works, Saturday nights, Sundays, and every morning before going to work, beginning to feed his team (morning, noon, and night every day in the week) on the day he rents and feeding it to including the 31st day of December. If any cropper shall from any cause fail to repair his fence as far as 1000 rails will go, or shall fail to clean out any part of his ditches, or shall fail to leave his ditch banks, any part of them, well shrubbed and clean when his crop is laid by, or shall fail to clean out stables, fill them up and haul straw in front of them whenever he is told, he shall have only two-fifths ($\frac{2}{5}$) of the cotton, corn, fodder, peas, and pumpkins made on the land he cultivates.

If any cropper shall fail to feed his team Saturday nights, all day Sunday and all the rest of the week, morning/noon, and night, for every time he so fails he must pay me five cents.

No corn or cotton stalks must be burned, but must be cut down, cut up and plowed in. Nothing must be burned off the land except when it is impossible to plow it in. Every cropper must be responsible for all gear and farming implements placed in his hands, and if not returned must be paid for unless it is worn out by use.

Croppers must sow & plow in oats and haul them to the crib, but must have no part of them. Nothing to be sold from their crops, nor fodder nor corn to be carried out of the fields until my rent is all paid, and all amounts they owe me and for which I am responsible are paid in full.

I am to gin & pack all the cotton and charge every cropper an eighteenth of his part, the cropper to furnish his part of the bagging, ties, & twine.

The sale of every cropper's part of the cotton to be made by me when and where I choose to sell, and after deducting all they owe me and all sums that I may be responsible for on their accounts, to pay them their half of the net proceeds. Work of every description, particularly the work on fences and ditches, to be done to my satisfaction, and must be done over until I am satisfied that it is done as it should be.

No wood to burn, nor light wood, nor poles, nor timber for boards, nor wood for any purpose whatever must be gotten above the house occupied by Henry Beasley-nor must any trees be cut down nor any wood used for any purpose, except for firewood, without my permission.

PLESSY v. FERGUSON, 163 U.S. 537 (1896)

163 U.S. 537

PLESSY v. FERGUSON. No. 210.

Mr. Justice BROWN, after stating the facts in the foregoing language, delivered the opinion of the court.

This case turns upon the constitutionality of an act of the general assembly of the state of Louisiana, passed in 1890, providing for separate railway carriages for the white and colored races....

The constitutionality of this act is attacked upon the ground that it conflicts both with the thirteenth amendment of the constitution, abolishing slavery, and the fourteenth amendment, which prohibits certain restrictive legislation on the part of the states.

1. That it does not conflict with the thirteenth amendment, which abolished slavery and involuntary servitude, except a punishment for crime, is too clear for argument. Slavery implies involuntary servitude, a state of bondage; the ownership of mankind as a chattel, or, at least, the control of the labor and services of one man for the benefit of another, and the absence of a legal right to the disposal of his own person, property, and services....

A statute which implies merely a legal distinction between the white and colored races—a distinction which is founded in the color of the two races, and which must always exist so long as white men are distinguished from the other race by color—has no tendency to destroy the legal equality of the two races, or re-establish a state of involuntary servitude. Indeed, we do not understand that the thirteenth amendment is strenuously relied upon by the plaintiff in error in this connection...

2. ...The object of the amendment was undoubtedly to enforce the absolute equality of the two races before the law, but, in the nature of things, it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political, equality, or a commingling of the two races upon terms unsatisfactory to either. Laws permitting, and even requiring, their separation, in places where they are liable to be brought into contact, do not necessarily imply the inferiority of either race to the other, and have been generally, if not universally, recognized as within the competency of the state legislatures in the exercise of their police power. The most common instance of this is connected with the establishment of separate schools for white and colored children, which have been held to be a valid exercise of the legislative power even by courts of states where the political rights of the colored race have been longest and most earnestly enforced...

So far, then, as a conflict with the fourteenth amendment is concerned, the case reduces itself to the question whether the statute of Louisiana is a reasonable regulation, and with respect to this there must necessarily be a large discretion on the part of the legislature. In determining the question of reasonableness, it is at liberty to act with reference to the established usages, customs, and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order. Gauged by this standard, we cannot say that a law which authorizes or even requires the separation of the two races in public conveyances is unreasonable, or more obnoxious to the fourteenth amendment than the acts of congress requiring separate schools for colored children in the District of Columbia, the constitutionality of which does not seem to have been questioned, or the corresponding acts of state legislatures.

We consider the underlying fallacy of the plaintiff's argument to consist in the assumption that the enforced separation of the two races stamps the colored race with a badge of inferiority. If this be so, it is not by reason of anything found in the act, but solely because the colored race chooses to put that construction upon it. The argument necessarily assumes that if, as has been more than once the case, and

is not unlikely to be so again, the colored race should become the dominant power in the state legislature, and should enact a law in precisely similar terms, it would thereby relegate the white race to an inferior position. We imagine that the white race, at least, would not acquiesce in this assumption. The argument also assumes that social prejudices may be overcome by legislation, and that equal rights cannot be secured to the negro except by an enforced commingling of the two races. We cannot accept this proposition. If the two races are to meet upon terms of social equality, it must be the result of natural affinities, a mutual appreciation of each other's merits, and a voluntary consent of individuals...Legislation is powerless to eradicate racial instincts, or to abolish distinctions based upon physical differences, and the attempt to do so can only result in accentuating the difficulties of the present situation. If the civil and political rights of both races be equal, one cannot be inferior to the other civilly or politically. If one race be inferior to the other socially, the constitution of the United States cannot put them upon the same plane.

It is true that the question of the proportion of colored blood necessary to constitute a colored person, as distinguished from a white person, is one upon which there is a difference of opinion in the different states; some holding that any visible admixture of black blood stamps the person as belonging to the colored race...; others, that it depends upon the preponderance of blood...; and still others, that the predominance of white blood must only be in the proportion of three-fourths. But these are questions to be determined under the laws of each state, and are not properly put in issue in this case. Under the allegations of his petition, it may undoubtedly become a question of importance whether, under the laws of Louisiana, the petitioner belongs to the white or colored race.

Mr. Justice Harlan dissenting.

...The white race deems itself to be the dominant race in this country. And so it is, in prestige, in achievements, in education, in wealth and in power. . . . But in view of the Constitution, in the eye of the law, there is in this country no superior, dominant, ruling class of citizens. There is no caste here. Our Constitution is color-blind, and neither knows nor tolerates classes among citizens. In respect of civil rights, all citizens are equal before the law. The humblest is the peer of the most powerful. The land regards man as man, and takes no account of his surroundings or of his color when his civil rights as guaranteed by the supreme law of the land are involved. It is, therefore, to be regretted that this high tribunal, the final expositor of the fundamental law of the land, has reached the conclusion that it is competent for a State to regulate the enjoyment by citizens of their civil rights solely upon the basis of race.

In my opinion, the judgment this day rendered will, in time, prove to be quite as pernicious as the decision made by this tribunal in the Dred Scott case...The recent amendments of the Constitution, it was supposed, had eradicated these principles from our institutions. But it seems that we have yet, in some of the States, a dominant race--a superior class of citizens, which assumes to regulate the enjoyment of civil rights, common to all citizens, upon the basis of race. The present decision, it may well be apprehended, will not only stimulate aggressions, more or less brutal and irritating, upon the admitted rights of colored citizens, but will encourage the belief that it is possible, by means of state enactments, to defeat the beneficent purposes which the people of the United States had in view when they adopted the recent amendments of the Constitution. . . . The destinies of the two races, in this country, are indissolubly linked together, and the interests of both require that the common government of all shall not permit the seeds of race hate to be planted under the sanction of law. What can more certainly arouse race hate, what more certainly create and perpetuate a feeling of distrust between these races, than state enactments, which, in fact, proceed on the ground that colored citizens are so inferior and degraded that they cannot be allowed to sit in public coaches occupied by white citizens? That, as all will admit, is the real meaning of such legislation as was enacted in Louisiana....