

that segregation had not yet become the reigning orthodoxy. In 1895, when white-supremacy movements were clearly gaining momentum, Booker T. Washington accepted an invitation to speak at the Atlanta Exposition. The text of his speech in the third document sheds light on black attitudes and reveals one black leader's strategy to preserve some advantageous positions for his race. The North in general, and the United States Supreme Court in particular, abetted the South's move toward segregation. Excerpts from the text of *Plessy v. Ferguson*, reprinted as the fourth selection, show the Court's acceptance of the "separate-but-equal" fiction. The legal formulas of disfranchisement—the literacy test, poll tax, and grandfather clause (used to benefit otherwise unqualified whites)—are illustrated by excerpts from a North Carolina statute in the fifth document. Although institutional and political power had swung against them, black leaders protested vigorously, as shown by the remarks of W. J. Whipper and Robert Smalls, black delegates to South Carolina's 1895 Constitutional Convention, in the sixth document. The painful impact of racial segregation is described in the final selection by Pauli Murray, who grew up in the newly segregated society and saw how it worked against the hopes of all black people.

Black Southerners React to the End of Reconstruction, 1879

From Testimony of Henry Adams to the United States Senate, Senate Report No. 693

Q. What is your business, Mr. Adams?—A. I am a laborer. I was raised on a farm and have been at hard work all my life.

Q. Now tell us, Mr. Adams, what, if anything you know about the exodus of the colored people from the Southern to the Northern and Western States; and be good enough to tell us in the first place what you know about the organization of any committee or society among the colored people themselves for the purpose of bettering their condition, and why it was organized. Just give us a history of that as you understand it.—A. Well, in 1870, I believe it was, or about that year, after I had left the Army—I went into the Army in 1866 and came out the last of 1869—and went right back home again where I went from, Shreveport; I enlisted there, and went back there. I enlisted in the Regular Army, and then I went back after I came out of the Army. After we had come out a parcel of we men that was in the Army and other men thought that the way our people had been treated during the time we was in service—we heard so much talk of how they had been treated and opposed so much and there was no help for it—that caused me to go into the Army at first, the way our people was opposed. There was so much going on that I went off and left it; when I came back it was still going on, part of it, not quite so bad as at first. So a parcel of us got together and said that we would organize ourselves into a committee and look into affairs and see the true condition of our race, to see whether it was possible we could stay under a people who had held us under bondage or not. Then we did so and organized a committee.

Q. What did you call your committee?—A. We just called it a committee, that is all we called it, and it remained so; it increased to a large extent, and remained so. Some of the members of the committee was ordered by the committee to go into every State in the South where we had been slaves there, and post one another from time to time about the true condition of our race, and nothing but the truth.

Q. You mean some members of your committee?—A. That committee; yes, sir.

Q. They traveled over the other States?—A. Yes, sir; and we worked some of us, worked our way from place to place and went from State to State and worked—some of them did—amongst our people in the fields, everywhere, to see what sort of living our people lived; whether we could remain in the South amongst the people who had held us as slaves or not. We continued that on till 1874. . . .

Q. Was the object of that committee at that time to remove your people from the South, or what was it?—A. O, no, sir; not then; we just wanted to see whether there was any State in the South where we could get a living and enjoy our rights.

Q. The object, then, was to find out the best places in the South where you could live?—A. Yes, sir; where we could live and get along well there and to investigate our affairs—not to go nowhere till we saw whether we could stand it.

Q. How were the expenses of these men paid?—A. Every one paid his own expenses, except the one we sent to Louisiana and Mississippi. We took money out of our pockets and sent him, and said to him you must now go to work. You can't find out anything till you get amongst them. You can talk as much as you please, but you have got to go right into the field and work with them and sleep with them to know all about them.

Q. Have you any idea how many of your people went out in that way?—A. At one time there was five hundred of us.

Q. Do you mean five hundred belonging to your committee?—A. Yes, sir.

Q. I want to know how many traveled in that way to get at the condition of your people in the Southern States?—A. I think about one hundred or one hundred and fifty went from one place to another.

Q. And they went from one place to another, working their way and paying their expenses and reporting to the common center at Shreveport, do you mean?—A. Yes, sir.

Q. What was the character of the information that they gave you?—A. Well, the character of the information they brought to us was very bad, sir.

Q. In what respect?—A. They said that in other parts of the country where they traveled through, and what they saw they were comparing with what we saw and what we had seen in the part where we lived; we knewed what that was; and they cited several things that they saw in their travels; it was very bad.

Q. Do you remember any of these reports that you got from members

of your committee?—A. Yes, sir; they said in several parts where they was that the land rent was still higher there in that part of the country than it was where we first organized it, and the people was still being whipped, some of them, by the old owners, the men that had owned them as slaves, and some of them was being cheated out of their crops just the same as they was there.

Q. Was anything said about their personal and political rights in these reports, as to how they were treated about these?—A. Yes; some of them stated that in some parts of the country where they voted they would be shot. Some of them stated that if they voted the Democratic ticket they would not be injured. . . .

Q. The result of this investigation during these four years by your committee was the organization of this colonization council. Is that the way you wish me to understand it?—A. It caused it to be organized.

Q. It caused it to be organized. Now, what was the purpose of this colonization council?—A. Well, it was to better our condition.

Q. In what way did you propose to do it?—A. We first organized and adopted a plan to appeal to the President of the United States and to Congress to help us out of our distress, or protect us in our rights and privileges.

Q. Your council appealed first to the President and to Congress for protection and relief from this distressed condition in which you found ourselves, and to protect you in the enjoyment of your rights and privileges?—A. Yes, sir.

Q. Well, what other plan had you?—A. And if that failed our idea was then to ask them to set apart a territory in the United States for us, somewhere where we could go and live with our families.

Q. You preferred to go off somewhere by yourselves?—A. Yes.

Q. Well, what then?—A. If that failed, our other object was to ask for appropriation of money to ship us all to Liberia, in Africa; somewhere where we could live in peace and quiet.

Q. Well, and what after that?—A. When that failed then our idea was to appeal to other governments outside of the United States to help us to get away from the United States and go there and live under their flag.

Q. Have you given us all the objects of this colonization council?—A. That is just what we was organized for, to better our condition one way or another. . . .

Q. Now, let us understand more distinctly, before we go any further, the kind of people who composed that association. The committee, as I understand you, was composed entirely of laboring people?—A. Yes, sir.

Q. Did it include any politicians of either color, white or black?—A. Politicianers didn't belong to it, because we didn't allow them to know anything about it, because we was afraid that if we allowed the colored politicianer to belong to it he would tell it to the Republican politicianers, and from that the men that was doing all this to us would get hold of it, and then get after us.

Q. So you did not trust any politicians, white or black?—A. No; we didn't trust any of them.

Q. That was the condition of things during the time the committee were at work in 1870 to 1874?—A. Yes, that was the condition.

Q. Now, when you organized the council what kind of people were taken into it?—A. Nobody but laboring men. . . .

Q. At the time you were doing that, was there anything political in your organization?—A. Nothing in the world.

Q. You were simply looking out for a better place in which you could get work and enjoy your freedom?—A. Yes, sir; that was all.

Q. When did the idea first enter your council to emigrate to the northern and northwestern States; if you remember, what were the first movements in that direction?—A. Well, in that petition we appealed there, if nothing could be done to stop the turmoil and strife, and give us our rights in the South, we appealed then, at that time, for a territory to be set apart for us to which we could go and take our families and live in peace and quiet.

Q. The design of your organization, then, as you understood it, was not so much to go north to live among the white people in the Northern and Western States as it was to have a territory somewhere that you could occupy in peace and quiet for yourselves?—A. That is what we wanted, provided we could not get our rights in the South, where we was. We had much rather staid there if we could have had our rights.

Q. You would have preferred to remain in the South?—A. Yes, sir.

Q. And your organization was not in favor of your moving, providing you could get your rights and be protected in the enjoyment of them as any other men?—A. No, sir; we had rather staid there than go anywhere else, though the organization was very careful about that, and we said so from the first; and then, if that could not be done under any circumstances, then we wanted to go to a territory by ourselves.

Q. Well, about what time did this idea of a territory first occur to you; did it occur at all during the organization of your committee, or after the council was organized?—A. After the committee had made their investigations.

Q. Well, what did you do after that?—A. We organized the council after that.

Q. About what time did you lose all hope and confidence that your condition could be tolerated in the Southern States?—A. Well, we never lost all hopes in the world till 1877.

Q. Not until 1877?—A. No, sir. In 1877 we lost all hopes.

Q. Why did you lose all hope in that year?—A. Well, we found ourselves in such condition that we looked around and we seed that there was no way on earth, it seemed, that we could better our condition there, and we discussed that thoroughly in our organization along in May. We said that the whole South—every State in the South—had got into the hands of the very men that held us slaves—from one thing to another—and we thought that the men that held us slaves was holding the reins of government

over our heads in every respect almost, even the constable up to the governor. We felt we had almost as well be slaves under these men. In regard to the whole matter that was discussed, it came up in every council. Then we said there was no hope for us and we had better go.

Q. You say, then, that in 1877 you lost all hope of being able to remain in the South, and you began to think of moving somewhere else?—A. Yes; we said we was going if we had to run away and go into the woods.

Q. Well, what was the complaint after you failed to get the territory?—A. Then, in 1877 we appealed to President Hayes and to Congress, to both Houses. I am certain we sent papers there; if they didn't get them that is not our fault; we sent them.

Q. What did that petition ask for?—A. We asked for protection, to have our rights guaranteed to us, and at least if that could not be done, we asked that money should be provided to send us to Liberia.

Q. That was 1877, was it?—A. Yes, sir; that was in 1877.

Q. Still, up to that time you did not think at all of going into the Northern States; at least you had taken no steps toward going into those States, had you?—A. No, sir.

Q. When did that idea first occur to your people?—A. In 1877, too, we declared that if we could not get a territory we would go anywhere on God's earth; we didn't care where.

Q. Even to the Northern States?—A. Yes; anywhere to leave them Southern States. We declared that in our council in 1877. We said we would go anywhere to get away.

Q. Well, when did the exodus to the Northern States from your locality, or from your country you are acquainted with best, begin?—A. Well, it didn't begin to any extent until just about a year ago.

Q. It didn't begin to any extent until 1879, you mean?—A. No, sir; not till the spring of 1879.

Q. But you had prior to that time been organized and ready to go somewhere, as I understand you?—A. Yes, sir; we had several organizations; there were many organizations; I can't tell you how many immigration associations, and so forth, all springing out of our colonization council. We had a large meeting, some five thousand people present, and made public speeches in 1877 on immigration.

Q. What was the character of those speeches as to what you intended to do?—A. We intended to go away, to leave the South, if Congress would not give us any relief; we were going away, for we knowed we could not get our rights.

Q. Where were these meetings held?—A. Some were held at Shreveport, in Caddo Parish, some were held in Madison, and some were held in Bossier Parish.

Q. Was there any opposition to these meetings in which you talked about going away?—A. No, sir. There didn't nobody say anything to us against our having our meetings, but I will tell you we had a terrible struggle with our own selves, our own people there; these ministers of these churches would not allow us to have any meeting of that kind, no way.

Q. They didn't want you to go?—A. No; they didn't want us to go.

Q. Why?—A. They wanted us to stay there to support them; I don't know what else. Mighty few ministers would allow us to have their churches; some few would in some of the parishes. There was one church, Zion, in Shreveport, that allowed us to talk there.

Q. Were the ministers opposed to it?—A. Yes, sir; they was opposed to it. . . .

Q. Your meetings were composed, then, of men in favor of going away?—A. Yes, and of the laboring class.

Q. Others didn't participate with you?—A. No, sir.

Q. Why didn't the politicians want you to go?—A. They were against it from the beginning.

Q. Why?—A. They thought if we went somewhere else they would not get our votes. That is what we thought.

Q. Why were the ministers opposed to it?—A. Well, because they would not get our support; that is what we thought of them.

Q. They thought it might break up their churches?—A. Yes; that is what they thought; at least we supposed the ministers thought that.

Q. About how many did this committee consist of before you organized your council? Give us the number as near as you can tell.—A. As many as five hundred in all.

Q. The committee, do you mean?—A. Yes; the committee has been that large.

Q. What was the largest number reached by your colonization council, in your best judgment?—A. Well, it is not exactly five hundred men belonging to the council, that we have in our council, but they all agreed to go with us and enroll their names with us from time to time, so that they have now got at this time 98,000 names enrolled.

Q. Women and men?—A. Yes, sir; women and men, and none under twelve years old. . . .

Q. How many of your people have gone from that part of the country to the North, if you know?—A. I don't know exactly how many have gone.

Q. Of course you cannot tell us exactly, but as near as you know; give some idea of the number, if you can.—A. My reports from several members of the committee, in parts I have not been in and seen for myself—I take their words and put their words down as mine, because they are not allowed to lie on the subject. And so from what I have learned from them from time to time I think it is about five thousand and something.

Q. Do you mean from that section of country down there?—A. Yes, sir.

Q. From Louisiana?—A. Yes, sir. . . .

Q. Now, Mr. Adams, you know, probably, more about the causes of the exodus from that country than any other man, from your connection with it; tell us in a few words what you believe to be the causes of these people going away.—A. Well, the cause is, in my judgment, and from what information I have received, and what I have seen with my own eyes—it

is because the largest majority of the people, of the white people, that held us as slaves treats our people so bad in many respects that it is impossible for them to stand it. Now, in a great many parts of that country there our people most as well be slaves as to be free; because, in the first place, I will state this: that in some times, in times of politics, if they have any idea that the Republicans will carry a parish or ward, or something of that kind, why, they would do anything on God's earth. There ain't nothing too mean for them to do to prevent it; nothing I can make mention of is too mean for them to do. If I am working on his place, and he has been laughing and talking with me, and I do everything he tells me to, yet in times of election he will crush me down, and even kill me, or do anything to me to carry his point. If he can't carry his point without killing me, he will kill me; but if he can carry his point without killing me, he will do that. . . .

George Washington Cable Criticizes Racial Attitudes, 1884

First, then, what are these sentiments? Foremost among them stands the idea that [the black man] is of necessity an alien. He was brought to our shores a naked, brutish, unclean, captive, pagan savage, to be and remain a kind of connecting link between man and the beasts of burden. The great changes to result from his contact with a superb race of masters were not taken into account. As a social factor he was intended to be as purely zero as the brute at the other end of his plowline. The occasional mingling of his blood with that of the white man worked no change in the sentiment; one, two, four, eight multiplied upon or divided into zero still gave zero for the result. Generations of American nativity made no difference; his children and children's children were born in sight of our door, yet the old notion held fast. He increased to vast numbers, but it never wavered. He accepted our dress, language, religion, all the fundamentals of our civilization, and became forever expatriated from his own land; still he remained, to us, an alien. Our sentiment went blind. It did not see that gradually, here by force and there by choice, he was fulfilling a host of conditions that earned at least a solemn moral right to that naturalization which no one at first had dreamed of giving him. Frequently he even bought back the freedom of which he had been robbed, became a taxpayer, and at times an educator of his children at his own expense; but the old idea of alienism passed laws to banish him, his wife, and children by thousands from the state, and threw him into loathsome jails as a common felon for returning to his native land.

It will be wise to remember that these were the acts of an enlightened, God-fearing people, the great mass of whom have passed beyond all earthly accountability. They were our fathers. I am the son and grandson of slave-

holders. These were their faults; posterity will discover ours; but these things must be frankly, fearlessly taken into account if we are ever to understand the true interests of our peculiar state of society.

Why, then, did this notion, that the man of color must always remain an alien, stand so unshaken? We may readily recall how, under ancient systems, he rose, not only to high privileges, but often to public station and power. Singularly, with us the trouble lay in a modern principle of liberty. The whole idea of American government rested on all men's equal, inalienable right to secure their life, liberty, and the pursuit of happiness by governments founded in their own consent. Hence, our Southern forefathers, shedding their blood, or ready to shed it, for this principle, yet proposing in equal good conscience to continue holding the American black man and mulatto and quadroon in slavery, had to anchor that conscience, their conduct, and their laws in the conviction that the man of African tincture was, not by his master's arbitrary assertion merely, but by nature and unalterably, an alien. If that hold should break, one single wave of irresistible inference would lift our whole Southern social fabric and dash it upon the rocks of Negro emancipation and enfranchisement. How was it made secure? Not by books, though they were written among us from every possible point of view, but, with the mass of our slaveowners, by the calm hypothesis of a positive, intuitive knowledge. To them the statement was an axiom. They abandoned the methods of moral and intellectual reasoning and fell back upon this assumption of a God-given instinct, nobler than reason, and which it was an insult to a free man to ask him to prove on logical grounds. . . .

. . . For more than a hundred years we had made these sentiments the absolute essentials to our self-respect. And yet if we clung to them, how could we meet the Freedman on equal terms in the political field? Even to lead would not compensate us; for the fundamental profession of American politics is that the leader is servant to his followers. It was too much. The ex-master and ex-slave—the quarterdeck and the forecabin, as it were—could not come together. But neither could the American mind tolerate a continuance of martial law. The agonies of Reconstruction followed.

The vote, after all, was a secondary point, and the robbery and bribery on one side, and whipping and killing on the other were but huge accidents of the situation. The two main questions were really these: on the Freedman's side, how to establish republican state government under the same recognition of his rights that the rest of Christendom accorded him; and on the former master's side, how to get back to the old semblance of republican state government, and—allowing that the Freedman was *de facto* a voter—still to maintain a purely arbitrary superiority of all whites over all blacks, and a purely arbitrary equality of all blacks among themselves as an alien, menial, and dangerous class. . . .

To be a free man is [the black man's] still distant goal. Twice he has been a Freedman. In the days of compulsory Reconstruction he was freed in the presence of his master by that master's victorious foe. In these days of voluntary Reconstruction he is virtually freed by the consent of his

George Washington Cable's essay "The Freedman's Case in Equity" from Arlin Turner, ed., *The Negro Question: A Selection of Writings on Civil Rights in the South* by George W. Cable, Doubleday, 1958.

functions been made against themselves: that their offense does not vanish at the guarantee against the loss of physical comforts. But we made, and are still making, a mistake beyond even this. For years many of us have carelessly taken for granted that these laws were being carried out in some shape that removed all just ground of complaint. It is common to say, "We allow the man of color to go and come at will, only let him sit apart in a place marked off for him." But marked off how? So as to mark him instantly as a menial. Not by railings and partitions merely, which, raised against any other class in the United States with the same invidious intent, would be kicked down as fast as put up, but by giving him besides, in every instance and without recourse, the most uncomfortable, uncleanest, and unsafest place; and the unsafety, uncleanness, and discomfort of most of these places are a shame to any community pretending to practice public justice. If any one can think the Freedman does not feel the indignities thus heaped upon him, let him take up any paper printed for colored men's patronage, or ask any colored man of known courageous utterance. Hear them:

"We ask not Congress, nor the Legislature, nor any other power, to remedy these evils, but we ask the people among whom we live. Those who *can* remedy them if they *will*. Those who have a high sense of honor and a deep moral feeling. Those who have one vestige of human sympathy left. . . . Those are the ones we ask to protect us in our weakness and ill-treatments. . . . As soon as the colored man is treated by the white man as a *man*, that harmony and pleasant feeling which should characterize all races which dwell together shall be the bond of peace between them."

Surely their evidence is good enough to prove their own feelings. We need not lean upon it here for anything else. I shall not bring forward a single statement of fact from them or any of their white friends who, as teachers and missionaries, share many of their humiliations, though my desk is covered with them. But I beg to make the same citation from my own experience that I made last June [1884] in the far South. It was this: One hot night in September of last year [1883] I was traveling by rail in the state of Alabama. At rather late bedtime there came aboard the train a young mother and her little daughter of three or four years. They were neatly and tastefully dressed in cool, fresh muslins, and as the train went on its way they sat together very still and quiet. At the next station there came aboard a most melancholy and revolting company. In filthy rags, with vile odors and the clanking of shackles and chains, nine penitentiary convicts chained to one chain, and ten more chained to another, dragged laboriously into the compartment of the car where in one corner sat this mother and child, and packed it full, and the train moved on. The keeper of the convicts told me he should take them in that car two hundred miles that night. They were going to the mines. My seat was not in that car, and I staid in it but a moment. It stank insufferably. I returned to my own place in the coach behind, where there was, and had all the time been, plenty of room. But the mother and child sat on in silence in that foul hole, the conductor having distinctly refused them admission elsewhere because

they were of African blood, and not because the mother was, but because she was *not*, engaged at the moment in menial service. Had the child been white, and the mother not its natural but its hired guardian, she could have sat anywhere in the train, and no one would have ventured to object, even had she been as black as the mouth of the coalpit to which her loathsome fellow passengers were being carried in chains. . . .

. . . I must repeat my conviction that if the unconscious habit of oppression were not already there, a scheme so gross, irrational, unjust, and inefficient as our present caste distinctions could not find place among a people so generally intelligent and high-minded.

Booker T. Washington's Atlanta Exposition Address, 1895

Mr. President and Gentlemen of the Board of Directors and Citizens: One-third of the population of the South is of the Negro race. No enterprise seeking the material, civil, or moral welfare of this section can disregard this element of our population and reach the highest success. I but convey to you, Mr. President and Directors, the sentiment of the masses of my race when I say that in no way have the value and manhood of the American Negro been more fittingly and generously recognized than by the managers of this magnificent Exposition at every stage of its progress. It is a recognition that will do more to cement the friendship of the two races than any occurrence since the dawn of our freedom.

Not only this, but the opportunity here afforded will awaken among us a new era of industrial progress. Ignorant and inexperienced, it is not strange that in the first years of our new life we began at the top instead of at the bottom; that a seat in Congress or the state legislature was more sought than real estate or industrial skill; that the political convention or stump speaking had more attractions than starting a dairy farm or truck garden.

A ship lost at sea for many days suddenly sighted a friendly vessel. From the mast of the unfortunate vessel was seen a signal, "Water, water; we die of thirst!" The answer from the friendly vessel at once came back, "Cast down your bucket where you are." A second time the signal, "Water, water; send us water!" ran up from the distressed vessel, and was answered, "Cast down your bucket where you are." And a third and fourth signal for water was answered, "Cast down your bucket where you are." The Captain of the distressed vessel, at last heeding the injunction, cast down his bucket, and it came up full of fresh, sparkling water from the mouth of the Amazon River. To those of my race who depend on bettering their condition in a foreign land or who underestimate the importance of cultivating friendly relations with the Southern white man, who is their nextdoor neighbor, I would say: "Cast down your bucket where you are"—cast it down in making friends in every manly way of the people of all races by whom we are surrounded.

Cast it down in agriculture, mechanics, in commerce, in domestic ser-

vice, and in the professions. And in this connection it is well to bear in mind that whatever other sins the South may be called to bear, when it comes to business, pure and simple, it is in the South that the Negro is given a man's chance in the commercial world, and in nothing is this exposition more eloquent than in emphasizing this chance. Our greatest danger is that in the great leap from slavery to freedom we may overlook the fact that the masses of us are to live by the productions of our hands, and fail to keep in mind that we shall prosper in proportion as we learn to dignify and glorify common labor and put brains and skill into the common occupations of life; shall prosper in proportion as we learn to draw the line between the superficial and the substantial, the ornamental gewgaws of life and the useful. No race can prosper till it learns that there is as much dignity in tilling a field as in writing a poem. It is at the bottom of life we must begin, and not at the top. Nor should we permit our grievances to overshadow our opportunities.

To those of the white race who look to the incoming of those of foreign birth and strange tongue and habits for the prosperity of the South, were I permitted I would repeat what I say to my own race, "Cast down your bucket where you are." Cast it down among the 8 millions of Negroes whose habits you know, whose fidelity and love you have tested in days when to have proved treacherous meant the ruin of your firesides. Cast down your bucket among these people who have, without strikes and labor wars, tilled your fields, cleared your forests, builded your railroads and cities, and brought forth treasures from the bowels of the earth, and helped make possible this magnificent representation of the progress of the South. Casting down your bucket among my people, helping and encouraging them as you are doing on these grounds, and to education of head, hand, and heart, you will find that they will buy your surplus land, make blossom the waste places in your fields, and run your factories. While doing this, you can be sure in the future, as in the past, that you and your families will be surrounded by the most patient, faithful, law-abiding, and unresentful people that the world has seen. As we have proved our loyalty to you in the past, in nursing your children, watching by the sickbed of your mothers and fathers, and often following them with tear-dimmed eyes to their graves, so in the future, in our humble way, we shall stand by you with a devotion that no foreigner can approach, ready to lay down our lives, if need be, in defense of yours, interlacing our industrial, commercial, civil, and religious life with yours in a way that shall make the interests of both races one. In all things that are purely social we can be as separate as the fingers, yet one as the hand in all things essential to mutual progress.

There is no defense or security for any of us except in the highest intelligence and development of all. If anywhere there are efforts tending to curtail the fullest growth of the Negro, let these efforts be turned into stimulating, encouraging, and making him the most useful and intelligent citizen. Effort or means so invested will pay a thousand percent interest. These efforts will be twice blessed—"blessing him that gives and him that takes."

There is no escape through law of man or God from the inevitable:

The laws of changeless justice bind
Oppressor with oppressed;
And close as sin and suffering joined
We march to fate abreast.

Nearly 16 millions of hands will aid you in pulling the load upward, or they will pull against you the load downward. We shall constitute one-third and more of the ignorance and crime of the South, or one-third its intelligence and progress; we shall contribute one-third to the business and industrial prosperity of the South, or we shall prove a veritable body of death, stagnating, depressing, retarding every effort to advance the body politic.

Gentlemen of the Exposition, as we present to you our humble effort at an exhibition of our progress, you must not expect overmuch. Starting thirty years ago with ownership here and there in a few quilts and pumpkins and chickens (gathered from miscellaneous sources), remember the path that has led from these to the inventions and production of agricultural implements, buggies, steam engines, newspapers, books, statuary, carving, paintings, the management of drugstores and banks, has not been trodden without contact with thorns and thistles. While we take pride in what we exhibit as a result of our independent efforts, we do not for a moment forget that our part in this exhibition would fall far short of your expectations but for the constant help that has come to our educational life, not only from the Southern states, but especially from Northern philanthropists, who have made their gifts a constant stream of blessing and encouragement.

The wisest among my race understand that the agitation of questions of social equality is the extremest folly, and that progress in the enjoyment of all the privileges that will come to us must be the result of severe and constant struggle rather than of artificial forcing. No race that has anything to contribute to the markets of the world is long in any degree ostracized. It is important and right that all privileges of the law be ours, but it is vastly more important that we be prepared for the exercises of these privileges. The opportunity to earn a dollar in a factory just now is worth infinitely more than the opportunity to spend a dollar in an opera house.

In conclusion, may I repeat that nothing in thirty years has given us more hope and encouragement, and drawn us so near to you of the white race, as this opportunity offered by the exposition; and here bending, as it were, over the altar that represents the results of the struggles of your race and mine, both starting practically empty-handed three decades ago, I pledge that in your effort to work out the great and intricate problem which God has laid at the doors of the South, you shall have at all times the patient, sympathetic help of my race; only let this be constantly in mind, that, while from representations in these buildings of the product of field, of forest, of mine, of factory, letters, and art, much good will come, yet far above and beyond material benefits will be that higher good, that, let us pray God, will come, in a blotting out of sectional differences and

racial animosities and suspicions, in a determination to administer absolute justice, in a willing obedience among all classes to the mandates of law. This, this, coupled with our material prosperity, will bring into our beloved South a new heaven and a new earth.

Plessy v. Ferguson, 1896

BROWN, J[ustice] 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 13th Amendment of the Constitution, abolishing slavery, and the 14th Amendment, which prohibits certain restrictive legislation on the part of the states.

1. That it does not conflict with the 13th Amendment, which abolished slavery and involuntary servitude, except as a punishment for crime, is too clear for argument. . . .

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 13th Amendment is strenuously relied upon by the plaintiff in error in this connection. . . .

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. . . .

It is claimed by the plaintiff in error that, in any mixed community, the reputation of belonging to the dominant race, in this instance the white race is *property*, in the same sense that a right of action, or of inheritance, is property. Conceding this to be so, for the purposes of this case, we are unable to see how this statute deprives him of, or in any way affects his right to, such property. If he be a white man and assigned to a colored coach, he may have his action for damages against the company for being deprived of his so-called property. Upon the other hand, if he be a colored

man and be so assigned, he has been deprived of no property, since he is not lawfully entitled to the reputation of being a white man. . . .

So far, then, as a conflict with the 14th 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 14th 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 prejudice 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 on 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 right 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.

Justice HARLAN, dissenting. . . . In respect of civil rights, common to all citizens, the Constitution of the United States does not, I think, permit any public authority to know the race of those entitled to be protected in the enjoyment of such rights. Every true man has pride of race, and under appropriate circumstances, when the rights of others, his equals before the law, are not to be affected, it is his privilege to express such pride and to take such action based upon it as to him seems proper. But I deny that any legislative body or judicial tribunal may have regard to the race of

citizens when the civil rights of those citizens are involved. Indeed such legislation as that here in question is inconsistent, not only with that equality of rights which pertains to citizenship, national and state, but with the personal liberty enjoyed by every one within the United States. . . .

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. It was adjudged in that case that the descendants of Africans who were imported into this country and sold as slaves were not included nor intended to be included under the word "citizens" in the Constitution, and could not claim any of the rights and privileges which that instrument provided for and secured to citizens of the United States; that at the time of the adoption of the Constitution they were "considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the government might choose to grant them." 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, by one of which the blacks of this country were made citizens of the United States and of the states in which they respectively reside and whose privileges and immunities, as citizens, the states are forbidden to abridge. Sixty millions of whites are in no danger from the presence here of eight millions of blacks. 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. . . .

If evils will result from the commingling of the two races upon public highways established for the benefit of all, they will be infinitely less than those that will surely come from state legislation regulating the enjoyment of civil rights upon the basis of race. We boast of the freedom enjoyed by our people above all other peoples. But it is difficult to reconcile that boast with a state of the law which, practically, puts the brand of servitude and degradation upon a large class of our fellow citizens, our equals before the

law. The thin disguise of "equal" accommodations for passengers in railroad coaches will not mislead anyone, or atone for the wrong this day done. . . .

I am of opinion that the statute of Louisiana is inconsistent with the personal liberty of citizens, white and black, in that state, and hostile to both the spirit and letter of the Constitution of the United States. If laws of like character should be enacted in the several states of the Union, the effect would be in the highest degree mischievous. Slavery as an institution tolerated by law would, it is true, have disappeared from our country, but there would remain a power in the states, by sinister legislation, to interfere with the full enjoyment of the blessings of freedom; to regulate civil rights, common to all citizens, upon the basis of race; and to place in a condition of legal inferiority a large body of American citizens, now constituting a part of the political community, called the people of the United States, for whom and by whom, through representatives, our government is administered. Such a system is inconsistent with the guarantee given by the Constitution to each state of a republican form of government, and may be stricken down by Congressional action, or by the courts in the discharge of their solemn duty to maintain the supreme law of the land, anything in the Constitution or laws of any state to the contrary notwithstanding.

For the reasons stated, I am constrained to withhold my assent from the opinion and judgment of the majority.

Literacy Test and Poll Tax, 1899

(Sec. 4.) Every person presenting himself for registration shall be able to read and write any section of the constitution in the English language and before he shall be entitled to vote he shall have paid on or before the first day of March of the year in which he proposes to vote his poll tax as prescribed by law for the previous year. Poll taxes shall be a lien only on assessed property and no process shall issue to enforce the collection of the same except against assessed property.

(Sec. 5.) No male person who was on January one, eighteen hundred and sixty-seven, or at any time prior thereto entitled to vote under the laws of any state in the United States wherein he then resided, and no lineal descendant of any such person, shall be denied the right to register and vote at any election in this state by reason of his failure to possess the educational qualification prescribed in section four of this article: *Provided*, he shall have registered in accordance with the terms of this section prior to December one, nineteen hundred and eight. The general assembly shall provide for a permanent record of all persons who register under this section on or before November first, nineteen hundred and eight: and all such persons shall be entitled to register and vote in all elections by the people in this state unless disqualified under section two of this article: *Provided*, such persons shall have paid their poll tax as requ[i]red by law.

Public Laws of North Carolina, 1899, chapter 218.