

Title: Plessy v. Ferguson – Case Brief Summary

Source: Lawnix.com

Date: 2015

Doc A

EXCERPT:

Facts

Plessy (P) attempted to sit in an all-white railroad car. After refusing to sit in the black railway carriage car, Plessy was arrested for violating an 1890 Louisiana statute that provided for segregated “separate but equal” railroad accommodations. Those using facilities not designated for their race were criminally liable under the statute.

At trial with Justice John H. Ferguson (D) presiding, Plessy was found guilty on the grounds that the law was a reasonable exercise of the state’s police powers based upon custom, usage, and tradition in the state. Plessy filed a petition for writs of prohibition and certiorari in the Supreme Court of Louisiana against Ferguson, asserting that segregation stigmatized blacks and stamped them with a badge of inferiority in violation of the Thirteenth and Fourteenth amendments. The court found for Ferguson and the Supreme Court granted cert.

Issue

- Can the states constitutionally enact legislation requiring persons of different races to use “separate but equal” segregated facilities?

Holding and Rule (Brown)

- Yes. The states can constitutionally enact legislation requiring persons of different races to use “separate but equal” segregated facilities.

Disposition

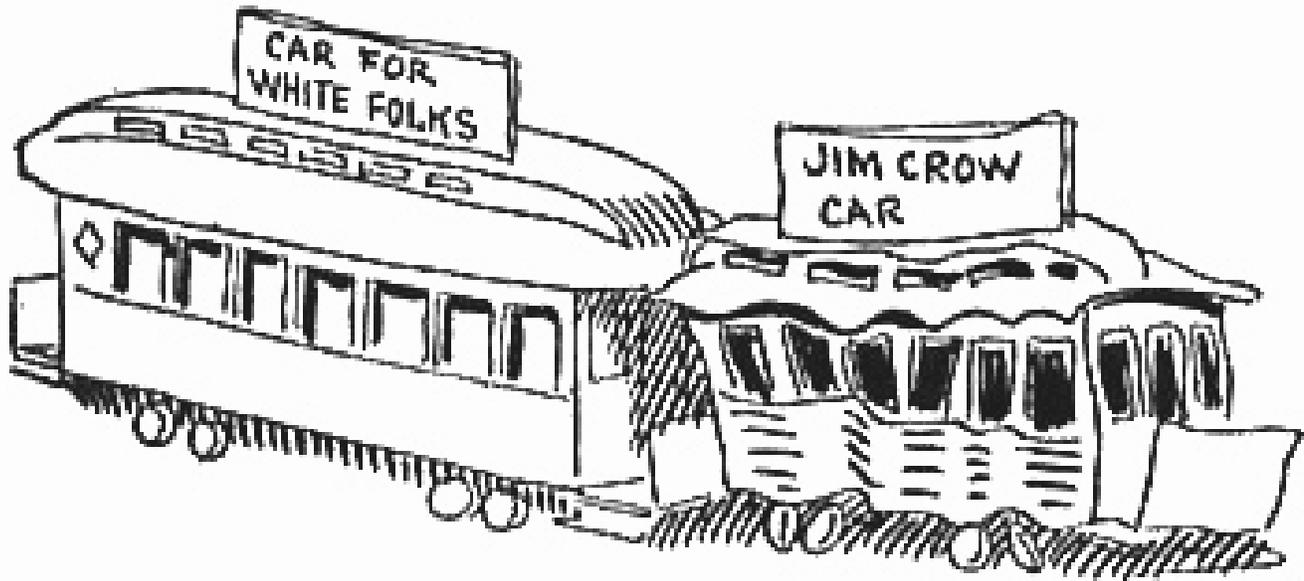
Judgment for Ferguson (Plessy loses).

Title: 1904 caricature of "White" and "Jim Crow" rail cars

Source: By John T. McCutcheon

Date: 1904 by John T. McCutcheon.

Doc B



Plessy v. Ferguson
163 U.S. 537 (1896)

Title: Drinking fountain on the county courthouse lawn, Halifax, North Carolina
Source: Photographer, John Vachon. Library of Congress Prints and Photographs Division,
Date: April 1938

Doc C



Plessy v. Ferguson
163 U.S. 537 (1896)

Title: Justice John Marshall Harlan's Dissent

Source: Plessy v. Ferguson, 163 U.S. 537 (1896), Supreme Court

Date: 1896

Doc D

EXCERPT:

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. So, I doubt not, it will continue to be for all time, if it remains true to its great heritage and holds fast to the principles of constitutional liberty. But in the 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 law 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....

The arbitrary separation of citizens, on the basis of race, while they are on a public highway, is a badge of servitude wholly inconsistent with the civil freedom and the equality before the law established by the Constitution. It cannot be justified upon any legal grounds

If evils will result from the commingling of the two races upon public highways established for the benefit of all, they will 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 the 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, nor atone for the wrong this day done....

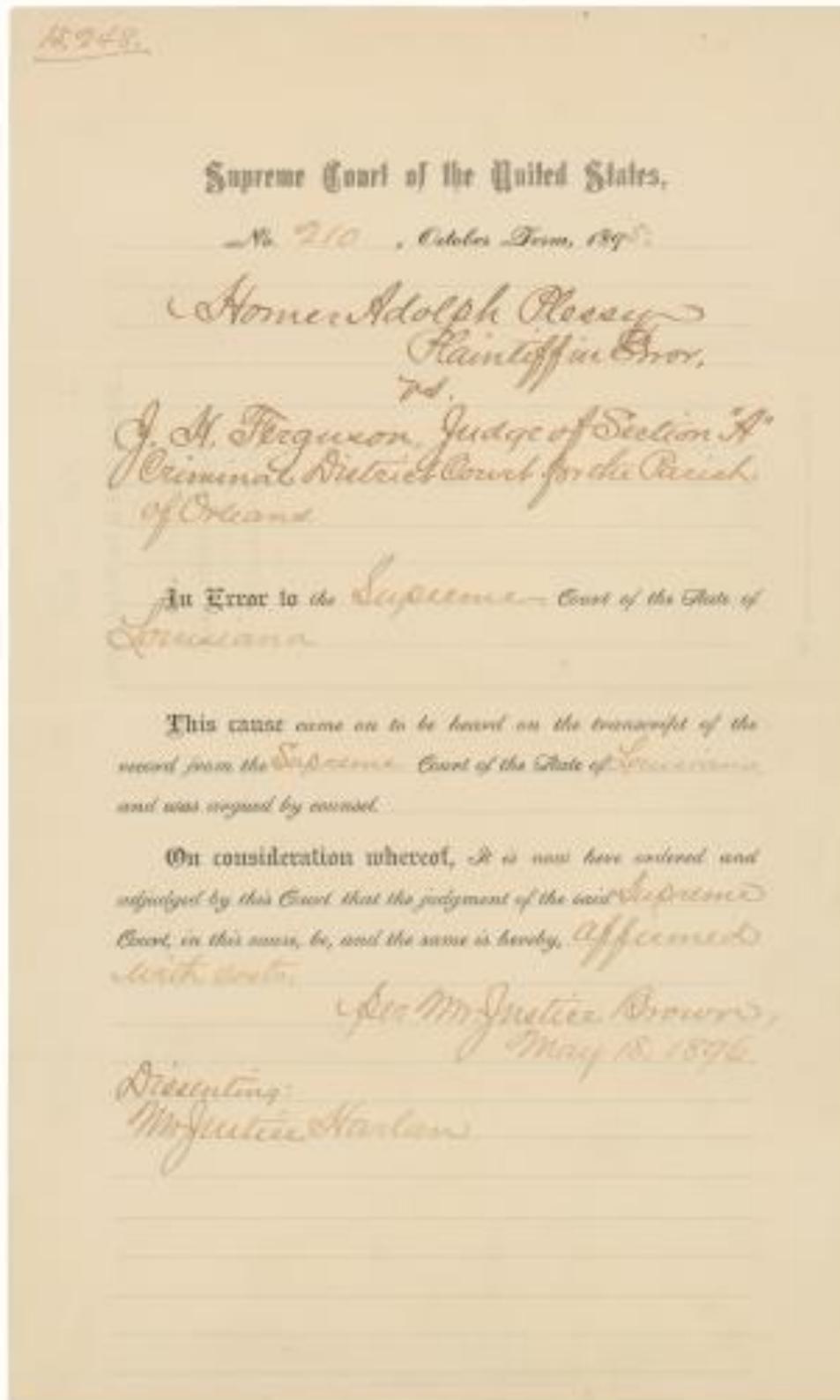
Plessy v. Ferguson
163 U.S. 537 (1896)

Title: Plessy v. Ferguson, Judgment of the Court

Source: Supreme Court of the United States

Date: May 18, 1896

Doc E



Plessy v. Ferguson
163 U.S. 537 (1896)

TRANSCRIPT:

Supreme Court of the United States,
No. 210, October Term, 1895.

Homer Adolph Plessy,
Plaintiff in Error,

vs.

J.H. Ferguson, Judge of Section "A"

Criminal District Court for the Parish of Orleans

In Error to the Supreme Court of the State of Louisiana

This cause came on to be heard on the transcript of the record from the Supreme Court of the State of Louisiana, and was argued by counsel.

On consideration whereof, It is now here ordered and adjudged by this Court that the judgement of the said Supreme Court, in this cause, be and the the same is hereby, affirmed with costs.

per Mr. Justice Brown,

May 18, 1896.

Dissenting:

Mr. Justice Harlan

Title: Plessy v. Ferguson.

Source: *Britannica School*, Encyclopædia Britannica, Inc.,

Date: 2016

Doc F

Plessy v. Ferguson originated in 1892 as a challenge to Louisiana's Separate Car Act. This law required that all railroads operating in the state provide "equal but separate accommodations" for white and African American passengers. Passengers were only allowed in the rail cars assigned to their race. To challenge the constitutionality of the law, a group of citizens in New Orleans formed a committee to generate a test case. They had Homer Plessy, who was seven-eighths white and one-eighth African American, purchase a rail ticket and sit in a rail car reserved for white passengers. After Plessy refused to move to a car for African Americans, he was arrested. He was tried and found guilty in U.S. District Court, and a state supreme court upheld the verdict. The case was then taken to the U.S. Supreme Court.

Plessy argued that the Separate Car Act was unconstitutional. He contended that it violated both the Thirteenth Amendment, which prohibited slavery, and the Fourteenth Amendment, which granted full and equal rights of citizenship to African Americans.

Rejecting these arguments, the Supreme Court ruled 7 to 1 against Plessy. Associate Justice Henry Billings Brown wrote the majority opinion—which did not actually contain the phrase "separate but equal." He held that the Separate Car Act did not conflict with the Thirteenth Amendment because it did not reestablish slavery or constitute a "badge" of slavery or servitude. Brown further concluded that the act did not conflict with the Fourteenth Amendment. That amendment, he argued, was intended to secure only the legal equality of African Americans and whites, not their social equality. Brown concluded that the racial segregation of rail passengers did not by itself imply the legal inferiority of either race. "If one race be inferior to the other socially," he wrote, "the Constitution of the United States cannot put them upon the same plane."