

## Congress Passes Civil Rights Act of 1875

Charles Sumner was an ardent abolitionist and civil rights activist from Massachusetts. He and fellow congressman, Thaddeus Stevens, were two of the Radical Republicans that forced through Reconstruction measures after the Civil War. He co-sponsored the Civil Rights Act of 1875 with former Union general, Benjamin Butler, but died before it passed in Congress. His last words were, "save my civil rights bill."

### **Text of the Civil Rights Act of 1875**

An Act to Protect All Citizens in Their Civil and Legal Rights.

Whereas it is essential to just government we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,

Be it enacted, That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Section 2. That any persons who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of every race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby . . . and shall also, for every such offense, be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year. . . .

1883: Supreme Court Overturns 1875 Civil Rights Act Supreme Court  
The Civil Rights Act of 1875, "guaranteed that everyone, regardless of race, color, or previous condition of servitude, was entitled to the same treatment in "public accommodations" (i.e. inns, public conveyances on land or water, theaters, and other places of public amusement)." The law was rarely enforced, partly due to the withdrawal of federal troops by President Hayes. The US Supreme Court declared it unconstitutional under the 14<sup>th</sup> Amendment because it regulated individuals rather than states. The consequences of this decision led to separate-but-equal policies and second-class citizenship for African Americans.