

JOHN FELAND & SON,
Attorneys at Law.

Evansville, Ky Aug 13, 1894

Hon. Albion W. Long

Memphis, Mo.

Dear Sir:

My wife showed me a letter to-day that she had received from you, and afterwards, Mr. J. H. Mitchell, of Evansville, the Secretary and Treasurer of the anti-separatist Coast Society, came to see me, and in his discourse that he had had some communication with you about this matter. We are the attorneys who brought the writ which is now pending in the United States Circuit Court here to test the constitutionality of the separate coach law of Kentucky. On December 20th the petition, the Court held the law applicable to interstate commerce, and indivisible, and therefore wholly unconstitutional. But he did intimate that he thought where equal accommodations were afforded, the carrier might at once run law separate his passengers according to color, and the late defendant has filed an answer relying

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on its right to establish such a rule without the aid of a statute. I am satisfied that the Courts would never sanction a classification based solely on color; but if they did, it would be a more serious blow to the rights of the colored people than all the statutes they could pass.

Of course, the defendants can never show that the accommodations offered were equal; but the danger is that the Supreme Court might say what some of the Circuit Judges have intimated, that the rule might be enforced in a case where the accommodations were shown to be equal, and on this disturbance, the whole democracy would at once begin schemes to further step on the neck.

I am, therefore, very anxious not to allow the enemy any advantage in the case, and I wish to you because Mitchell. I think you now have a case from Louisiana in the Supreme Court now involving all the questions raised in ours. Of course, we would not understand the legal issues, and might be mistaken. But if you have such a case, and it does present the proper questions, it would be reached long before we could get

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on case up, unless it might be our best
interests to hold up our case until your
was heard. I wish, therefore, you would
send me a copy of the record in your
Case, and let me get at the exact status
of it. Mitchell says he can get the
Colonel people all over the South in-
terested in the proper kind of a case,
and get up all the money needed
to prosecute the case, and as soon
the Colonel people and their friends
the proper state of interest.

Yours truly,

John Feland