



*The Violation of a Constitutional Right by the Citizens' Committee.*  
New Orleans, Louisiana, 1893.



## THE CITIZENS' COMMITTEE.

The CITIZENS' COMMITTEE is a body composed of citizens of the city of New Orleans, organized September 1, 1891, to offer legal resistance to the separate car law of Louisiana, enacted by the Legislature of 1890. In a short time it had raised \$3,000 by popular subscriptions, when it ceased further collection, adjudging that sum sufficient for the purpose in view. In pursuance of its object, it has made two cases: First, that of D. F. Desdunes, who was placed in a coach reserved for white passengers of a train of the Louisville and Nashville Railroad with a through ticket to Mobile, Ala., Feb. 24, 1892, and was arrested and charged under the penal clause of the law. After passing through the preliminary stages, from the magistrate's court this case was sent to the Criminal District Court for the Parish of Orleans, and fell to Section A of that tribunal, the late judge Robert H. Marr presiding. The Committee's counsel filed a plea against the constitutionality of the law, which was submitted on printed briefs, March 21 following, and taken under advisement. The sudden, mysterious disappearance of Judge Marr, on April 19, 1892, before rendering his decision, estopped further proceeding for the time being. Several months after, when all hope of finding the missing Judge was abandoned and Judge J. H. Ferguson appointed his successor, the court sustained the defense's plea, holding, in accordance with the decision of the State Supreme Court in the case of the State ex-rel. W. C. Abbott vs. W. O. Hicks handed down meanwhile, the law unconstitutional in so far as it was invalidated by that higher tribunal. But while this judgment rendered the law inoperative in as much as it affected interstate commerce, it left it in force, with all its attendant objections, in regard to travel within the State. Hence the second case of the Committee, that of Homer A. Plessy, who was sent to Covington, in the State, June 7, 1892. Provided with a first class ticket, Plessy took his seat in the "white" coach of a train of the East Louisiana Railroad. He was also arrested and charged with a violation of the law. This case is now before the United States Supreme Court on a writ of error from the judgment of the State Supreme Court, sustaining the decision of the court below overruling the plea against the constitutionality of the law. It will be argued next fall. The counsel in the case are Judge A. W. Tourgee of Mayville, N. Y., Judge James C. Walker of New Orleans, La., Messrs. S. F. Phillips and F. D. McKenny of Washington, D. C., and L. A. Martinet, Esq., of New Orleans, La.

Since its existence the CITIZENS' COMMITTEE has also taken part in all struggles to secure justice to the citizen, or protect him in the exercise of his right or from the enactment of unjust laws, and oppression of all sorts. Notably was its efforts directed against the proposed law prohibiting inter-marriage between the races, and therefore favoring concubinage and promoting immorality, which was defeated in the State Senate, after having passed the House of Representatives, of the Legislature of 1892.

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# INTRODUCTION.

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The CITIZENS' COMMITTEE, in compliance with the expressed wish of a mass meeting of citizens of New Orleans, La., as will be seen further on, submits to the world, in the following pages, the record of an assault on the rights of the citizen, at Mandeville, a summer resort across the lake from the city, which constitutes as gross and brutal an outrage as ever was committed in free America.

The frequency of these outrages against law, decency and humanity in the Southern section of the great American Republic, and the failure of the press and the pulpit to denounce or condemn these crimes—of this case, what is accounted “the press” in New Orleans took absolutely no notice—render such publication imperative in order to secure a measure of protection for human rights and personal liberty against mob-law and mob-rule, by appealing to the sentiment of justice of civilized mankind.

We present, therefore, to the enlightened in all lands, to the friends of liberty and lovers of justice, the unprejudiced and fair-minded, in America and in Europe—not indeed the riddling with bullets or burning at the stake of a fellow-being, not one of the demoniac crimes which, in this day, from this portion of our country, so commonly send a thrill of horror through the world and make humanity shudder, but yet an offence more subversive of law and order, and more dangerous to society, in that while it robs the citizen of his constitutional right to have and hold property, deprives him of the enjoyment of his personal liberty or freedom, and denies him his right to the pursuit of happiness, it has not the excuse of the perpetration or alleged perpetration of a crime by the victim in its extenuation, as has been the case in those more ferocious deeds. The violation of law and constitutional right here was unprovoked, deliberate and willful.

The victims of this outrage inflicted by members of a vaunted “superior race” boasting of a “superior civilization” are the family of Mr. Paul Bonseigneur, consisting of himself, his invalid wife and an adopted daughter, and hence it presents also a case of unmitigated inhumanity. Mr. Bonseigneur is a native of New Orleans, a man of wealth,—wealth acquired by thrift, frugality and the honest industry of his immediate ancestor and himself,—a gentleman of culture and refinement, generous, public-spirited and possessing all the qualities that render a man estimable, and the son of one of the heroes who in 1815 offered up their lives to their country, while it denied them the legal status of citizens and held their race in bondage, and were publicly and specially thanked by General Jackson, subsequently President Jackson, for gallantry in the field. His family is a most honorable one.

If such qualities and considerations do not secure to the colored man the respect of his fellow-citizens, or even the bare protection of the law in the exercise of the humblest right, then the future is dark indeed for him in this boasted land of liberty and justice.

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It may be said, it has been said, that Mr. Bonseigneur should have appealed to the authorities, to the courts, to the law for protection. Those who think thus, or speak thus, are not residents of the South, and therefore know not the conditions in which we live, or, if residents, they are not sincere. The result of appeals to the courts, to the authorities, in such cases, has ever been farcical,—often tragical.

About the very time of the perpetration of the outrage against Mr. Bonseigneur and his family, a diabolical crime—one in a hundred, a thousand—committed by the mob, was reported in the Franklin Advocate, a Democratic journal, published at Meadville, Mississippi, which illustrates Southern conditions, and from this report, reproduced in THE CRUSADER of July 29, we extract sufficient to prove our assertion:

“Boe Beall, a colored man working on Eugene L. Scott’s place, bordering on the Amite County line, was shot and killed by unknown parties on Monday last. It seems that Beall, who then resided in Amite County, was taken out by whitecaps... given a severe whipping, and ordered to leave the country. This he failed to do, but instead he appeared before the Amite County Grand Jury and secured the indictment of a number of men whom he alleged he had recognized. To this action Beall owes his death. Monday, while plowing in a canebreak of Scott’s place, he was fired at from ambush and literally filled with buckshots.”

Again, the torch has not only often been put to the property of colored men to drive them from a community, but the New Orleans Times-Democrat of so recent a date as August 23, 1893, reports the blowing up into fragments with dynamite of the house of a Negro in Bearden, Arkansas, fatally or seriously wounding all the inmates. The head of the family had a few days previously won a lawsuit against a white man.

There was no lack of courage on the part of Mr. Bonseigneur to defend his person or the sacredness of his domicile, and the reasons that influenced him to leave Mandeville are fully explained in his statement which follows. His anxious solicitude for his sick wife and his utter forgetfulness of self in that trying moment have won from his unbiased fellowmen their unqualified approval and commendation of his conduct. But could he have remained in Mandeville, who, knowing the conditions in the South, doubts what fate awaited him or his property?

THE CRUSADER is the only journal here that has commented on or spoken of this outrage.

This record is supplemented by an article on the denial of rights to the citizen of color in the United States from our noble and generous friend, Judge Albion W. Tourgee.

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# STATEMENT.

## TO THE PUBLIC :

Referring to certain rumors that I have been made to leave Mandeville, a resort where I have for several years past spent the summer, occupying a rented building, I wish to make the following statement:

On May 31, I bought at public auction in this city a summer residence on the beach at that burg, and have had extensive repairs made to the property, entirely renovating it. I left the city for the place on June 16, and rented a house until mine was ready for occupancy. Soon after my arrival at Mandeville, various threatening reports reached me—to the effect that I would not be permitted to occupy my house; in fact, one day coming to the city on one of my weekly trips, I met on the boat Col. Geo. Moorman, who, after inquiring whether I would not sell my property on the beach and rejecting my offer to part with it for \$2,500, undertook, after some hesitation, to inform me that “the people of Mandeville” objected to my residence there or my presence among them. I asked him what was the objection—whether there was anything against my character or there existed some valid reason for this unknown to me. He protested, and assured me that I enjoyed the reputation of being a perfect gentleman, and was highly esteemed and respected. All I could obtain from him was that I was “reputed to be a man of wealth,” and “they”—the people who objected to my acquiring a residence in Mandeville—“did not intend that I should come there and get all the good out of the place.”

I must say that I lived comfortably in Mandeville, rode in my own carriage—a team which some people admired—and tried generally to enjoy life within the limits of my means, in a quiet and unostentatious manner. But I own my own property. As a tenant I was unobjectionable. Hitherto I thought one who invested his money in a community and added to its improvements was more welcomed than he who was there transiently only. But it is not so, not in Mandeville at any rate.

Not being able to draw anything more from Mr. Moorman, I tried to dismiss the incident from my mind and enjoy my vacation fully with my family.

But rumors flew thicker. Daily it was reported to us that I would not be allowed to move into my residence, that a committee had been appointed and would call to order me away, and that my life would be in jeopardy if I refused to comply, etc.

These reports greatly annoyed and vexed my wife, who is in

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delicate health; but I took them quietly, only preparing for an emergency by sleeping with my gun well loaded behind my couch, and giving out through my informants that the committee or individuals who would invade my premises in an attempt to drive me from my place would do so at the peril of their lives.

The days passed, but the committee came not. Those reports, however, continued to pour in to our annoyance and the great discomfort of Mrs. Bonseigneur, until finally, on Sunday night last, a colored boy came to my house, saying that he had been sent by Col. Moorman to bring me this message:

MANDEVILLE, LA., JULY 9, 1893.

PAUL BONSEIGNEUR, Esq., Mandeville, La.:

Sir—Referring to the statement made to you several days since by Col. Geo. Moorman that he voiced our sentiments in regard to your proposed residence in our neighborhood and on the Beach, we hereby indorse and confirm his action in the matter, and as citizens and property holders desire to again give you notice that your presence in our neighborhood and on the Beach will be highly disagreeable to us and to our families.

Very respectfully,

GEO. MOORMAN,	W. J. CASTELL,
JOS. GARCIA,	T. M. MOORMAN,
GUS. PITOT,	E. PERRILLIAT,
T. S. ALLEN,	H. C. QUIRK,
J. R. S. SELLECK,	L. J. FREMAUX,
LAWRENCE FABACHER,	ARTHUR MCQUIRK.

This incident so effected Mrs. Bonseigneur that we feared she would become more seriously ill. She resolved that she would not stay in Mandeville any longer and concluded to return to the city. Disconcerted as I was at this decision on her part, I had no choice but to abide by it, as she positively refused to remain in Mandeville. We returned to the city Wednesday.

We could not go contrary to her wishes. She is, and has been, in ill health for several years, and we feared the shock would aggravate her condition.

I wish to add that the reliability of my information leaves me no room to doubt that the purpose of the signers of this document is to drive me from Mandeville, at any cost, by an appeal to prejudice and the baser passions.

But my bringing back my family to the city was not influenced in the least by their evil design; it was solely out of solicitude for my wife's health. To have detained her in Mandeville under those circumstances would seriously have compromised her chances to regain her health, and perhaps have endangered her life.

But those are terrible conditions where one cannot, in peace

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and without molestation, share in the advantages of a health resort for the benefit even of an invalid wife.

I submit to the people of this community, to whom I am well known, whether I am an objectionable person. And yet to gratify the unjustifiable hatred, prejudice and jealousies of designing men, must I abandon my property, so recently acquired and repaired at great cost, and perhaps let it go to ruin?

PAUL BONSEIGNEUR.

New Orleans, La., July 14, 1893.

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THE CRUSADER, July 15, 1893.

### AN INFERNAL OUTRAGE.

Our patrons will read with more than surprise a statement from Mr. Paul Bonseigneur, which appears in another column, and which requires little or no comment. In fact, it explains itself, and the long and short of it is, that Mr. Bonseigneur has been notified by some evil-minded and envious persons that he cannot stay in Mandeville. Such an unwarranted act is a positive outrage and ought to be sufficient to kindle indignation in the breast of every just man.

Mr. Bonseigneur has for several years, and for the benefit of Mrs. Bonseigneur's health, spent the summers at Mandeville, then as a tenant, and there never was raised the slightest objection from any quarter.

This year Mr. Bonseigneur, who is a man of wealth—wealthier than any of those who persecute him—bought a cottage at that lake resort, beautified it and made it the most attractive on the beach. Mr. Bonseigneur also owns the finest team in Mandeville, and lives comfortably—all this, however, without ostentation, for he is a modest man. Hence the animosity of the signers of the diabolical notice to him to quit the place, who stupidly believe themselves descended from the loins of Jupiter; while some are not even residing in Mandeville and have no family there this season, and hence the falsity of their allegation, that Mr. Bonseigneur's presence in that town is distasteful to their families, if that could be of any moment. Not one of these individuals is Mr. Bonseigneur's superior in education and refinement, and if we lived in a community where a man was judged by his merit, they would find their social level each, as written in their own brutal act. *honorably*

Of course this infernal notice is but a tithe of the annoyances to which Mr. Bonseigneur and his family have been subjected; he understood from the reports to him, and the reliability

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