

Primary Source

An Act to Confer Civil Rights on Freedmen, and for other Purposes, 1865 (Mississippi Black Code)



To what extent did Founding principles of liberty, equality, and justice become a reality for African Americans from Reconstruction to the end of the nineteenth century?

- ☐ I can interpret primary sources related to Founding principles of liberty, equality, and justice from the colonial era to the outbreak of the Civil War.
- ☐ I can explain how laws and policy, courts, and individuals and groups contributed to or pushed back against the quest to end slavery.
- ☐ I can create an argument using evidence from primary sources.
- ☐ I can analyze issues in history to help find solutions to present-day challenges.

Essential Vocabulary

Mulattoes	People of mixed race, specifically of European and African or African American descent
Lascivious	A description of sexual behavior that is considered crude or immoral
Vagrant	A person who is without a home and begs for a living

Building Context

Federal efforts to integrate African Americans into society after the Civil War were met with opposition. Southern states such as Mississippi attempted to define the legal status of the formerly enslaved under state law. Although some rights were affirmed, there are notable exceptions with serious practical consequences.

An Act to Confer Civil Rights on Freedmen, and for Other Purposes, 1865 (Mississippi Black Code)

Source: <http://teachingamericanhistory.org/library/document/black-codes-of-mississippi/>

<p>All freedmen, free negroes and mulattoes [people of mixed race, specifically of European and African descent] may. . . acquire personal property shall not be so construed as to allow any freedman, free negro or mulatto to rent or lease any lands. . . . All freedmen, free negroes and mulattoes may intermarry with each other . . . and it shall not be lawful for any freedman, free negro or mulatto to intermarry with any white person.</p> <p>Every freedman if living in any incorporated city, town, or village, [may acquire] a license from that mayor thereof; authorizing him or her to do irregular and job work . . . which license may be revoked for cause at any time by the authority granting the same. . . .</p> <p>All idle persons or persons practicing unlawful games or plays or lascivious [sexual behavior that is considered crude or immoral] persons, in speech or behavior persons who neglect their calling or employment, misspend what they earn habitually misspend their time by frequenting houses of ill—fame, gaming—houses shall be deemed and considered vagrants [a person without a home who beds for a living], under the provisions of this act, and upon conviction thereof shall be fined not exceeding one hundred dollars . . . and be imprisoned, at the discretion of the court, no exceeding ten days.</p>	<p>Notes</p>
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Comprehension and Analysis Questions

1. How is freed people's right to own property violated or denied by this act?

2. In what way could the licensing requirement restrict the individual liberty of freedmen?

3. Given the description of vagrancy, what would be the practical consequence of having a license to work revoked?

4. How else might the vagrancy laws give white officials additional power over the lives of freedmen?