

Muscatoine Jan'y 21/68

Dear Judge

Your is read - and
in reply I have to say - that
in the case you speak of
I did not write an opinion.

I merely stated, briefly, my
views; namely:

- 1 That the constitution
made no distinction;
- 2 That the law made
none;
- 3 That a law once
in force, authorizing the
exclusion of Colored
children had been repealed.
- 4 That the law, on general
principles - must be
construed to extend to every
person not excluded by
its terms.
- 5 That the policy of the law,
as well as of the State and
the Country at large was
was to extinguish - and

and not to foster the idea
of caste & the prejudices
attending it -

and in this connection
referred to Civil Rights
Bill -

That alone is in substance
what I relied upon.
That the Court could
make no distinction
where the law made
none - and upon
principle, there was
no more reason
for having separate
schools for blacks,
than there was in
having one for Rich
another for Poor -
one for Catholics - &
one for Protestants -

I doubt whether
this will be of any
service to you.
Yours truly
J. Scott Rice

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