

IN THE SENATE OF THE UNITED STATES.

MARCH 5, 1869.

Mr. EDMUNDS asked, and by unanimous consent obtained, leave to bring in the following bill; which was read twice and ordered to be printed.

MARCH 8, 1869.

Referred to the Committee on the Judiciary.

MARCH 17, 1869.

Reported by Mr. TRUMBULL with an amendment, viz: Strike out section 4.

A BILL

To enforce the fourteenth amendment to the Constitution and the laws of the United States in the State of Georgia, and to restore to that State the republican government elected under its new constitution.

Whereas the legislature in the State of Georgia, elected under its new constitution, preparatory to the restoration of that State to its proper place in the Union and to the admission of senators and representatives in Congress therefrom, has, in violation of the fourteenth amendment to the Constitution of the United States, refused to purge itself of members who by said amendment were prohibited from being such members and from acting as such, and has permitted and continues to permit such members to act as such; and whereas a majority of the persons in fact composing said legislature has, in violation of said Constitution and said constitution of Georgia, and in violation of the fundamental

principles upon which Congress consented to the restoration aforesaid, expelled from said legislature a large number of its legally qualified members upon the sole ground that they were persons of African blood, and admitted thereto other persons not receiving a majority of the votes of the people in their places; and whereas it appears that the local authorities in said State are wholly unable or unwilling to protect the lives, liberties, and property of lawful and unoffending citizens of said State from lawless violence, and refrain purposely, or from want of power, from bringing such offenders to justice, whereby it fully appears that the people of the State of Georgia have not complied with the terms or conformed to the principles upon which its restoration was provided for, and that the government thereof is not in fact republican or regular: Therefore,

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 That so much of the act passed June twenty-fifth, eighteen
 4 hundred and sixty-eight, as relates to the State of Georgia
 5 be, and the same is hereby, repealed.

1 SEC. 2. *And be it further enacted,* That the military
 2 government of the State of Georgia, heretofore provided for
 3 by law, be, and the same is hereby, revived, subject to the
 4 provisions of this act.

1 SEC. 3. *And be it further enacted,* That the government
 2 organized under said new constitution of Georgia shall con-
 3 tinue in operation during the pleasure of Congress as pro-
 4 visional only, and the expulsion of the members of said
 5 legislature heretofore had, on the ground that they were of

6 African descent, is hereby declared null and void, and they
7 shall be restored to their seats, and such persons as may have
8 been admitted thereto in their place shall vacate the same;
9 and no person shall be permitted to hold a seat in said
10 legislature, or any office under said provisional government,
11 who is disqualified by the fourteenth amendment to the Con-
12 stitution of the United States.

1 [SEC. 4. *And be it further enacted,* That the district
2 and circuit courts of the United States in the State of Georgia
3 shall have concurrent jurisdiction with the courts under said
4 provisional government of all offenses and torts; but such
5 United States courts shall not proceed therein unless the party
6 injured, or some one in his behalf, (when his evidence cannot
7 reasonably be obtained,) shall make oath before a judge or
8 commissioner that justice cannot, to the best of his belief, be
9 obtained in said case in said provisional courts.]

1 SEC. [5]4. *And be it further enacted,* That it shall be
2 the duty of the President to cause to be stationed in said
3 State such part of the land and naval forces as shall be suf-
4 ficient to carry this act into full execution; and all officers in
5 command of such forces shall, on the demand of the acting
6 governor of said State, render military aid and assistance in
7 the administration of said government and in the protection
8 of life and property and in the administration of justice.

A BILL

To enforce the 14th amendment to the Constitution and the laws of the United States in the State of Georgia, and to restore to that State the republican government elected under its new constitution.

1869—MARCH 5.—Read the first and second times and ordered to be printed.

MARCH 8.—Referred to the Committee on the Judiciary.

MARCH 17.—Reported with an amendment.