
IN THE SENATE OF THE UNITED STATES.

FEBRUARY 6, 1875.

Read twice and referred to the Committee on the Judiciary.

AN ACT

To protect all citizens in their civil and legal rights.

Whereas it is essential to just government we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: 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 all persons within the jurisdiction of the United States
4 shall be entitled to the full and equal enjoyment of the ac-
5 commodations, advantages, facilities, and privileges of inns,
6 public conveyances on land or water, theaters, and other
7 places of public amusement; subject only to the conditions
8 and limitations established by law, and applicable alike to
9 citizens of every race and color, regardless of any previous
10 condition of servitude.

1 SEC. 2. That any person who shall violate the foregoing

2 section by denying to any citizen, except for reasons by law
3 applicable to citizens of every race and color, and regardless of
4 any previous condition of servitude, the full enjoyment of any of
5 the accommodations, advantages, facilities, or privileges in said
6 section enumerated, or by aiding or inciting such denial,
7 shall, for every such offense, forfeit and pay the sum of five
8 hundred dollars to the person aggrieved thereby, to be re-
9 covered in an action of debt, with full costs; and shall also,
10 for every such offense, be deemed guilty of a misdemeanor,
11 and, upon conviction thereof, shall be fined not less than five
12 hundred nor more than one thousand dollars, or shall be im-
13 prisoned not less than thirty days nor more than one year :
14 *Provided*, That all persons may elect to sue for the penalty
15 aforesaid or to proceed under their rights at common law and
16 by State statutes; and having so elected to proceed in the one
17 mode or the other, their right to proceed in the other juris-
18 diction shall be barred. But this proviso shall not apply to
19 criminal proceedings, either under this act or the criminal law
20 of any State : *And provided further*, That a judgment for
21 the penalty in favor of the party aggrieved, or a judgment
22 upon an indictment, shall be a bar to either prosecution
23 respectively.

1 SEC. 3. That the district and circuit courts of the
2 United States shall have, exclusively of the courts of
3 the several States, cognizance of all crimes and offenses

4 against, and violations of, the provisions of this act; and
5 actions for the penalty given by the preceding section may be
6 prosecuted in the territorial, district, or circuit courts of the
7 United States wherever the defendant may be found, without
8 regard to the other party; and the district attorneys, mar-
9 shals, and deputy marshals of the United States, and com-
10 missioners appointed by the circuit and territorial courts of
11 the United States, with powers of arresting and imprisoning
12 or bailing offenders against the laws of the United States, are
13 hereby specially authorized and required to institute proceed-
14 ings against every person who shall violate the provisions of
15 this act, and cause him to be arrested and imprisoned or
16 bailed, as the case may be, for trial before such court of the
17 United States or territorial court as by law has cognizance of
18 the offense, except in respect of the right of action accruing
19 to the person aggrieved; and such district attorneys shall
20 cause such proceedings to be prosecuted to their termination as in
21 other cases: *Provided*, That nothing contained in this section
22 shall be construed to deny or defeat any right of civil action ac-
23 cruing to any person, whether by reason of this act or other-
24 wise; and any district attorney who shall willfully fail to
25 institute and prosecute the proceedings herein required shall, for
26 every such offense, forfeit and pay the sum of five hundred dollars
27 to the person aggrieved thereby, to be recovered by an action of
28 debt, with full costs, and shall, on conviction thereof, be deemed

29 guilty of a misdemeanor, and be fined not less than one thousand
30 nor more than five thousand dollars: *And provided further,*
31 That a judgment for the penalty in favor of the party aggrieved
32 against any such district attorney, or a judgment upon an
33 indictment against any such district attorney, shall be a bar
34 to either prosecution respectively.

1 SEC. 4. That no citizen possessing all other qualifications
2 which are or may be prescribed by law shall be disqualified
3 for service as grand or petit juror in any court of the United
4 States, or of any State, on account of race, color, or previous
5 condition of servitude; and any officer or other person
6 charged with any duty in the selection or summoning of
7 jurors who shall exclude or fail to summon any citizen for the
8 causes aforesaid shall, on conviction thereof, be deemed
9 guilty of a misdemeanor, and be fined not more than five
10 thousand dollars.

1 SEC. 5. That all cases arising under the provisions of
2 this act in the courts of the United States shall be reviewable
3 by the Supreme Court of the United States, without regard
4 to the sum in controversy, under the same provisions and
5 regulations as are now provided by law for the review of
6 other causes in said court.

Passed the House of Representatives February 4, 1875.

Attest: EDWARD McPHERSON, *Clerk,*

By CLINTON LLOYD, *Chief Clerk.*

43^d CONGRESS, }
2^d SESSION. } **H. R. 796.**

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