

---

IN THE SENATE OF THE UNITED STATES.

DECEMBER 21, 1865.

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

---

**A BILL**

To maintain and enforce the freedom of the inhabitants of the United States.

Whereas the Congress of the United States did, on the first day of February, eighteen hundred and sixty-five, submit to the legislatures of the several States an amendment to the Constitution, declaring that neither slavery nor involuntary servitude, except as a punishment for crime, should exist within the United States, and that Congress should have power to enforce the same by appropriate legislation; and whereas the Secretary of State did, on the nineteenth day of December, eighteen hundred and sixty-five, make official proclamation that the said amendment had been ratified by three-fourths of the legislatures of said States: 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 laws, statutes, acts, ordinances, rules, and regulations  
4       heretofore in force or held valid in any State or Territory of  
5       the United States, whereby or wherein any inequality of

6 civil rights and immunities among the inhabitants of the  
7 United States, or any Territory thereof, is recognized, author-  
8 ized, established, or maintained, by reason of, or founded  
9 upon, distinctions or differences of color, race, or descent, or  
10 upon a previous condition or status of slavery or involuntary  
11 servitude, be, and they are hereby, declared null and void,  
12 and it shall be unlawful hereafter to make, institute, ordain,  
13 or establish any such law, statute, act, ordinance, rule, or  
14 regulation, or to enforce or to attempt to enforce the same.

1       SEC. 2. *And be it further enacted,* That all inhabitants  
2 of any State or Territory of the United States, without dis-  
3 tinction of color or race, shall be entitled to make and enforce  
4 contracts, to sue, be parties, and give evidence in all courts  
5 and causes, to lease, purchase, hold, sell, and convey real and  
6 personal property, and to have full and equal benefit of all  
7 laws and proceedings for the security of person and estate.

1       SEC. 3. *And be it further enacted,* That any person who  
2 shall, under the cover of any law or regulation, attempt to  
3 subject, or cause to be subjected, any inhabitant of any State  
4 or Territory to privation of any right of person or property,  
5 secured or protected by this act, or shall otherwise violate the  
6 provisions of this act, shall be deemed guilty of a misde-  
7 meanor, and shall, upon conviction in any district or circuit  
8 court of the United States, be punished by fine not exceed-  
9 ing one thousand dollars, or by imprisonment not exceeding

10 three years, or by both, at the discretion of the court: *Pro-*  
11 *vided*, That in the States declared in insurrection by the  
12 proclamation of the President of the first of July, eighteen  
13 hundred and sixty-two, proceedings for the conviction and  
14 punishment of any violation of this act may be had in proper  
15 military courts until Congress shall by law provide for the  
16 re-establishment of the constitutional relations of said States  
17 to the United States.

1       SEC. 4. *And be it further enacted*, That in all cases  
2 where any defendant in any suit or proceedings in any court  
3 of a State or Territory shall claim any right under the pro-  
4 visions of this act by way of defence, such defendant may  
5 remove by petition such suit or proceedings into the proper  
6 district or circuit court of the United States.

---

# A BILL

To maintain and enforce the freedom of the inhabitants of the United States.

---

1865—DECEMBER 21.—Read twice, referred to the Committee on the Judiciary, and ordered to be printed.