

The Civil Rights Bill.

The Bill declares "all persons" born of parents domiciled in the United States, except untaxed Indians, to be citizens of the United States; & of course entitled to all the rights & privileges & subject to all the duties & responsibilities of citizenship.

As much they are to have in every State & Territory the same right "as is enjoyed by white citizens".

1. To make & enforce contracts
2. To sue, to be sued, be parties & give evidence.
3. To inherit, purchase, lease, sell, hold & convey real & personal property.
4. To the full & equal benefit of all laws

proceedings for the security of person & property.

and are to be subject to like jurisdiction, pains & penalties & to remove others.

All laws, statutes, ordinances, regulations & customs to the contrary are abolished.

This is the substance of the bill; the rest is the machinery for carrying it into effect.

Though obviously framed with an eye to the presently emancipated negro, its terms are general & embrace Jews, Chinese, Irish Americans as well.

We have seen what rights are conferred, let us see what are not conferred.

1. The right, or privilege of voting. That is not

one of the incidents of citizenship. Many vote who are not citizens of the United States; while a large majority of the citizens do not vote.

2. The right to hold office & to exercise official functions. This right, like voting, depends upon other qualifications than citizenship.

Possibly it might, at first view, be thought to center upon the laws restraining intermarriage. These laws operate to restrain white people, not black. This subject is discussed by the Supreme Court of Tennessee in the case of the State vs Brady, 9 Humph. 74, in which it was held that for a violation of the law against colored intermarriage, the penalty falls upon the white

party.

The law in Tennessee, to which, corresponds with this section of the bill, excepting in the measure of punishment affixed to certain aggravated crimes, blacks, death; whites imprisonment for a long term of years.

The Bill is an attempt

1. To protect all citizens of the United States against hostile local legislation &
2. To enforce the recent Amendment of the Constitution abolishing Slavery.

The other two sections of the bill are the means to the enforcement of the rights declared in the first section.

Section 2, is the sanction, denouncing the

penalty for violation; declaring it a misdemeanor, with the usual punishment of fine & imprisonment.

Section 3 gives the District Courts of the United States jurisdiction, exclusive of the State Courts & concurrently with the Circuit Courts of the United States in cases to enforce their rights & to punish for a violation.

Section 4 makes it the duty of certain officials to prosecute all violations of the provisions of this act.

Section 5 confers judicial powers in certain cases upon Commissioners.

Section 6 provides for the issuance by them

of process & for its execution.

Section 7 declares it an offence punishable by fine & imprisonment, to obstruct the execution of process.

Section 8 regulates the fees of officers.

Section 9 empowers the President to interpose for the punishment or the prevention of violations of the provisions of the act.

Section 10 authorizes him to employ the land or naval forces or the militia "to prevent the violation & to enforce the due execution of the provisions of this act."

Section 11 gives an appeal upon all questions of law to the Supreme Court of the United States.