Congress of the United States, At the Second Session.

Begun and held at the CITY OF WASHINGTON, in the month of November, on Monday, the Seventh day of December, Eighteen Hundred and Seventy-four.

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, whatsoever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into laws, Therefore:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of every public conveyance on land or water, and other places of public accommodation, subject only to the conditions and limitations established by law, and applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Sec. 2. That any person who shall violate the foregoing section by denying to any citizen, except for reasons by law applicable to citizens of any race and color, and regardless of any previous condition of servitude, the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every such offense, forfeit and pay the sum of one thousand dollars, and, upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned.
not less than thirty days nor more than one year: Provided, that all persons may elect to sue for the penalty aforesaid or to proceed under their rights at common law and by State statutes; and having as elected to proceed in the one mode or the other, their right to proceed in the other jurisdiction shall be barred. But this provision shall not apply to criminal proceedings, either under this act or the criminal law of any State: And provided further, that no judgment for the penalty in favor of the party aggrieved, or a judgment upon an indictment, shall be a bar to either prosecution respectively.

Sec. 3. That the district and circuit courts of the United States shall have, exclusively of the courts of the several States, cognizance of all crimes and offenses against, and violations of, the provisions of this act; and actions for the penalty given by the preceding sections may be prosecuted in the territorial, district, or circuit courts of the United States, whenever the defendant may be found, without regard to the other party; and the district attorney, marshal, and deputy marshal of the United States, and commissioners appointed by the circuit and territorial courts of the United States, with power of arresting and imprisoning or bailing offenders against the laws of the United States, are hereby specially authorized and required to institute proceedings against every person who shall violate the provisions of this act, and cause him to be arrested and imprisoned or bailed, as the case may be, for trial before such court of the United States, or territorial court, as by law has cognizance of the offense, except in respect of the right of action accruing to the person aggrieved; and such district attorneys shall cause such proceedings to be prosecuted to their termination as in other cases: Provided, that nothing contained in this section shall be construed to deny or defeat any right of civil action accruing to any person, whether by reason of this act or otherwise; and any district attorney who shall willfully fail to institute and prosecute the proceedings herein required, shall, for every such offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby, to be recovered by an action of debt, with full costs, as shall, on
concluded thereof, be deemed guilty of a misdemeanor, and be fined not less than one thousand nor more than five thousand dollars: And provided further, that
a judgment for the penalty in favor of the party aggrieved against any such
district attorney, or a judgment upon an indictment against any such district
attorney, shall be a bar to either prosecution respectively.

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

Sec. 5. That all cases arising under the provisions of the act
in the courts of the United States shall be reviewable by the Supreme Court
of the United States, without regard to the sums in controversy, under the
same provisions and regulations as are now provided by law for the review
of other cases in said courts.

Signed

Speaker of the House of Representatives.

Henry Wilson
Vice President of the United States
Acting President of the Senate.

Approved March 1st, 1875.