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IN THE SENATE OF THE UNITED STATES:

APRIL 19, 1870.

Mr. EDMUNDS 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.

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**A BILL**

To enforce the fifteenth amendment to the Constitution of the United States.

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 citizens of the United States, without distinction of  
4       race, color, or previous condition of servitude, who are other-  
5       wise qualified by law to vote, shall be entitled to vote at all  
6       elections for electors of President of the United States, for  
7       representatives in the Congress of the United States, and at  
8       all State, county, township, hundred, and municipal elections  
9       held under the authority of any law of the United States or  
10      of any State.

1       SEC. 2. *And be it further enacted,* That in case the  
2       constitution or law of any State shall require the assessment  
3       or payment of a tax as a qualification of an elector, if any  
4       assessor or other officer charged by the law of said State with

5 the duty of assessing persons or for the purpose of taxation,  
6 shall refuse or willfully neglect to assess the person or property  
7 of any citizen of the United States residing in the hundred, ward,  
8 township, or district, with the assessments for which he may be  
9 so charged, he shall, for every such offense, forfeit and pay  
10 the sum of five hundred dollars to any person who will sue for  
11 the same; and shall also for every such offense be deemed  
12 guilty of a misdemeanor, and shall be fined not less than two  
13 hundred dollars and be imprisoned not less than one month.

1       SEC. 3. *And be it further enacted,* That in case the con-  
2 stitution or law of any State shall require the assessment or  
3 payment of a tax as a qualification of an elector, if any mem-  
4 ber of any levy court or other body of officers charged by the  
5 law of such State with the duty of making, correcting, or  
6 finally adjusting any assessment of persons or property for the  
7 purpose of taxation, or authorized or required by law to assess  
8 or levy taxes, shall advise, participate, concur, or acquiesce in  
9 the refusal or wilfull neglect of such levy court or other body  
10 aforesaid to assess the person or property or to assess or levy  
11 any such tax upon the person or property of any citizen of  
12 the United States residing in the county or district for which  
13 said levy court or other body aforesaid shall have been  
14 elected or appointed, he shall, for every such offense, for-  
15 feit and pay the sum of five hundred dollars to any  
16 person who will sue for the same, and for every such

17 offense shall be deemed guilty of a misdemeanor and be  
18 fined not less than two hundred dollars and imprisoned not less  
19 than one month.

1       SEC. 4. *And be it further enacted,* That if any clerk or  
2 other officer charged by law with the duty of registering,  
3 recording, or transcribing any list of persons assessed for  
4 taxes, or of transcribing and certifying such list to the col-  
5 lector or receiver of taxes, shall refuse or willfully neglect to  
6 register, record, transcribe, or enter upon the proper list or  
7 duplicate of assessment the name of any citizen of the United  
8 States who has been lawfully assessed to pay any tax, the  
9 payment of which is made by law a qualification of an elec-  
10 tor of such State, such clerk or officer shall, for every such  
11 offense, forfeit and pay the sum of five hundred dollars to  
12 any person who will sue for the same, and shall for every such  
13 offense be deemed guilty of a misdemeanor, and upon con-  
14 viction thereof shall be fined not less than two hundred dol-  
15 lars and be imprisoned not less than one month.

1       SEC. 5. *And be it further enacted,* That if any col-  
2 lector or other person, charged by the law of any State with the  
3 collection of taxes, shall refuse or willfully neglect to receive  
4 from any citizen of the United States residing in such State  
5 any tax which he is required by law to collect, and  
6 which is made a qualification of an elector in such State,  
7 or shall refuse or willfully neglect to give to any such citizen

8 a receipt for any such tax when the amount thereof shall have  
9 been paid or tendered to him by such citizens, or by any per-  
10 son in his behalf, he shall for every such offense forfeit and  
11 pay the sum of five hundred dollars to any person who will  
12 sue for the same, and for every such offense shall moreover be  
13 deemed guilty of a misdemeanor, and be fined not less than  
14 two hundred dollars and be imprisoned for not less than one  
15 month.

1       SEC. 6. *And be it further enacted,* That if at any State,  
2 county, township, hundred, or municipal election held under  
3 the law of any State, or at any election for electors of Presi-  
4 dent and Vice-President, or for representatives in the Congress  
5 of the United States, any presiding officer or judge of the  
6 election shall refuse to receive, or shall advise or concur in re-  
7 fusing to receive the vote of any person on account of his  
8 race, color, or previous condition of servitude, or who is en-  
9 titled to vote under the provisions of this act, every such judge  
10 or presiding officer shall for every such offense forfeit and pay  
11 the sum of five hundred dollars to any person who will sue  
12 for the same, and shall moreover be deemed guilty of a mis-  
13 demeanor, and shall be fined not less than two hundred dol-  
14 lars and be imprisoned not less than one month.

1       SEC. 7. *And be it further enacted,* That if any person  
2 shall willfully interrupt, disturb, or prevent any citizen entitled  
3 to vote under the provisions of this act, at any State, county,

4 township, hundred, or municipal election, held by authority  
5 of the law of any State, or at any election for electors of  
6 President and Vice-President of the United States, or for  
7 representatives in the Congress of the United States, in the  
8 exercise of his elective franchise at such election, he shall be  
9 deemed guilty of a misdemeanor, and shall be fined not less  
10 than two hundred dollars and imprisoned not less than one  
11 month. And any person who shall assault any citizen so  
12 entitled to vote, within one mile of the place of holding said  
13 election, on the election day, shall be deemed guilty of the  
14 like offense, and shall suffer the same punishment.

1       SEC. 8. *And be it further enacted,* That in any case where  
2 the constitution or law of any State shall require the assess-  
3 ment or payment of a tax as a qualification of an elector, it  
4 shall be lawful for any citizen of the United States otherwise  
5 qualified as an elector to make application to the assessor or  
6 other officer charged by law with the duty of making as-  
7 sessments for the purpose of taxation, either orally or in  
8 writing and either in person or by another citizen, accompa-  
9 nied with a written list or oral description of his taxable  
10 property, to be placed on the assessment or tax list; and if  
11 such application be rejected or neglected by the said assessor,  
12 or said other officer, it may be renewed to the levy court, or  
13 other body of officers as aforesaid, or it may be made to said  
14 levy court or other body aforesaid in the first instance, at any

15 time before the last day fixed by law for the final adjustment  
16 and correction of the assessment or tax lists for the year in  
17 which said application is made; and if said levy court, or  
18 other body aforesaid, shall neglect or refuse to assess said ap-  
19 plicant, it shall be lawful for said applicant to tender, either in  
20 person or by another citizen, to the collector or other officer  
21 charged with the collection of taxes for the county, hundred,  
22 township, or district in which he resided at the time of his  
23 application to be assessed, at any time before offering his vote,  
24 a sum of money equal to the smallest personal or poll tax  
25 charged against any other elector of said county, township,  
26 hundred, or district for that year, and said collector, on proof  
27 by the oath of said applicant, or other person preferring his  
28 application to be assessed or having knowledge of  
29 said application being made, that such application  
30 was so made as hereinbefore set forth, shall there-  
31 upon receive and duly account for said tax or sum  
32 of money as other taxes and shall give a receipt  
33 for the same as for other taxes to said applicant  
34 and said receipt shall entitle him to vote if other-  
35 wise qualified; but if said collector, or other officer aforesaid,  
36 shall refuse or fail to receive or to give a proper tax receipt  
37 for said sum of money so tendered, then, upon making proof  
38 by his own oath or that of another credible person or persons  
39 of his application to be assessed within the time aforesaid,

40 and of the tender aforesaid, said applicant, if otherwise quali-  
41 fied, shall be entitled to vote at any such election as though  
42 his tax had been regularly assessed and paid. The benefit of  
43 the provisions of this section shall extend alike to all cases in  
44 which application to be assessed may have been made before  
45 as well as subsequent to the passage of this act.

1       SEC. 9. *And be it further enacted,* That the circuit courts  
2 of the United States shall have jurisdiction of the suits for for-  
3 feitures imposed and causes of action arising under this act;  
4 and the circuit and district courts of the United States shall  
5 have jurisdiction of the offenses hereby created.

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