

First Enforcement Act: Civil Rights Act of 1870

Major Provisions of Civil Rights Act of 1870, 16 Stat. 140 (1870).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all citizens of the United States who are or shall be otherwise qualified by law to vote at any election... shall be entitled and allowed to vote at all such elections, without distinction of race, color, or previous condition of servitude....

SEC. 2. *And be it further enacted, That it shall be the duty of every person and officer to give to all citizens of the United States the same and equal opportunity to perform [any] prerequisite, and to become qualified to vote without distinction of race, color, or previous condition of servitude; and if any person or officer shall refuse or knowingly omit to give full effect to this section, he shall... be deemed guilty of a misdemeanor, and shall, on conviction thereof, be fined not less than five hundred dollars, or be imprisoned not less than one month and not more than one year, or both, at the discretion of the court.*

SEC. 6. *And be it further enacted, That if two or more persons shall band or conspire together, or go in disguise upon the public highway, or upon the premises of another, with intent to violate any provision of this act, or to injure, oppress, threaten, or intimidate any citizen with intent to prevent or hinder his free exercise and enjoyment of any right or privilege granted or secured to him by the Constitution or laws of the United States,* [note that this section seems specifically to target the activities of the KKK, founded in 1866] or because of his having exercised the same, such persons shall be held guilty of felony, and, on conviction thereof, shall be fined or imprisoned, or both, at the discretion of the court,-the fine not to exceed five thousand dollars, and the imprisonment not to exceed ten years,- and shall, moreover, be thereafter ineligible to, and disabled from holding, any office or place of honor, profit, or trust created by the Constitution or laws of the United States.

SEC. 17. *And be it further enacted, That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by the last preceding section [giving all persons the same rights as white citizens] of this act, or to different punishment, pains, or penalties on account of such person being an alien, or by reason of his color or race, than is prescribed for the punishment of citizens, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding one thousand dollars, or imprisonment not exceeding one year, or both, in the discretion of the court.*