PUBLIC ACTS OF THE FORTY-FIRST CONGRESS

OF THE

UNITED STATES,

Passed at the Second Session, which was begun and held at the City of Washington, in the District of Columbia, on Monday, the sixth day of December, A. D. 1869, *and was adjourned without day on Friday the fifteenth day of July, A. D.* 1870.

ULYSSES S. GRANT, President. SCHUYLER COLFAX, Vice-President and President of the Senate. HENRY B. ANTHONY was elected President of the Senate *pro tempore* on the twenty-eighth day of May, A. D. 1870, and so acted until and including June third; also on the first of July, and so acted until and including July fifth; was again elected President *pro tempore* on the fourteenth day of July, and so acted until the end of the session. JAMES G. BLAINE, Speaker of the House of Representatives.

CHAP. III. — *An Act to promote the Reconstruction of the State of Georgia.* Dec. 22, 1869.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the governor of the State of Georgia be, and hereby is, authorized and directed, forthwith, by proclamation, to summon all persons elected to the general assembly of said State, as appears by the proclamation of George G. Meade, the general commanding the military district including the State of Georgia, dated June twenty-fifth, eighteen hundred and sixty-eight, to appear on some day certain, to be named in said proclamation, at Atlanta, in said State; and thereupon the said general assembly of said State shall proceed to perfect its organization in conformity with the Constitution and laws of the United States, according to the provisions of this act.

Persons elected to the general assembly of the State of Georgia, to be summoned to meet at Atlanta.

Organization to be perfected.

SEC. 2. *And be it further enacted*, That when the members so elected to said senate and house of representatives shall be convened, as aforesaid, each and every member and each and every person claiming to be elected as a member of said senate or house of representatives shall, in addition to taking the oath or oaths required by the constitution of Georgia, also take and subscribe and file in the office of the secretary of state of the State of Georgia one of the following oaths or affirmations, namely: "I do solemnly swear (or affirm, as the case may be) that I have never held the office, or exercised the duties of, a senator or representative in Congress, nor been a member of the legislature of any State of the United States, nor held any civil office created by law for the administration of any general law of a State, or for the administration of justice in any State or under the laws of the United States, nor held any office in the military or naval service of the United States, and thereafter engaged in insurrection or rebellion against the United States, or gave aid or comfort to its enemies, or rendered, except in consequence of direct physical force, any support or aid to any insurrection or rebellion against the United States, nor held any office under, or given any support to, any government of any kind organized or acting in hostility to the

Members elect and those claiming to be elected to take and subscribe an additional oath or affirmation.

Oath to be filed in the office of the secretary of state of Georgia.

Form of oath or affirmation.

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United States, or levying war against the United States. So help me God, (or on the pains and penalties of perjury, as the case may be.)" Or the following oath or affirmation, namely: "I do solemnly swear (or affirm, as the case may be) that I have been relieved, by an act of the Congress of the United States, from disability as provided for by section three of the fourteenth amendment to the Constitution of the United States. So help me God, (or on the pains and penalties of perjury, as the case may be.)" Which oath or affirmation, when so filed, shall be entered of record by the secretary of state of the State of Georgia, and said oath or affirmation, or a copy of the record thereof, duly certified by said secretary of state, shall be evidence in all courts and places. And every person claiming to be so elected, who shall refuse or decline or neglect or be unable to take one of said oaths or affirmations above provided, shall not be admitted to a seat in said senate or house of representatives, or to a participation in the proceedings thereof, but shall be deemed ineligible to such seats.

Oath, &c. to be entered of record: certified copy to be evidence. Those not taking the oath, &c. not to be admitted to seats.

SEC. 3. *And be it further enacted*, That if any person claiming to be elected to said senate or house of representatives, as aforesaid, shall falsely take either of said oaths or affirmations above provided, he shall be deemed guilty of perjury, and shall suffer the pains and penalties thereof; and may be tried, convicted, and punished therefor by the circuit court of the United States for the district of Georgia, in which district said crime was committed; and the jurisdiction of said court shall be sole and exclusive for the purpose aforesaid.

Falsely taking the oath, &c. to be perjury; penalty.

Circuit court of the United States to have exclusive jurisdiction.

SEC. 4. *And be it further enacted*, That the persons elected, as aforesaid, and entitled to compose such legislature, and who shall comply with the provisions of this act, by taking one of the oaths or affirmations above prescribed, shall thereupon proceed, in said senate and house of representatives to which they have been elected respectively, to reorganize said senate and house of representatives, respectively, by the election and qualification of the proper officers of each house.

Senate and house to be reorganized.

SEC. 5. *And be it further enacted*, That if any person shall, by force, violence, or fraud, wilfully hinder or interrupt any person or persons elected as aforesaid from taking either of the oaths or affirmations prescribed by this act, or from participating in the proceedings of said senate or house of representatives, after having taken one of said oaths or affirmations, and otherwise complied with this act, he shall be deemed guilty of a felony, and may be tried, convicted, and punished therefor by the circuit or district court of the United States for the district of Georgia, in which district said offense shall be committed; and shall be punished therefor by imprisonment at hard labor for not less than two nor more than ten years, in the discretion of the court, and the jurisdiction of said courts shall be sole and exclusive for the purpose aforesaid.

Wilfully hindering, &c. by force, &c. any person elected from taking the oath, &c., to be deemed a felony.

What courts to have jurisdiction.

Penalty.

SEC. 6. *And be it further enacted*, That it is hereby declared that the exclusion of any person or persons elected as aforesaid, and being otherwise qualified, from participation in the proceedings of said senate or house of representatives, upon the ground of race, color, or previous condition of servitude, would be illegal, and revolutionary, and is hereby prohibited.

The exclusion of persons elected from participating, &c. on account of color, &c. declared illegal.

SEC. 7. *And be it further enacted*, That upon the application of the governor of Georgia, the President of the United States shall employ such military or naval forces of the United States as may be necessary to enforce and execute the preceding provisions of this act.

President to enforce this act upon application of the Governor of Georgia, if, &c.

SEC. 8. *And be it further enacted*, That the legislature shall ratify the fifteenth amendment proposed to the Constitution of the United States before senators and representatives from Georgia are admitted to seats in Congress.

Legislature of Georgia to ratify the fifteenth amendment before, &c.

APPROVED, December 22, 1869.