Act of 1803

An Act to Prevent the Importation of Certain Persons into Certain States, Where, by the Laws Thereof, Their Admission is Prohibited

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the first day of April next, no master or captain of any ship or vessel, or any other person, shall import or bring, or cause to be imported or brought, any negro, mulatto, or other person of colour, not being a native, a citizen, or registered seaman of the United States, or seamen natives of countries beyond the Cape of Good Hope, into any port or place of the United States, which port or place shall be situated in any state which by law has prohibited or shall prohibit the admission or importation of such negro, mulatto, or other person of colour, and if any captain or master aforesaid, or any other person, shall import or bring, or cause to be imported or brought into any of the ports or places aforesaid, any of the persons whose admission or importation is prohibited, as aforesaid, he shall forfeit and pay the sum of one thousand dollars for each and every negro, mulatto, or other person of colour aforesaid, brought or imported as aforesaid, to be sued for and recovered by action of debt, in any court of the United States; one half thereof to the use of the United States, the other half to any person or persons prosecuting for the penalty; and in any action instituted for the recovery of the penalty aforesaid, the person or persons sued may be held to special bail: Provided always, that nothing contained in this act shall be construed to prohibit the admission of Indians.

SEC. 2. And he it farther enacted, That no ship or vessel arriving in any of the said ports or places of the United States, and having on board any negro, mulatto, or other person of colour, not being a native, a citizen, or registered seaman of the United States, or seamen natives of countries beyond the Cape of Good Hope as aforesaid, shall be admitted to an entry. And if any such negro, mulatto, or other person of colour, shall be landed from on board any ship or vessel, in any of the ports or places aforesaid, or on the coast of any state prohibiting the admission or importation, as aforesaid, the said ship or vessel, together with her tackle, apparel, and furniture, shall be forfeited to the United States, and one half of the nett proceeds of the sales on such forfeiture shall inure and be paid over to such person or persons on whose information the seizure on such forfeiture shall be made.

SEC. 3. And be it further enacted, That it shall be the duty of the collectors and other officers of the customs, and all other officers of the revenue of the United States, in the several ports or places situated as aforesaid, to notice and be governed by the provisions of the laws now existing, of the several states prohibiting the admission or importation of any negro, mulatto, or other person of colour, as aforesaid. And they are hereby enjoined vigilantly to carry into effect the said laws of said states, conformably to the provisions of this act; any law of the United States to the contrary notwithstanding.

APPROVED, February 28, 1803.