

FIFTH CONGRESS OF THE UNITED STATES:

At the Second Session,

Begun and held at the city of *Philadelphia*, in the state of PENNSYLVANIA, on
Monday, the thirteenth of November, one thousand seven hundred
and ninety-seven.

An ACT concerning aliens.

BE it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That it shall be lawful for the President of the United States at any time during the continuance of this act, to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order. Which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the Secretary of State, by the Marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart, shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a licence from the President to reside therein, or having obtained such licence shall not have conformed thereto, every such alien shall on conviction thereof, be imprisoned for a term not exceeding three years and shall never after be admitted to become a citizen of the United States. *And so* Provided always, and be it further enacted, That if any alien so ordered to depart shall prove to the satisfaction of the President, by evidence to be taken before such person or persons as the President shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the President may grant a licence to such alien to remain within the United States for such time as he shall judge proper, and at such place as he may designate. And the President may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties to the satisfaction of the person authorized by the President to take the same, conditional for the good behaviour of such alien during his residence in the United States, and not violating his licence, which licence the President may revoke whenever he shall think proper.

Sec. 2. And be it further enacted, That it shall be lawful for the President of the United States, whenever he may deem it necessary for the public safety, to order to be removed out of the territory thereof, any alien who may or shall be in prison in pursuance of this act; and to cause to be arrested and sent out of the United States such of those aliens as shall have been ordered to depart therefrom and shall not have obtained a licence as aforesaid, in all cases where in the opinion of the President the public safety requires a speedy removal. And if any alien so removed or sent out of the United States by the President shall voluntarily return thereto, unless by permission of the President of the United States, such alien on conviction thereof, shall be imprisoned so long as in the opinion of the President, the public safety may require.

Sec. 3. And be it further enacted, That every master or commander of any ship or vessel which shall come into any port of the United States after the first day of July next, shall immediately on his arrival make report in writing to the collector or other chief officer of the customs of such port, of all aliens, if any, on board his vessel, specifying their names, age, the place of nativity, the country from which they shall have come, the nation to which they belong and owe allegiance, their occupations and a description of their persons, as far as he shall be informed thereof, and on failure every such master and commander shall forfeit and pay three hundred dollars, for the payment whereof on default of such master or commander, such vessel shall also be holden, and may by such collector or other officer of the customs be detained. And it shall be the duty of such collector or other officer of the customs, forthwith to transmit to the office of the department of State true copies of all such returns.

Sec. 4. And be it further enacted, That the circuit and district courts of the United States, shall respectively have cognizance of all crimes and offences against this act. And all marshals and other officers of the United States are required to execute all precepts and orders of the President of the United States issued in pursuance or by virtue of this act.

Sec. 5. And be it further enacted, That it shall be lawful for any alien who may be ordered to be removed from the United States, by virtue of this act, to take with him such part of his goods, chattels, or other property, as he may find convenient; and all property left in the United States, by any alien, who may be removed, as aforesaid, shall be, and remain subject to his order and disposal, in the same manner, as if this act had not been passed.

Sec. 6. And be it further enacted, That this act shall continue and be in force for and during the term of two years from the passing thereof.

Jonathan Dayton Speaker of the House of Representatives.

W. Johnson Vice President of the United States and President of the Senate.

Approved June 25: 1798
John Adams
President of the United States

Testify that this act did originate in the Senate.
Attest
Samuel A. Otis Secretary