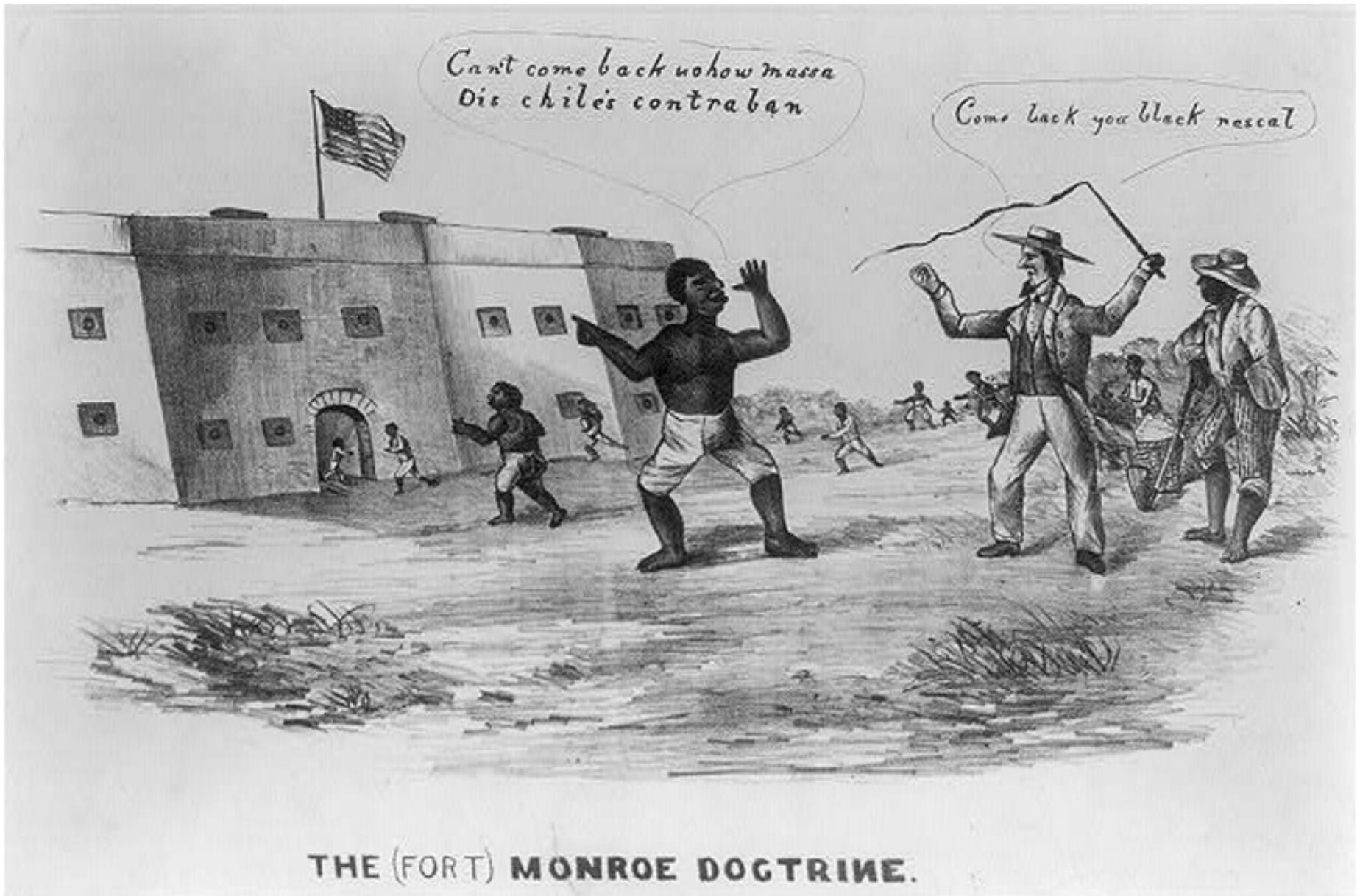
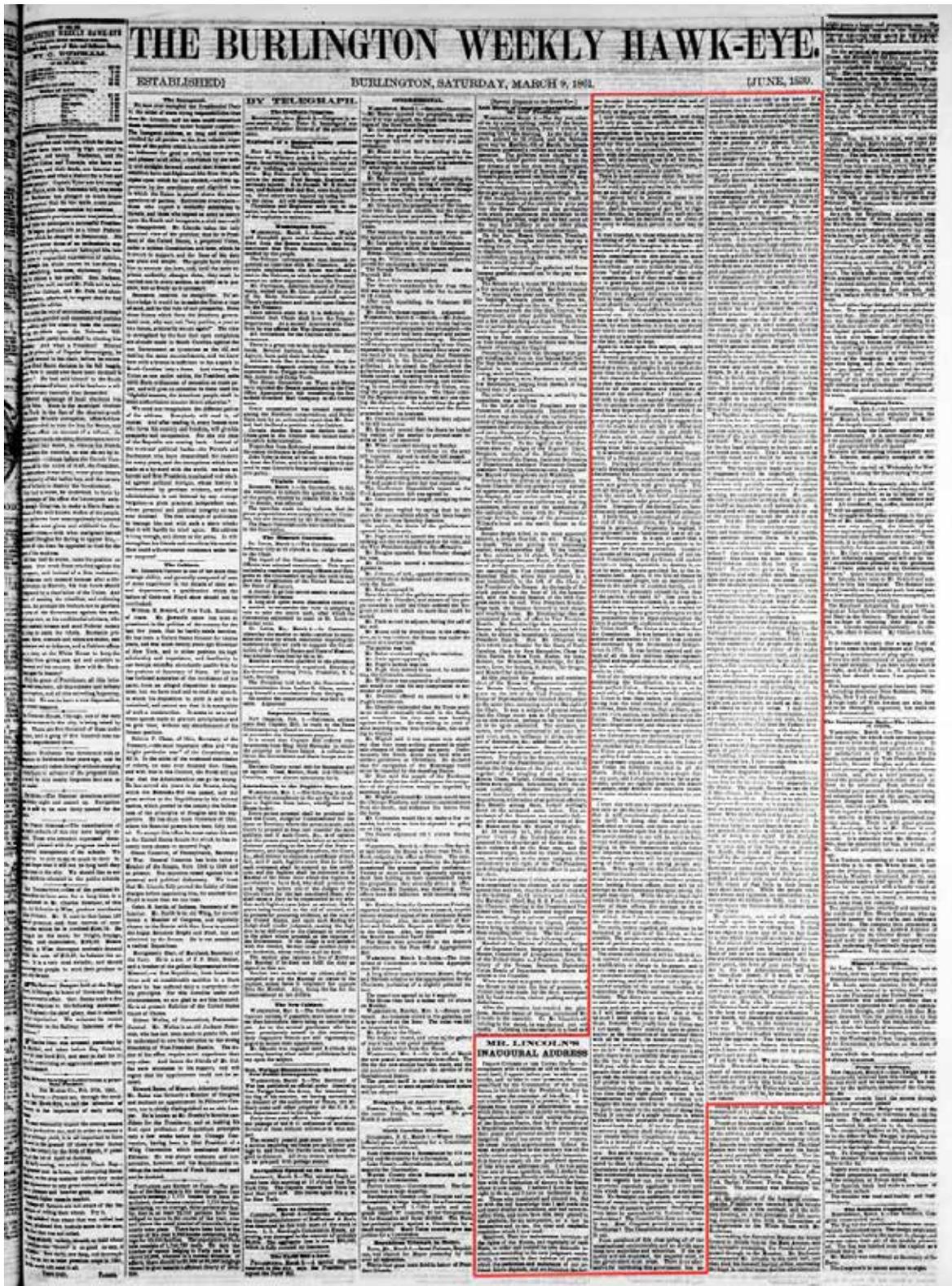


"The (Fort) Monroe Doctrine," 1861



President Abraham Lincoln's First Inaugural Address, March 9, 1861



Lincoln, Abraham, "Inaugural," *The Burlington Weekly Hawk-eye*, 9 March 1861. [Courtesy of Library of Congress](#)

First Confiscation Act: "Chap. LX - An act to confiscate Property used for Insurrectionary Purposes," August 6, 1861

THIRTY-SEVENTH CONGRESS. SESS. I. CH. 60, 61. 1861.

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the adjoining district, shall have the same force, effect, and validity as if done and transacted by and before a judge appointed for such district.

APPROVED, August 6, 1861.

CHAP. LX. — *An Act to confiscate Property used for Insurrectionary Purposes.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if, during the present or any future insurrection against the Government of the United States, after the President of the United States shall have declared, by proclamation, that the laws of the United States are opposed, and the execution thereof obstructed, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the power vested in the marshals by law, any person or persons, his, her, or their agent, attorney, or employé, shall purchase or acquire, sell or give, any property of whatsoever kind or description, with intent to use or employ the same, or suffer the same to be used or employed, in aiding, abetting, or promoting such insurrection or resistance to the laws, or any person or persons engaged therein; or if any person or persons, being the owner or owners of any such property, shall knowingly use or employ, or consent to the use or employment of the same as aforesaid, all such property is hereby declared to be lawful subject of prize and capture wherever found; and it shall be the duty of the President of the United States to cause the same to be seized, confiscated, and condemned.

When property used in aiding insurrection may be confiscated.

SEC. 2. *And be it further enacted,* That such prizes and capture shall be condemned in the district or circuit court of the United States having jurisdiction of the amount, or in admiralty in any district in which the same may be seized, or into which they may be taken and proceedings first instituted.

In what courts to be condemned.

SEC. 3. *And be it further enacted,* That the Attorney-General, or any district attorney of the United States in which said property may at the time be, may institute the proceedings of condemnation, and in such case they shall be wholly for the benefit of the United States; or any person may file an information with such attorney, in which case the proceedings shall be for the use of such informer and the United States in equal parts.

Who to institute proceedings for condemnation, and for whose use.

SEC. 4. *And be it further enacted,* That whenever hereafter, during the present insurrection against the Government of the United States, any person claimed to be held to labor or service under the law of any State, shall be required or permitted by the person to whom such labor or service is claimed to be due, or by the lawful agent of such person, to take up arms against the United States, or shall be required or permitted by the person to whom such labor or service is claimed to be due, or his lawful agent, to work or to be employed in or upon any fort, navy yard, dock, armory, ship, entrenchment, or in any military or naval service whatsoever, against the Government and lawful authority of the United States, then, and in every such case, the person to whom such labor or service is claimed to be due shall forfeit his claim to such labor, any law of the State or of the United States to the contrary notwithstanding. And whenever thereafter the person claiming such labor or service shall seek to enforce his claim, it shall be a full and sufficient answer to such claim that the person whose service or labor is claimed had been employed in hostile service against the Government of the United States, contrary to the provisions of this act.

When claims to persons held to service and labor to be forfeited.

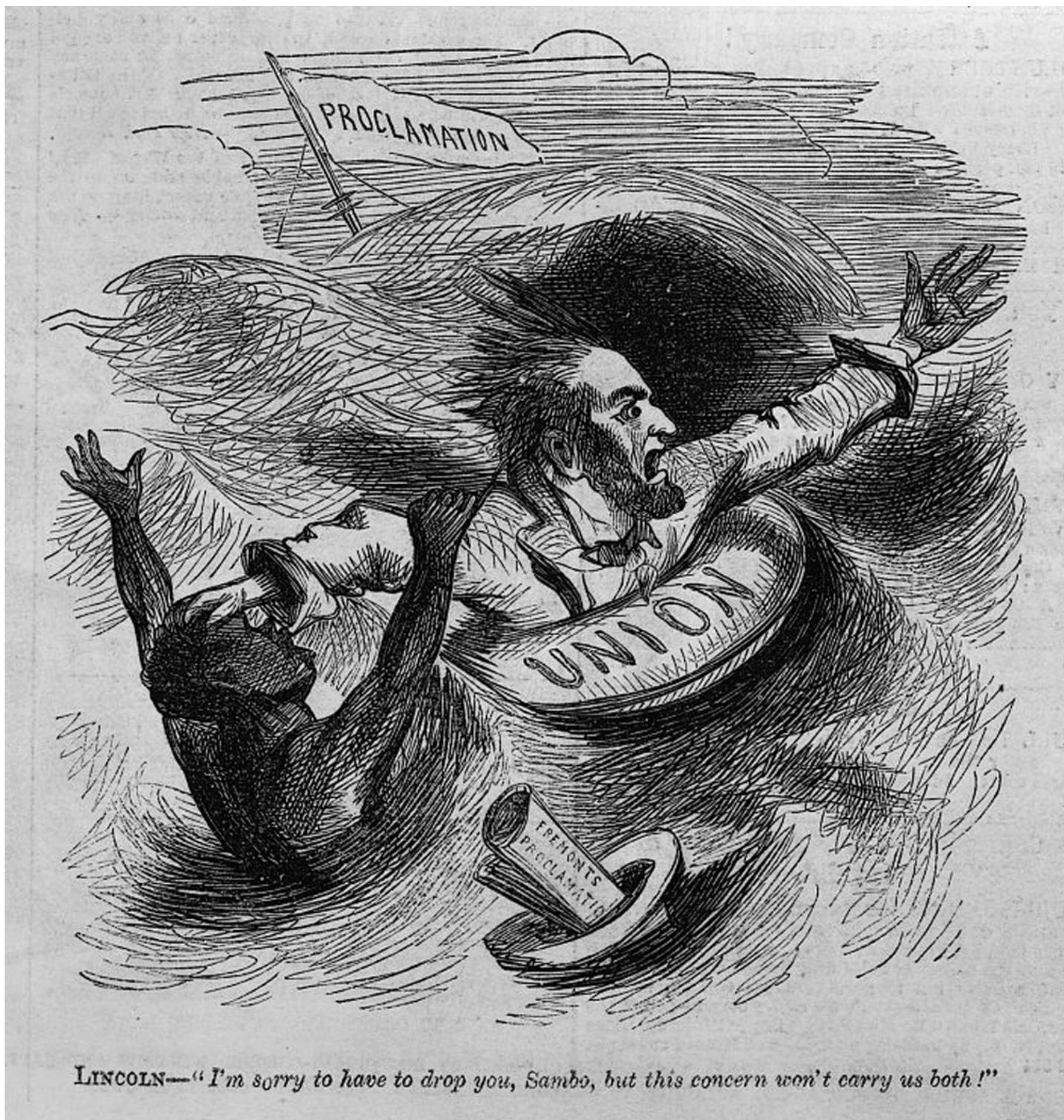
APPROVED, August 6, 1861.

CHAP. LXI. — *An Act relative to Appeals to the Supreme Court of the United States.*

August 6, 1861.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases of appeal,

“I’m sorry to have to drop you, Sambo, but this concern won’t carry us both!” October 12, 1961



“I’m sorry to have to drop you, Sambo, but this concern won’t carry us both!” *Frank Leslie’s Illustrated Newspaper*, 12 October 1961. [Courtesy of Library of Congress](#)

Proclamation Revoking General David Hunter's General Order No. 11 on Military Emancipation of Slaves, May 19, 1862 (Pg.3)

The resolution, in the language above quoted, was adopted by large majorities in both branches of Congress, and now stands an authentic, definite, and solemn proposal of the nation to the States, and people most immediately interested in the subject matter. To the people of those States, I now earnestly appeal. I do not argue. I merely seek now to make the arguments for

You can not if you would, be blind to the signs of the times. I beg of you a calm and enlarged consideration of them, ranging, if it may be, far above personal and partisan politics.

prose makes common cause for a common object, casting no reproaches upon any— It ^{acts} ~~plays~~ not the pharisee. The change it contemplates would come gently as the dew of heaven, not rending or wrecking anything— Will you not embrace it? So much good has not been done, by our effort, in all past time, as, in the providence of God, it is now your high privilege to do. May the next future

Lincoln, Abraham, "Abraham Lincoln papers: Series 1. General Correspondence. 1833-1916: Abraham Lincoln, Monday, May 19, 1862 (Proclamation revoking General David Hunter's General Order No. 11 on military emancipation of slaves)," 19 May 1962. [Courtesy of Library of Congress](#)

Proclamation Revoking General David Hunter's General Order No. 11 on Military Emancipation of Slaves, May 19, 1862 (Pg.4)

The resolution, in the language above quoted, was adopted by large majorities in both branches of Congress, and now stands an authentic, definite, and solemn proposal of the nation to the States and people most immediately interested in the subject matter. To the people of those States I now earnestly appeal. I do not argue. I beseech you to make the arguments for yourselves. ~~The strong tendency to a total disruption of society in the South is apparent. You can stay it, without your own, possibly I can not. You can stay it without harming a hair of white or black.~~ This proposal makes common cause for a common object, casting no reproaches upon any — it ^{acts} ~~pleas~~ not the pharisee. The change it contemplates would come gently as the dews of heaven, not rending or wrecking anything. Will you not embrace it? So much good has not been done, by one effort, in all past time, as, in the providence of God, it is now your high privilege to do. May the next future

16048

Lincoln, Abraham, "Abraham Lincoln papers: Series 1. General Correspondence. 1833-1916: Abraham Lincoln, Monday, May 19, 1862 (Proclamation revoking General David Hunter's General Order No. 11 on military emancipation of slaves)," 19 May 1962. [Courtesy of Library of Congress](#)

Proclamation Revoking General David Hunter's General Order No. 11 on Military Emancipation of Slaves, May 19, 1862 (Pg.5)

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not have to lament that you have
neglected it.

Abraham Lincoln

May 19 1862

In witness whereof, I have hereunto
set my hand, and caused the seal of the
United States to be affixed.

Done at the City of Washington,
this nineteenth day of May,
in the year of our Lord one
thousand eight hundred
and sixty-two, and of the
Independence of the United
States the eighty-sixth.
Abraham Lincoln.

By the President:
William H. Seward,
Secretary of State



Lincoln, Abraham, "Abraham Lincoln papers: Series 1. General Correspondence. 1833-1916: Abraham Lincoln, Monday, May 19, 1862 (Proclamation revoking General David Hunter's General Order No. 11 on military emancipation of slaves)," 19 May 1962. [Courtesy of Library of Congress](#)

Second Confiscation Act: "Chap. CXCV - An Act to Suppress Insurrection, to Punish Treason and Rebellion...", July 17, 1862 (Pg.1)

THIRTY-SEVENTH CONGRESS. SESS. II. CH. 189, 190, 195. 1862. 589

petency of witnesses in the courts of the United States, in trials at common law, in equity, and admiralty.

SEC. 2. *And be it further enacted*, That so much of section twenty-nine of an act entitled "An act to establish [the] judicial courts of the United States," approved September twenty-four, seventeen hundred and eighty-nine, as requires, in cases punishable with death, twelve petit jurors to be summoned from the county where the offence was committed, be, and the same is hereby, repealed.

Jurors in capital cases.
1789, ch. 20, § 29.
Vol. i. p. 88.

APPROVED, July 16, 1862.

CHAP. CXCV. — *An Act prohibiting the Confinement of Persons in the Military Service of the United States in the Penitentiary of the District of Columbia, except as a Punishment for certain Crimes, and to discharge therefrom certain Convicts by Sentence of Courts-martial, and for other Purposes.* July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter no person in the military service of the United States, convicted and sentenced by a court-martial, shall be punished by confinement in the penitentiary of the District of Columbia, unless the offence of which such person may be convicted would by some statute of the United States or at common law, as the same exists in the said District, subject such convict to said punishment.

When persons in military service may be confined in penitentiary.

SEC. 2. *And be it further enacted*, That all such persons in the military service, as aforesaid, who have heretofore been, or may hereafter be, convicted and sentenced by a court-martial for any offence which, if tried before the criminal court of said District, would not subject such person to imprisonment in said penitentiary, and who are now or may hereafter be confined therein, shall be discharged from said imprisonment, upon such terms and conditions of further punishment as the President of the United States may, in his discretion, impose as a commutation of said sentence.

When such persons now therein may be discharged.

SEC. 3. *And be it further enacted*, That upon the application of any citizen of the United States, supported by his oath, alleging that a person or persons in the military service, as aforesaid, are confined in said penitentiary under the sentence of a court-martial for any offence not punishable by imprisonment in the penitentiary by the authority of the criminal court aforesaid, it shall be the duty of the judge of said court, or, in case of his absence or inability, of one of the judges of the circuit court of said District, if, upon an inspection of the record of proceedings of said court-martial, he shall find the facts to be as alleged in said application, immediately to issue the writ of habeas corpus to bring before him the said convict; and if, upon an investigation of the case, it shall be the opinion of such judge that the case of such convict is within the provisions of the previous sections of this act, he shall order such convict to be confined in the common jail of said District, until the decision of the President of the United States as to the commutation aforesaid shall be filed in said court, and then such convict shall be disposed of and suffer such punishment as by said commutation of his said sentence may be imposed.

Mode of discharge.

SEC. 4. *And be it further enacted*, That no person convicted upon the decision of a court-martial shall be confined in any penitentiary of the United States, except under the conditions of this act.

Convicts by court-martial not to be confined in penitentiary.

APPROVED, July 16, 1862.

CHAP. CXCV. — *An Act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes.* July 17, 1862.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person who shall hereafter commit the crime of treason against the United States, and shall

Post, p. 627.
Treason, how punished.

"Chap. CXCV - An act to suppress Insurrection, to punish Treason and Rebellion, to seize and confiscate the Property of Rebels, and for other Purposes," U.S. Congress, pp. 589-592, 17 July 1862. [Courtesy of Library of Congress](#)

Second Confiscation Act: "Chap. CXCIV - An Act to Suppress Insurrection, to Punish Treason and Rebellion...", July 17, 1862 (Pg.2)

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THIRTY-SEVENTH CONGRESS. Sess. II. CH. 195. 1862.

be adjudged guilty thereof, shall suffer death, and all his slaves, if any, shall be declared and made free; or, at the discretion of the court, he shall be imprisoned for not less than five years and fined not less than ten thousand dollars, and all his slaves, if any, shall be declared and made free; said fine shall be levied and collected on any or all of the property, real and personal, excluding slaves, of which the said person so convicted was the owner at the time of committing the said crime, any sale or conveyance to the contrary notwithstanding.

Post, p. 627.

Engaging or assisting, &c., in rebellion against the United States, how punished.

SEC. 2. *And be it further enacted*, That if any person shall hereafter incite, set on foot, assist, or engage in any rebellion or insurrection against the authority of the United States, or the laws thereof, or shall give aid or comfort thereto, or shall engage in, or give aid and comfort to, any such existing rebellion or insurrection, and be convicted thereof, such person shall be punished by imprisonment for a period not exceeding ten years, or by a fine not exceeding ten thousand dollars, and by the liberation of all his slaves, if any he have; or by both of said punishments, at the discretion of the court.

Disqualified to hold office.

SEC. 3. *And be it further enacted*, That every person guilty of either of the offences described in this act shall be forever incapable and disqualified to hold any office under the United States.

This act not to affect those guilty before, unless, &c.

SEC. 4. *And be it further enacted*, That this act shall not be construed in any way to affect or alter the prosecution, conviction, or punishment of any person or persons guilty of treason against the United States before the passage of this act, unless such person is convicted under this act.

President to cause the seizure of the estate, &c.

SEC. 5. *And be it further enacted*, That, to insure the speedy termination of the present rebellion, it shall be the duty of the President of the United States to cause the seizure of all the estate and property, money, stocks, credits, and effects of the persons hereinafter named in this section, and to apply and use the same and the proceeds thereof for the support of the army of the United States, that is to say:

of rebel officers,

First. Of any person hereafter acting as an officer of the army or navy of the rebels in arms against the government of the United States.

of President or other officer of so-called confederate states,

Secondly. Of any person hereafter acting as President, Vice-President, member of Congress, judge of any court, cabinet officer, foreign minister, commissioner or consul of the so-called confederate states of America.

of governor, &c., of any of the said states,

Thirdly. Of any person acting as governor of a state, member of a convention or legislature, or judge of any court of any of the so-called confederate states of America.

Post, p. 927.
of certain persons holding offices of honor, &c.

Fourthly. Of any person who, having held an office of honor, trust, or profit in the United States, shall hereafter hold an office in the so-called confederate states of America.

Same subject.

Fifthly. Of any person hereafter holding any office or agency under the government of the so-called confederate states of America, or under any of the several states of the said confederacy, or the laws thereof, whether such office or agency be national, state, or municipal in its name or character: *Provided*, That the persons, thirdly, fourthly, and fifthly above described shall have accepted their appointment or election since the date of the pretended ordinance of secession of the state, or shall have taken an oath of allegiance to, or to support the constitution of the so-called confederate states.

Proviso.

of certain persons aiding, &c., the rebellion.

Sixthly. Of any person who, owning property in any loyal State or Territory of the United States, or in the District of Columbia, shall hereafter assist and give aid and comfort to such rebellion; and all sales, transfers, or conveyances of any such property shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Sales of such property to be void.

What shall be bar to suits.

Second Confiscation Act: "Chap. CXCIV - An Act to Suppress Insurrection, to Punish Treason and Rebellion...", July 17, 1862 (Pg.3)

THIRTY-SEVENTH CONGRESS. Sess. II. CH. 195. 1862.

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SEC. 6. *And be it further enacted*, That if any person within any State or Territory of the United States, other than those named as aforesaid, after the passage of this act, being engaged in armed rebellion against the government of the United States, or aiding or abetting such rebellion, shall not, within sixty days after public warning and proclamation duly given and made by the President of the United States, cease to aid, countenance, and abet such rebellion, and return to his allegiance to the United States, all the estate and property, moneys, stocks, and credits of such person shall be liable to seizure as aforesaid, and it shall be the duty of the President to seize and use them as aforesaid or the proceeds thereof. And all sales, transfers, or conveyances, of any such property after the expiration of the said sixty days from the date of such warning and proclamation shall be null and void; and it shall be a sufficient bar to any suit brought by such person for the possession or the use of such property, or any of it, to allege and prove that he is one of the persons described in this section.

Property, &c., of persons in States in rebellion, engaged, &c., in the rebellion, not ceasing to give such aid within sixty days after proclamation by the President, liable to seizure, &c.

Sales, &c. void.

SEC. 7. *And be it further enacted*, That to secure the condemnation and sale of any of such property, after the same shall have been seized, so that it may be made available for the purpose aforesaid, proceedings in rem shall be instituted in the name of the United States in any district court thereof, or in any territorial court, or in the United States district court for the District of Columbia, within which the property above described, or any part thereof, may be found, or into which the same, if movable, may first be brought, which proceedings shall conform as nearly as may be to proceedings in admiralty or revenue cases, and if said property, whether real or personal, shall be found to have belonged to a person engaged in rebellion, or who has given aid or comfort thereto, the same shall be condemned as enemies' property and become the property of the United States, and may be disposed of as the court shall decree and the proceeds thereof paid into the treasury of the United States for the purposes aforesaid.

Proceedings to secure condemnation, &c., of such property.

SEC. 8. *And be it further enacted*, That the several courts aforesaid shall have power to make such orders, establish such forms of decree and sale, and direct such deeds and conveyances to be executed and delivered by the marshals thereof where real estate shall be the subject of sale, as shall fitly and efficiently effect the purposes of this act, and vest in the purchasers of such property good and valid titles thereto. And the said courts shall have power to allow such fees and charges of their officers as shall be reasonable and proper in the premises.

Power of courts in such cases.

SEC. 9. *And be it further enacted*, That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them and coming under the control of the government of the United States; and all slaves of such persons found on [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

Certain slaves to be deemed captives of war and to be set free.

SEC. 10. *And be it further enacted*, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service.

Escaped slaves not to be surrendered, unless claimant shall make oath that the alleged owner is loyal, &c.

Second Confiscation Act: "Chap. CXCV - An Act to Suppress Insurrection, to Punish Treason and Rebellion...", July 17, 1862 (Pg.4)

592 THIRTY-SEVENTH CONGRESS. Sess. II. CH. 195, 196, 197. 1862.

President may employ persons of African descent to suppress rebellion. SEC. 11. *And be it further enacted*, That the President of the United States is authorized to employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion, and for this purpose he may organize and use them in such manner as he may judge best for the public welfare.

Colonization of freed slaves. SEC. 12. *And be it further enacted*, That the President of the United States is hereby authorized to make provision for the transportation, colonization, and settlement, in some tropical country beyond the limits of the United States, of such persons of the African race, made free by the provisions of this act, as may be willing to emigrate, having first obtained the consent of the government of said country to their protection and settlement within the same, with all the rights and privileges of freemen.

President may proclaim amnesty and pardon. SEC. 13. *And be it further enacted*, That the President is hereby authorized, at any time hereafter, by proclamation, to extend to persons who may have participated in the existing rebellion in any State or part thereof, pardon and amnesty, with such exceptions and at such time and on such conditions as he may deem expedient for the public welfare.

Courts may issue process to carry this act into effect. SEC. 14. *And be it further enacted*, That the courts of the United States shall have full power to institute proceedings, make orders and decrees, issue process, and do all other things necessary to carry this act into effect.

APPROVED, July 17, 1862.

July 17, 1862. CHAP. CXCVI. — *An Act to authorize Payments in Stamps, and to prohibit Circulation of Notes of less Denomination than One Dollar.*

Postage and other stamps to be furnished in exchange for United States notes; and may be received for dues to the United States less than \$5. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby directed to furnish to the Assistant Treasurers, and such designated depositaries of the United States as may be by him selected, in such sums as he may deem expedient, the postage and other stamps of the United States, to be exchanged by them, on application, for United States notes; and from and after the first day of August next such stamps shall be receivable in payment of all dues to the United States less than five dollars, and shall be received in exchange for United States notes when presented to any Assistant Treasurer or any designated depository selected as aforesaid in sums not less than five dollars.

Circulation, &c., of notes less than \$1, as money, prohibited. SEC. 2. *And be it further enacted*, That from and after the first day of August, eighteen hundred and sixty-two, no private corporation, banking association, firm, or individual shall make, issue, circulate, or pay any note, check, memorandum, token, or other obligation, for a less sum than one dollar, intended to circulate as money or to be received or used in lieu of lawful money of the United States; and every person so offending shall, on conviction thereof in any district or circuit court of the United States, be punished by fine not exceeding five hundred dollars, or by imprisonment not exceeding six months, or by both, at the option of the court.

Penalty. APPROVED, July 17, 1862.

July 17, 1862. CHAP. CXCVII. — *An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act in Addition to the Acts prohibiting the Slave Trade.'"*

1815, ch. 101. Vol. iii. p. 532. 1860, ch. 126. Note, p. 40. The President may arrange for the employment, &c., in the West Indies, &c., for *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall and may be lawful for the President of the United States to enter into arrangement, by contract or otherwise, with one or more foreign governments having possessions in the West Indies or other tropical regions, or with their duly constituted agent or agents, to receive from the United States, for a

Militia Act, July 17, 1862 (Pg.1)

THIRTY-SEVENTH CONGRESS. Sess. II. CH. 200, 201. 1862. 597

eighteen hundred and sixty-one, as authorizes the appointment of additional aides-de-camp, be, and the same is hereby, repealed. But this repeal shall not be construed so as to deprive those persons already appointed, in strict conformity with said act of the fifth of August, eighteen hundred and sixty-one, from holding their offices in the same manner as if it had not been repealed.

Ante, p. 314.
Construction of this section.

SEC. 20. *And be it further enacted*, That the different regiments and independent companies heretofore mustered into the service of the United States as volunteer engineers, pioneers, or sappers and miners, under the orders of the President or Secretary of War, or by authority of the commanding general of any military department of the United States, or which, having been mustered into the service as infantry, shall have been reorganized and employed as engineers, pioneers, or sappers and miners, shall be, and the same are hereby, recognized and accepted as volunteer engineers, on the same footing, in all respects, in regard to their organization, pay, and emoluments, as the corps of engineers of the regular army of the United States, and they shall be paid for their services, already performed, as is now provided by law for the payment of officers and non-commissioned officers and privates of the engineer corps of the regular army.

Volunteer engineers, &c., pay and emoluments of.

SEC. 21. *And be it further enacted*, That any alien, of the age of twenty-one years and upwards, who has enlisted or shall enlist in the armies of the United States, either the regular or the volunteer forces, and has been or shall be hereafter honorably discharged, may be admitted to become a citizen of the United States, upon his petition, without any previous declaration of his intention to become a citizen of the United States, and that he shall not be required to prove more than one year's residence within the United States previous to his application to become such citizen; and that the court admitting such alien shall, in addition to such proof of residence and good moral character as is now provided by law, be satisfied by competent proof of such person having been honorably discharged from the service of the United States as aforesaid.

Aliens, honorably discharged from military service, may become citizens without, &c.

Proof of discharge.

SEC. 22. *And be it further enacted*, That there shall be added to the Adjutant General's department, by regular promotion of its present officers, one colonel, two lieutenant colonels, and nine majors; and that the grade of captain in said department shall thereafter be abolished, and all vacancies occurring in the grade of major shall be filled by selection from among the captains of the army.

Increase of officers in adjutant general's department.

APPROVED, July 17, 1862.

CHAP. CCI. — *An Act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasions, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes.* July 17, 1862. 1795, ch. 36. Vol. i. p. 424.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever the President of the United States shall call forth the militia of the States, to be employed in the service of the United States, he may specify in his call the period for which such service will be required, not exceeding nine months; and the militia so called shall be mustered in and continue to serve for and during the term so specified, unless sooner discharged by command of the President. If by reason of defects in existing laws, or in the execution of them, in the several States, or any of them, it shall be found necessary to provide for enrolling the militia and otherwise putting this act into execution, the President is authorized in such cases to make all necessary rules and regulations; and the enrolment of the militia shall in all cases include all able-bodied male citizens between the ages of eighteen and forty-five, and shall be apportioned among the States according to representative population.

When militia are called forth, their term of service to be specified, not to exceed nine months.

Militia to be mustered in, &c.

The President to provide for enrolling the militia in certain States.

Enrolment to include whom, and how apportioned.

“Chap. CCI - An act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasion, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes,” U.S. Congress, pp. 597-600, 17 July 1862.

[Courtesy of Library of Congress](#)

Militia Act, July 17, 1862 (Pg.2)

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THIRTY-SEVENTH CONGRESS. Sess. II. CH. 201. 1862.

Militia, how organized.

SEC. 2. *And be it further enacted,* That the militia, when so called into service, shall be organized in the mode prescribed by law for volunteers.

President may accept 100,000 infantry for nine months.

SEC. 3. *And be it further enacted,* That the President be, and he is hereby, authorized, in addition to the volunteer forces which he is now authorized by law to raise, to accept the services of any number of volunteers, not exceeding one hundred thousand, as infantry, for a period of nine months, unless sooner discharged. And every soldier who shall enlist under the provisions of this section shall receive his first month's pay, and also twenty-five dollars as bounty, upon the mustering of his company or regiment into the service of the United States. And all provisions of law relating to volunteers enlisted in the service of the United States for three years, or during the war, except in relation to bounty, shall be, and the same are, extended to, and are hereby declared to embrace, the volunteers to be raised under the provisions of this section.

Advance pay and bounty.

Volunteers for twelve months may be accepted to fill up regiments.

SEC. 4. *And be it further enacted,* That, for the purpose of filling up the regiments of infantry now in the United States service, the President be, and he hereby is, authorized to accept the services of volunteers in such numbers as may be presented for that purpose, for twelve months, if not sooner discharged. And such volunteers, when mustered into the service, shall be in all respects upon a footing with similar troops in the United States service, except as to service bounty, which shall be fifty dollars, one half of which to be paid upon their joining their regiments, and the other half at the expiration of their enlistment.

Judge advocate general.

SEC. 5. *And be it further enacted,* That the President shall appoint, by and with the advice and consent of the Senate, a judge advocate general, with the rank, pay, and emoluments of a colonel of cavalry, to whose office shall be returned, for revision, the records and proceedings of all courts-martial and military commissions, and where a record shall be kept of all proceedings had thereupon. And no sentence of death, or imprisonment in the penitentiary, shall be carried into execution until the same shall have been approved by the President.

Rank, pay, &c.

Sentence.
1863, ch. 75, § 21.
Post, p. 735.

SEC. 6. *And be it further enacted,* That there may be appointed by the President, by and with the advice and consent of the Senate, for each army in the field, a judge advocate, with the rank, pay, and emoluments, each, of a major of cavalry, who shall perform the duties of judge advocate for the army to which they respectively belong, under the direction of the judge advocate general.

Judge advocate for each army in the field.
Rank, pay, duties, &c.

Field officer substituted for regimental or garrison court-martial.

SEC. 7. *And be it further enacted,* That hereafter all offenders in the army charged with offences now punishable by a regimental or garrison court-martial, shall be brought before a field officer of his regiment, who shall be detailed for that purpose, and who shall hear and determine the offence, and order the punishment that shall be inflicted; and shall also make a record of his proceedings, and submit the same to the brigade commander, who, upon the approval of the proceedings of such field officer, shall order the same to be executed: *Provided,* That the punishment in such cases be limited to that authorized to be inflicted by a regimental or garrison court-martial: *And provided, further,* That, in the event of there being no brigade commander, the proceedings as aforesaid shall be submitted for approval to the commanding officer of the post.

Duty of such field officer.

Limit to punishment.

Proviso.

Certain battalion adjutants and quartermasters of cavalry to be mustered out of the service.

SEC. 8. *And be it further enacted,* That all officers who have been mustered into the service of the United States as battalion adjutants and quartermasters of cavalry under the orders of the War Department, exceeding the number authorized by law, shall be paid as such for the time they were actually employed in the service of the United States, and that all such officers now in service, exceeding the number as aforesaid, shall be immediately mustered out of the service of the United States.

President may organize army corps at his discretion.

SEC. 9. *And be it further enacted,* That the President be, and he is hereby, authorized to establish and organize army corps according to his discretion.

“Chap. CCI - An act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasion, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes,” U.S. Congress, pp. 597-600, 17 July 1862.

[Courtesy of Library of Congress](#)

Militia Act, July 17, 1862 (Pg.3)

THIRTY-SEVENTH CONGRESS. Sess. II. CH. 201. 1862.

599

SEC. 10. *And be it further enacted*, That each army corps shall have the following officers and no more attached thereto, who shall constitute the staff of the commander thereof: one assistant adjutant general, one quartermaster, one commissary of subsistence, and one assistant inspector general, who shall bear, respectively, the rank of lieutenant colonel, and who shall be assigned from the army or volunteer force by the President. Also three aides-de-camp, one to bear the rank of major, and two to bear the rank of captain, to be appointed by the President, by and with the advice and consent of the Senate, upon the recommendation of the commander of the army corps. The senior officer of artillery in each army corps shall, in addition to his other duties, act as chief of artillery and ordnance at the headquarters of the corps.

Officers of each army corps.
Staff of commander.

Senior officer of artillery.

SEC. 11. *And be it further enacted*, That the cavalry forces in the service of the United States shall hereafter be organized as follows: Each regiment of cavalry shall have one colonel, one lieutenant colonel, three majors, one surgeon, one assistant surgeon, one regimental adjutant, one regimental quartermaster, one regimental commissary, one sergeant major, one quartermaster serge[a]nt, one commissary serge[a]nt, two hospital stewards, one saddler sergeant, one chief trumpeter, and one chief farrier or blacksmith, and each regiment shall consist of twelve companies or troops, and each company or troop shall have one captain, one first lieutenant, one second lieutenant, and one supernumerary second lieutenant, one first sergeant, one quartermaster sergeant, one commissary sergeant, five serge[a]nts, eight corporals, two teamsters, two farriers or blacksmiths, one saddler, one wagoner, and seventy-eight privates; the regimental adjutants, the regimental quartermasters, and regimental commissaries to be taken from their respective regiments: *Provided*, That vacancies caused by this organization shall not be considered as original, but shall be filled by regular promotion.

Organization of cavalry force.
Regiment.

Company.
1863, ch. 75, § 37.
Post, p. 737.

Vacancies, how filled.

SEC. 12. *And be it further enacted*, That the President be, and he is hereby, authorized to receive into the service of the United States, for the purpose of constructing intrenchments, or performing camp service, or any other labor, or any military or naval service for which they may be found competent, persons of African descent, and such persons shall be enrolled and organized under such regulations, not inconsistent with the Constitution and laws, as the President may prescribe.

President may employ persons of African descent.

SEC. 13. *And be it further enacted*, That when any man or boy of African descent, who by the laws of any State shall owe service or labor to any person who, during the present rebellion, has levied war or has borne arms against the United States, or adhered to their enemies by giving them aid and comfort, shall render any such service as is provided for in this act, he, his mother and his wife and children, shall forever thereafter be free, any law, usage, or custom whatsoever to the contrary notwithstanding: *Provided*, That the mother, wife and children of such man or boy of African descent shall not be made free by the operation of this act except where such mother, wife or children owe service or labor to some person who, during the present rebellion, has borne arms against the United States or adhered to their enemies by giving them aid and comfort.

Slaves rendering such service, and their families, &c., to be free, if, &c.

Proviso.

SEC. 14. *And be it further enacted*, That the expenses incurred to carry this act into effect shall be paid out of the general appropriation for the army and volunteers.

Appropriation for expenses.

SEC. 15. *And be it further enacted*, That all persons who have been or shall be hereafter enrolled in the service of the United States under this act shall receive the pay and rations now allowed by law to soldiers, according to their respective grades: *Provided*, That persons of African descent, who under this law shall be employed, shall receive ten dollars per month and one ration, three dollars of which monthly pay may be in clothing.

Pay and rations.

Pay, &c., of those of African descent.

“Chap. CCI - An act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasion, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes,” U.S. Congress, pp. 597-600, 17 July 1862.

[Courtesy of Library of Congress](#)

Militia Act, July 17, 1862 (Pg.4)

600 THIRTY-SEVENTH CONGRESS. SESS. II. CH. 201-204. 1862.

Medical purveyors and storekeepers shall give bonds in such sums as the Secretary of War may require with security to be approved by him.
SEC. 16. *And be it further enacted,* That medical purveyors and storekeepers shall give bonds in such sums as the Secretary of War may require with security to be approved by him.
APPROVED, July 17, 1862.

July 17, 1862. CHAP. CCII. — *An Act to allow and pay to the State of Missouri the Amount of Money expended by said State in the arming and paying of Troops employed in the Suppression of Insurrection against the Laws of the United States.*

Missouri may credit against her quota of direct tax, under act 1861, ch. 45, money expended in arming, &c., State troops.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Missouri shall be entitled to a credit against the direct tax apportioned to said State by the "act to provide increased revenue from imports, to pay interest on the public debt, and for other purposes," approved August fifth, eighteen hundred and sixty-one, for all sums of money expended by said State in the arming, equipping, subsisting and paying of troops organized under the ordinances of the convention of said State, passed during the year eighteen hundred and sixty-one, and employed in concert with the federal authorities in suppressing insurrection against the United States, and enforcing the laws thereof.

Ante, p. 295.

Commission to be appointed to examine and report the amount due.

Provide.

Discount of 15 per cent. to be allowed if, &c.

SEC. 2. *And be it further enacted,* That, for the purpose of ascertaining the amount due to said State for moneys so expended, the Secretary of War shall, immediately after the passage of this act, by commission or otherwise, cause the accounts to be examined, and a report made to him of the amount due, which being approved by the Secretary of War, and by him certified to the Secretary of the Treasury, the amount thereof shall be allowed to said State, and deducted from the amount apportioned thereto by the aforesaid act, and the remainder only, if any, shall be collected as therein prescribed: *Provided*, That, in the adjustment of accounts under this act, no greater rate of compensation shall be allowed than was provided for by the laws of the United States applicable to the arming, equipping, subsisting, and payment of volunteers, in force at the time of the enrolment of such troops of Missouri.

SEC. 3. *And be it further enacted,* That if said State shall assume and pay into the treasury the balance of said direct tax, if any, at such time as may be fixed by the Secretary of the Treasury, or should said expenditures be found to be equal to the tax, the deduction or discount of fifteen per centum, as prescribed in the fifty-third section of the said recited act, shall be allowed on the whole amount thus apportioned.

APPROVED, July 17, 1862.

July 17, 1862. CHAP. CCIII. — *An Act to suspend temporarily the Operation of an Act entitled "An Act to prevent and punish Fraud on the Part of Officers intrusted with making of Contracts for the Government," approved June two, eighteen hundred and sixty-two.*

Act of 1862, ch. 98, suspended until Jan. 1, 1863.
Ante, p. 411.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the operation of the act entitled "An act to prevent and punish frauds on the part of officers intrusted with making of contracts for the government," approved June two, eighteen hundred and sixty-two, be, and the same is hereby, suspended until the first Monday of January, eighteen hundred and sixty-three.

APPROVED, July 17, 1862.

July 17, 1862. CHAP. CCIV. — *An Act for the better Government of the Navy of the United States.*

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

"Chap. CCI - An act to amend the Act calling forth the Militia to execute the Laws of the Union, suppress Insurrections, and repel Invasion, approved February twenty-eight, seventeen hundred and ninety-five, and the Acts amendatory thereof, and for other Purposes," U.S. Congress, pp. 597-600, 17 July 1862.

[Courtesy of Library of Congress](#)

First Edition of President Abraham Lincoln's Preliminary Emancipation Proclamation, September 22, 1862 (Pg.1)

*Notice of issuance of Proclamation emancipating slaves in States
in rebellion on January 1, 1863. (S1C)*

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:
A PROCLAMATION.

I, ABRAHAM LINCOLN, President of the United States of America, and Commander-in-chief of the Army and Navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States, and the people thereof, in which States that relation is or may be suspended or disturbed.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all Slave States, so called, the people whereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may voluntarily adopt, immediate or gradual abolishment of slavery within their respective limits; and that the effort to colonize persons of African descent, with their consent, upon this continent or elsewhere, with the previously obtained consent of the governments existing there, will be continued.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognise and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by Proclamation, designate the States, and parts of States, if any, in which the people thereof respectively shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and

First Edition of President Abraham Lincoln's Preliminary Emancipation Proclamation, September 22, 1862 (Pg.2)

2

the people thereof, are not then in rebellion against the United States.

That attention is hereby called to an act of Congress, entitled "An act to make an additional Article of War," approved March 13, 1862, and which act is in the words and figure following:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That hereafter the following shall be promulgated as an additional article of war for the government of the Army of the United States, and shall be obeyed and observed as such :

"ARTICLE —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due; and any officer who shall be found guilty by a court-martial of violating this article, shall be dismissed from the service."

"SEC. 2. *And be it further enacted,* That this act shall take effect from and after its passage."

Also, to the ninth and tenth sections of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate the property of rebels, and for other purposes," approved July 17, 1862, and which sections are in the words and figures following:

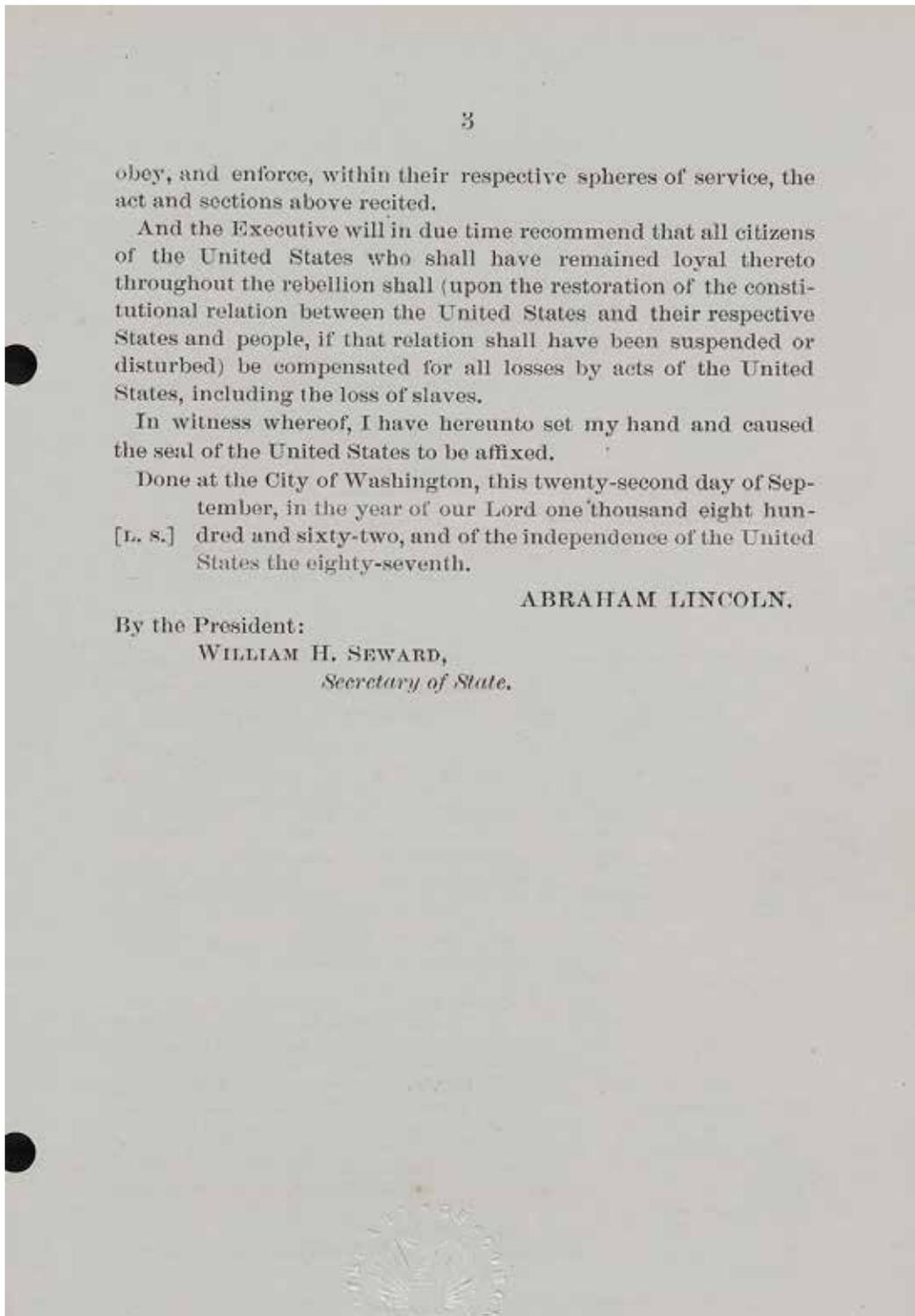
"SEC. 9. *And be it further enacted,* That all slaves of persons who shall hereafter be engaged in rebellion against the government of the United States, or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons, or deserted by them and coming under the control of the government of the United States; and all slaves of such persons found *on [or]* being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be forever free of their servitude, and not again held as slaves.

"SEC. 10. *And be it further enacted,* That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service."

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe,

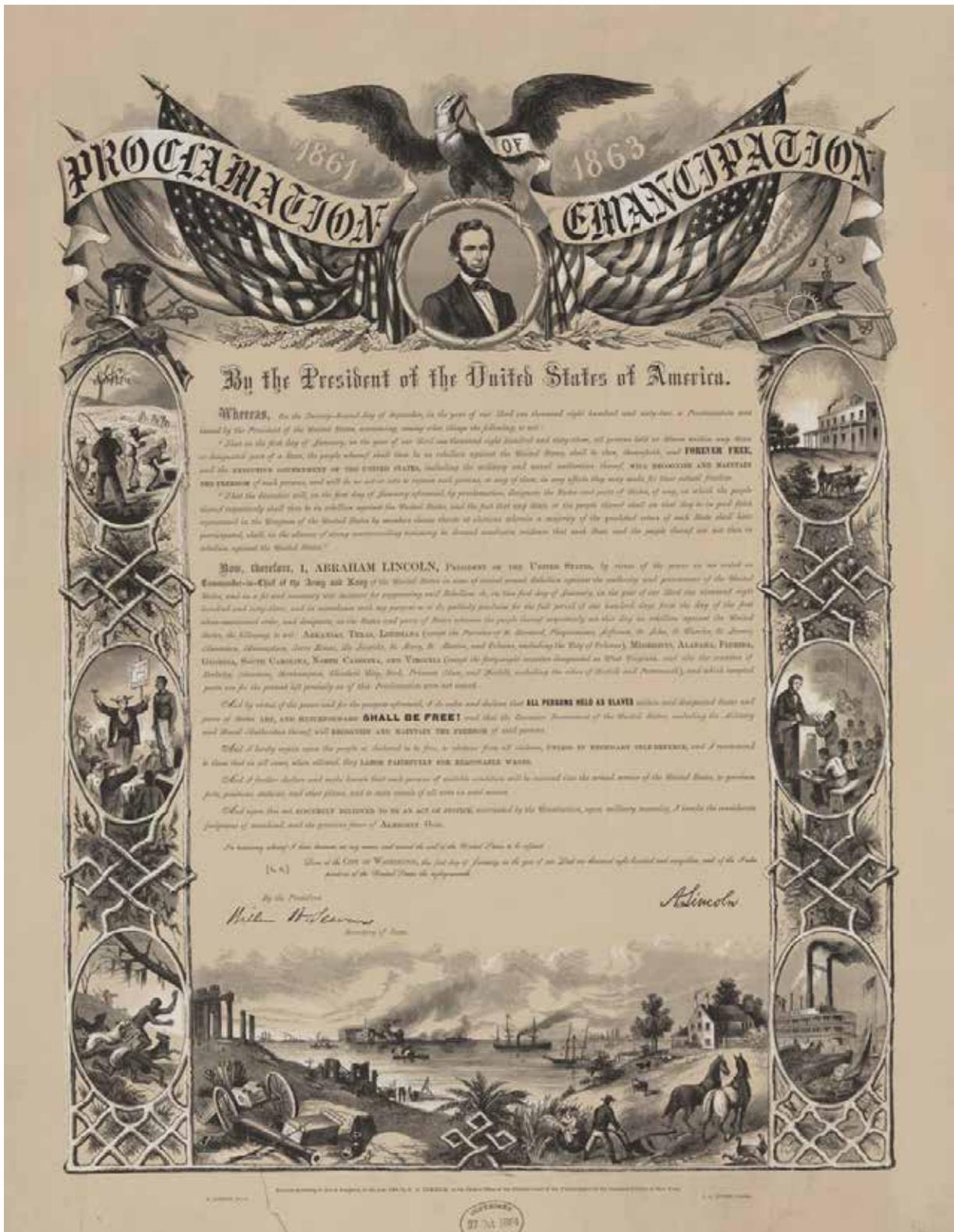
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First Edition of President Abraham Lincoln's Preliminary Emancipation Proclamation, September 22, 1862 (Pg.3)



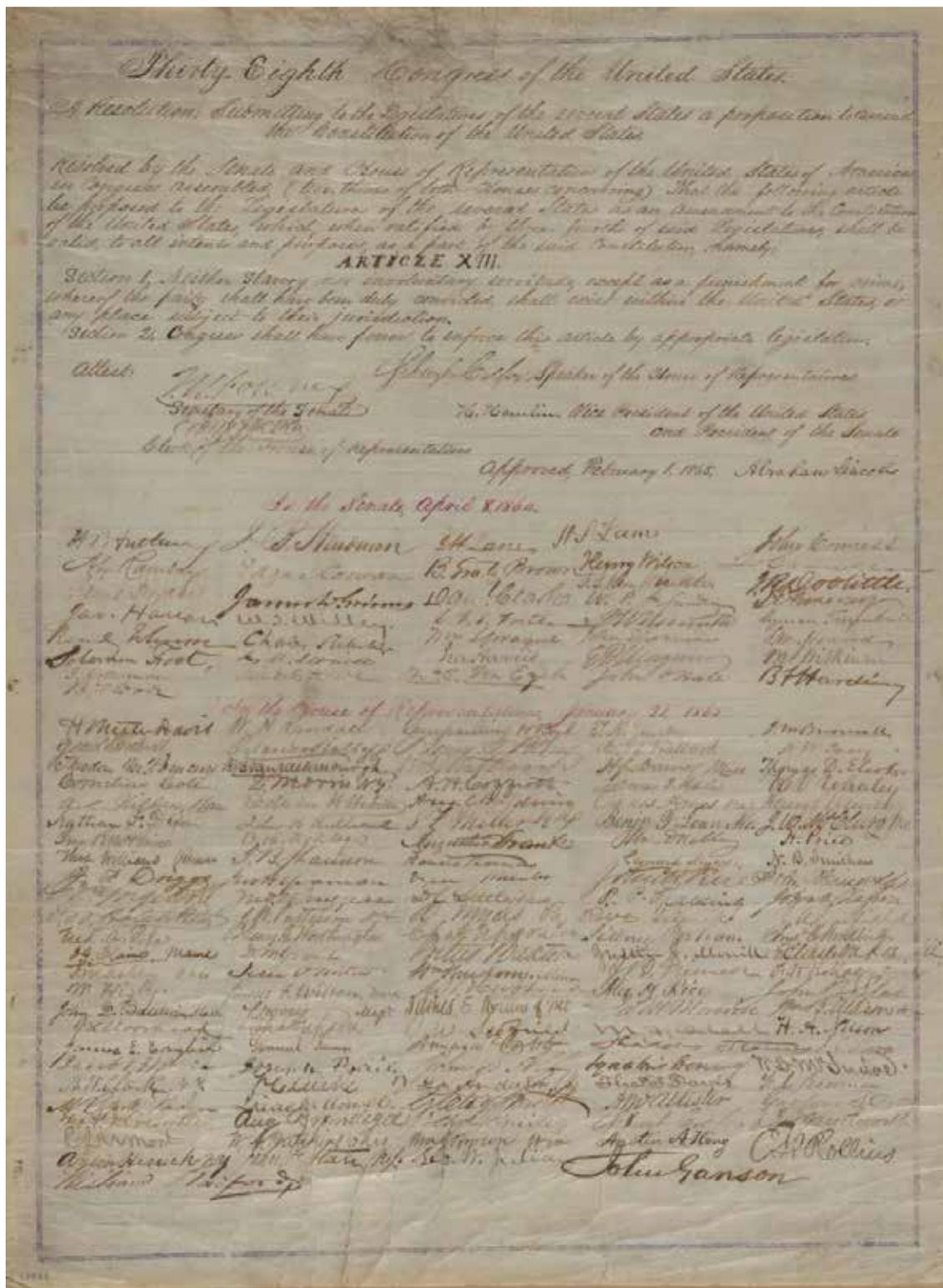
Lincoln, Abraham, "The first edition of Abraham Lincoln's preliminary emancipation proclamation," 22 September 1862. [Courtesy of Library of Congress](#)

Print of Emancipation Proclamation by President Abraham Lincoln, 1865



Lincoln, Abraham, "1861-1863; Proclamation of emancipation by the President of the United States, [C. A. Alvord]," 1865. [Courtesy of Library of Congress](#)

Joint Resolution Submitting the 13th Amendment to the States, February 1, 1865



Lincoln, Abraham, "Abraham Lincoln papers: Series 3. General Correspondence. 1837-1897: Congress, Wednesday, February 01, 1865 (Joint Resolution Submitting 13th Amendment to the States; signed by Abraham Lincoln and Congress)," 1 February 1865. [Courtesy of Library of Congress](#)

“Negroes Leaving the Plough,” March 26, 1864



Portrait of Harriet Tubman, between ca. 1871 and 1876



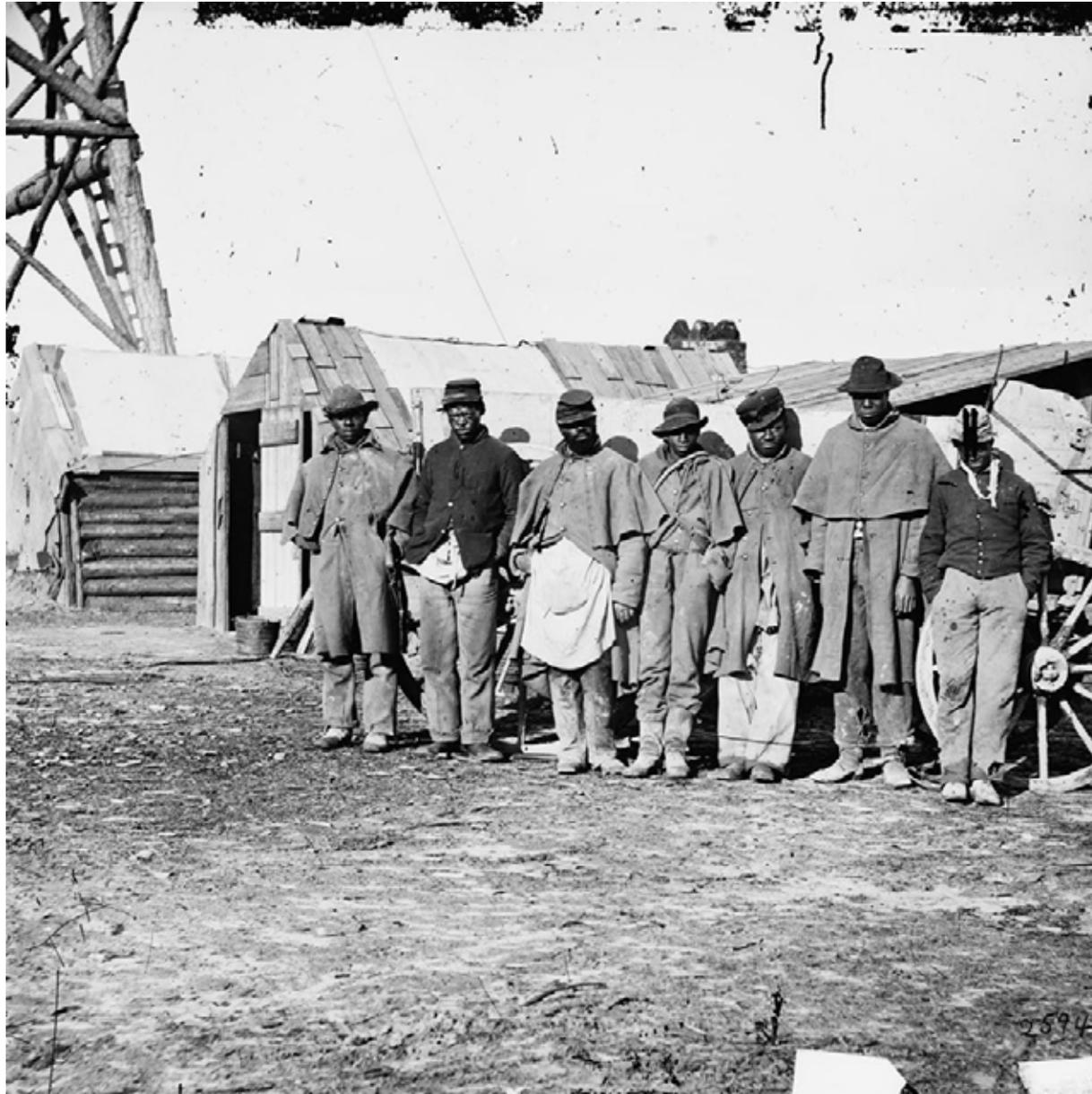
Lindsley, Harvey B., "[Harriet Tubman, full-length portrait, standing with hands on back of a chair]," between ca. 1871 and 1876. [Courtesy of Library of Congress](#)

Men Standing On Railroad Track in Northern Virginia, ca. 1862



Russell, Andrew J., "[Military railroad operations in northern Virginia: men standing on railroad track]," ca. 1862. [Courtesy of Library of Congress](#)

African-American Teamsters in Bermuda Hundred, Virginia, 1864



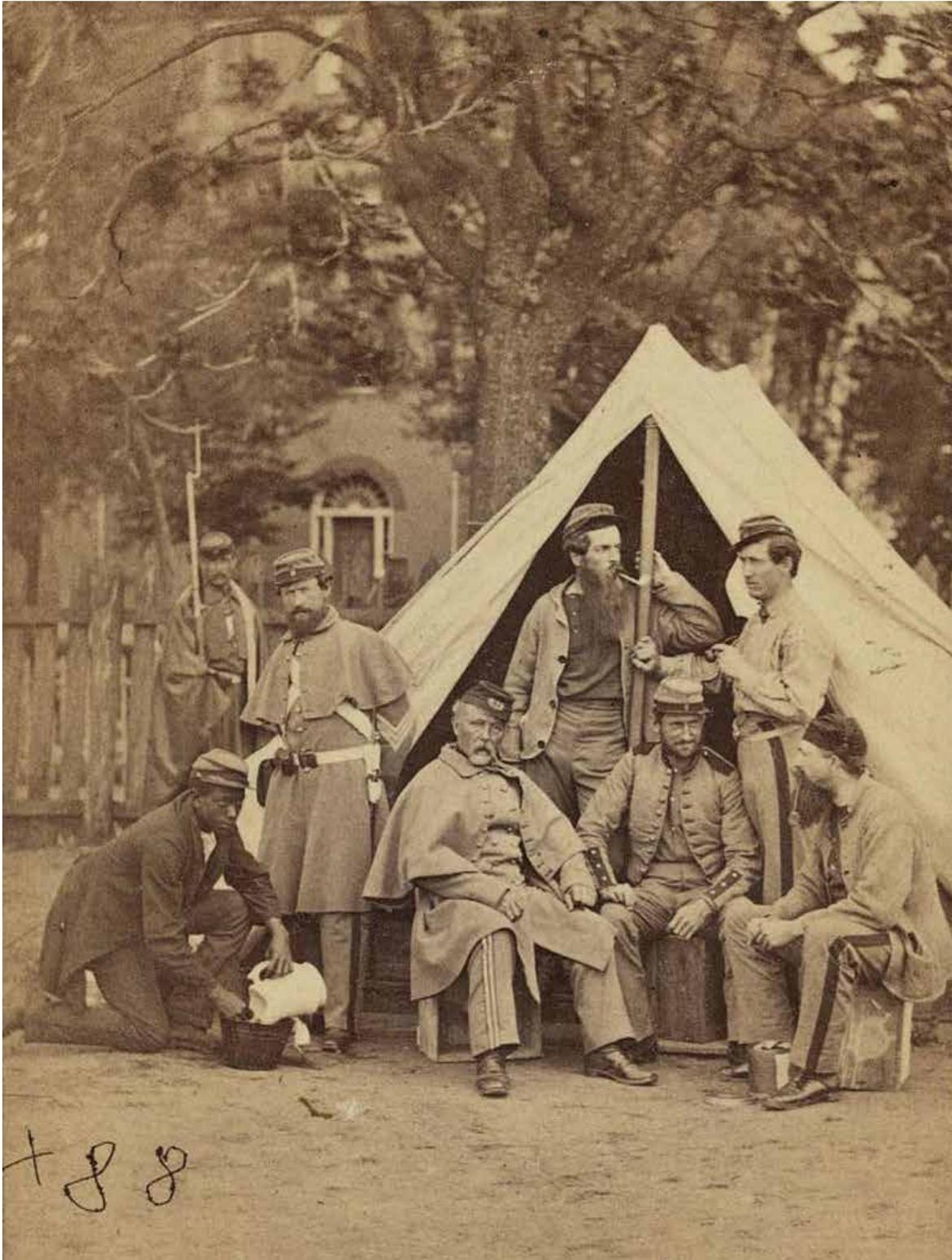
“[Bermuda Hundred, Va. African-American teamsters near the signal tower],” 1864. [Courtesy of Library of Congress](#)

African Americans Collecting Bones of Soldiers Killed in Cold Harbor, Virginia, April 1865



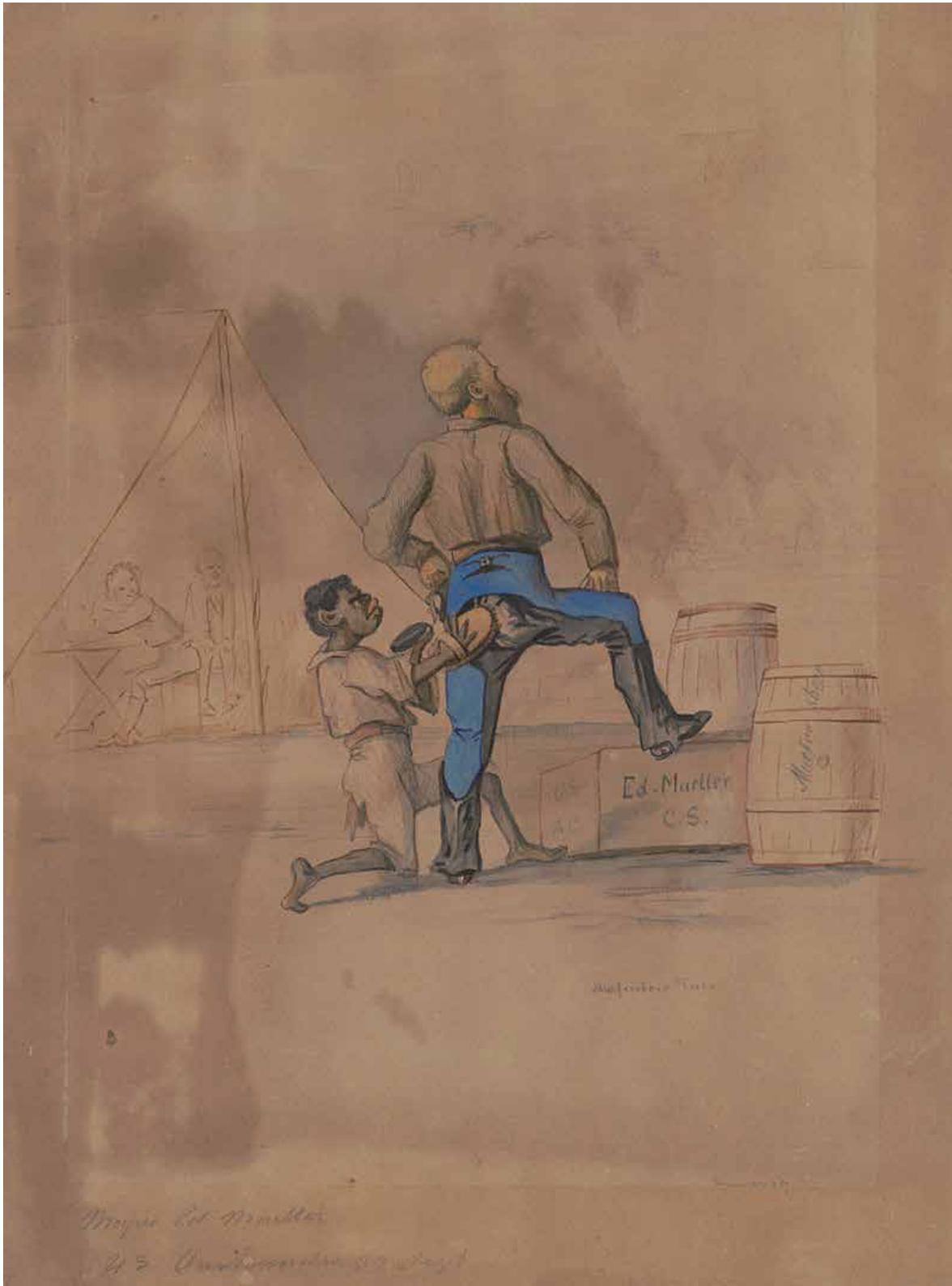
Reekie, John, "[Cold Harbor, Va. African Americans collecting bones of soldiers killed in the battle]," April 1865. [Courtesy of Library of Congress](#)

Group of Soldiers in Front of Tent in Camp Cameron, between 1861 and 1865



Barnard, George N., and C.O. Bostwick, "[Group portrait of soldiers in front of a tent, possibly at Camp Cameron, Washington, D.C.] / G.N. Barnard & C.O. Bostwick, photos," between 1861 and 1865. [Courtesy of Library of Congress](#)

“Polishing the General’s Britches,” between 1861 and 1865



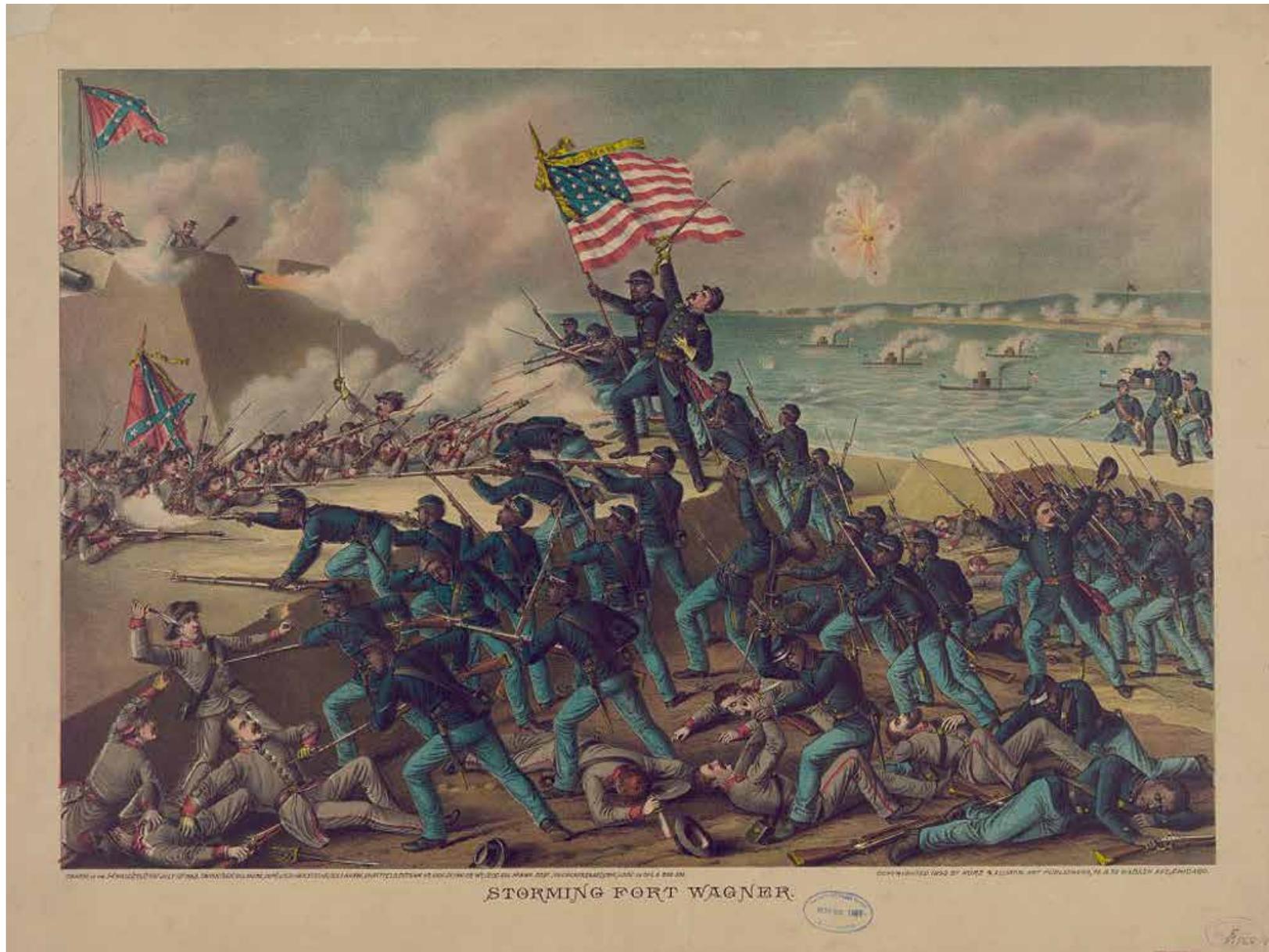
Metzner, Adolph, “Polishing the General’s britches, Major Ed Mueller, Murfreesboro, Tennessee,” between 1861 and 1865. [Courtesy of Library of Congress](#)

Officers from the 4th Colored Infantry at Fort Slocum, April 1865



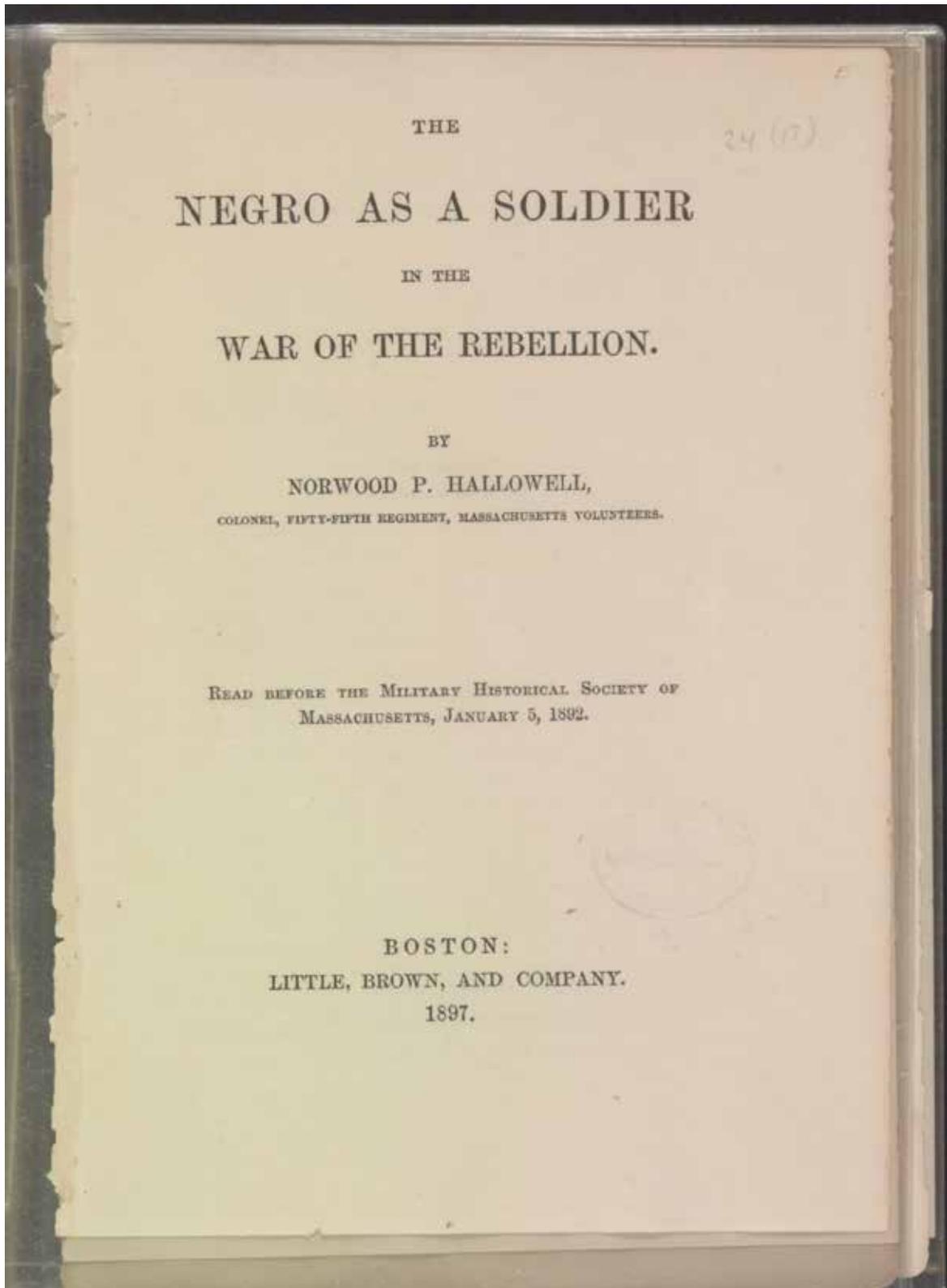
Smith, William M., "Officers 4th U.S. Colo[r]ed Infantry, Fort Slocum," April 1865. [Courtesy of Library of Congress](#)

Storming Fort Wagner, July 5, 1890



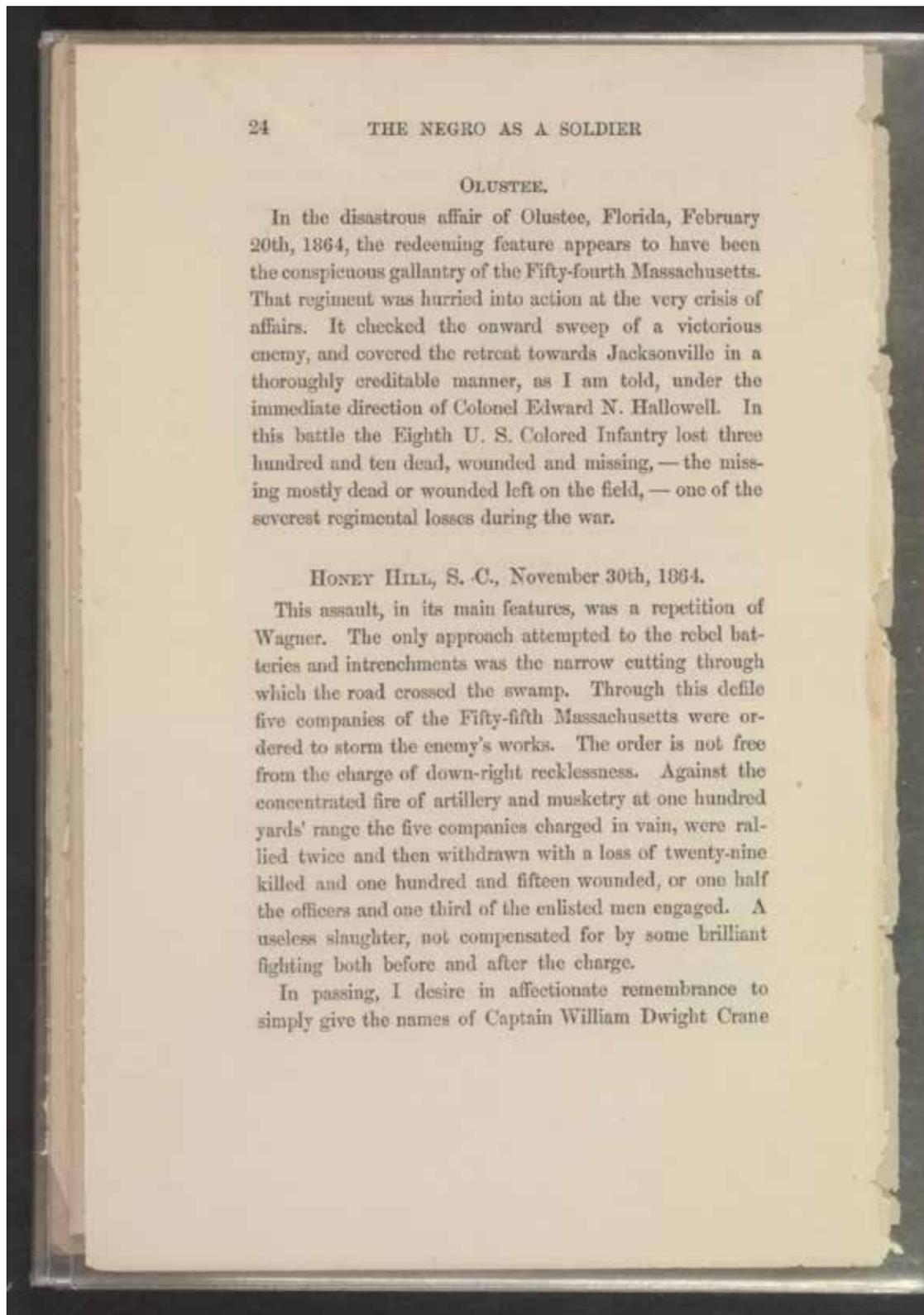
Kurz & Allison, "Storming Fort Wagner," 5 July 1863. [Courtesy of Library of Congress](#)

“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.1)

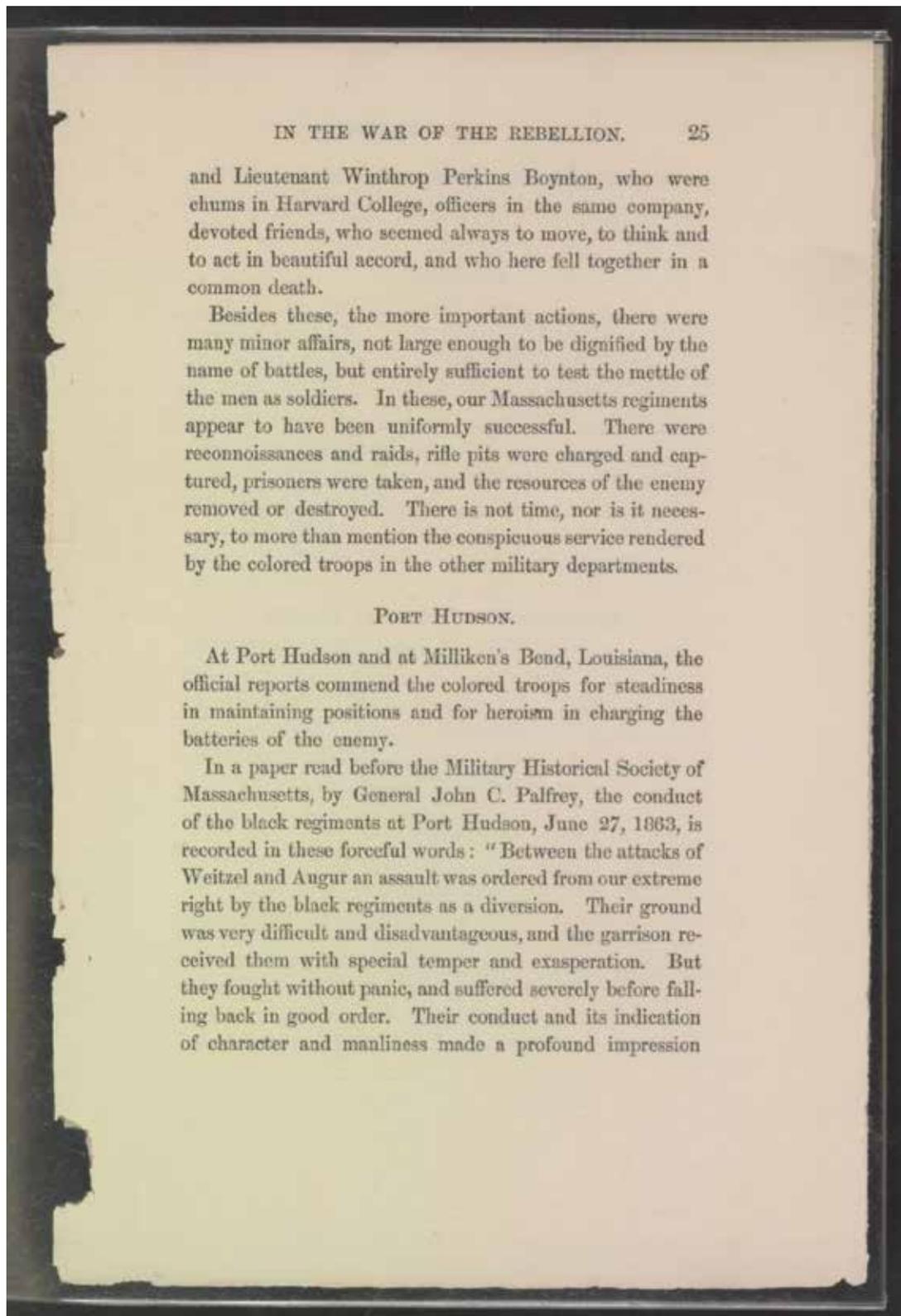


Hallowell, Norwood P., “The Negro as a Soldier in the War of the Rebellion,” 1897. [Courtesy of Library of Congress](#)

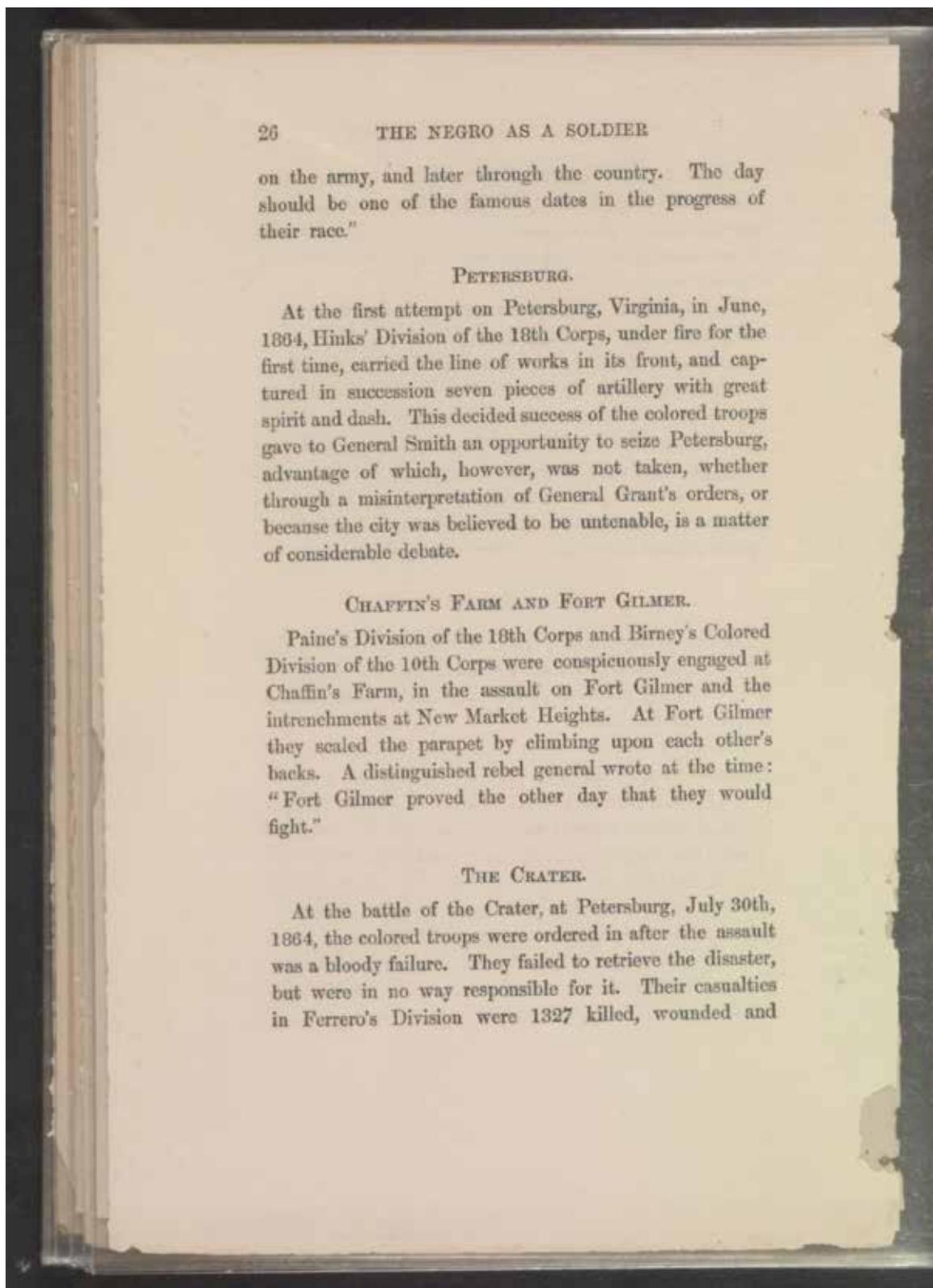
“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.2)



“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.3)



“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.4)



26

THE NEGRO AS A SOLDIER

on the army, and later through the country. The day should be one of the famous dates in the progress of their race."

PETERSBURG.

At the first attempt on Petersburg, Virginia, in June, 1864, Hinks' Division of the 18th Corps, under fire for the first time, carried the line of works in its front, and captured in succession seven pieces of artillery with great spirit and dash. This decided success of the colored troops gave to General Smith an opportunity to seize Petersburg, advantage of which, however, was not taken, whether through a misinterpretation of General Grant's orders, or because the city was believed to be untenable, is a matter of considerable debate.

CHAFFIN'S FARM AND FORT GILMER.

Paine's Division of the 18th Corps and Birney's Colored Division of the 10th Corps were conspicuously engaged at Chaffin's Farm, in the assault on Fort Gilmer and the intrenchments at New Market Heights. At Fort Gilmer they scaled the parapet by climbing upon each other's backs. A distinguished rebel general wrote at the time: "Fort Gilmer proved the other day that they would fight."

THE CRATER.

At the battle of the Crater, at Petersburg, July 30th, 1864, the colored troops were ordered in after the assault was a bloody failure. They failed to retrieve the disaster, but were in no way responsible for it. Their casualties in Ferrero's Division were 1327 killed, wounded and

“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.5)

missing. The white soldiers in the Crater were permitted to surrender; many of the blacks were given no quarter.

NASHVILLE.

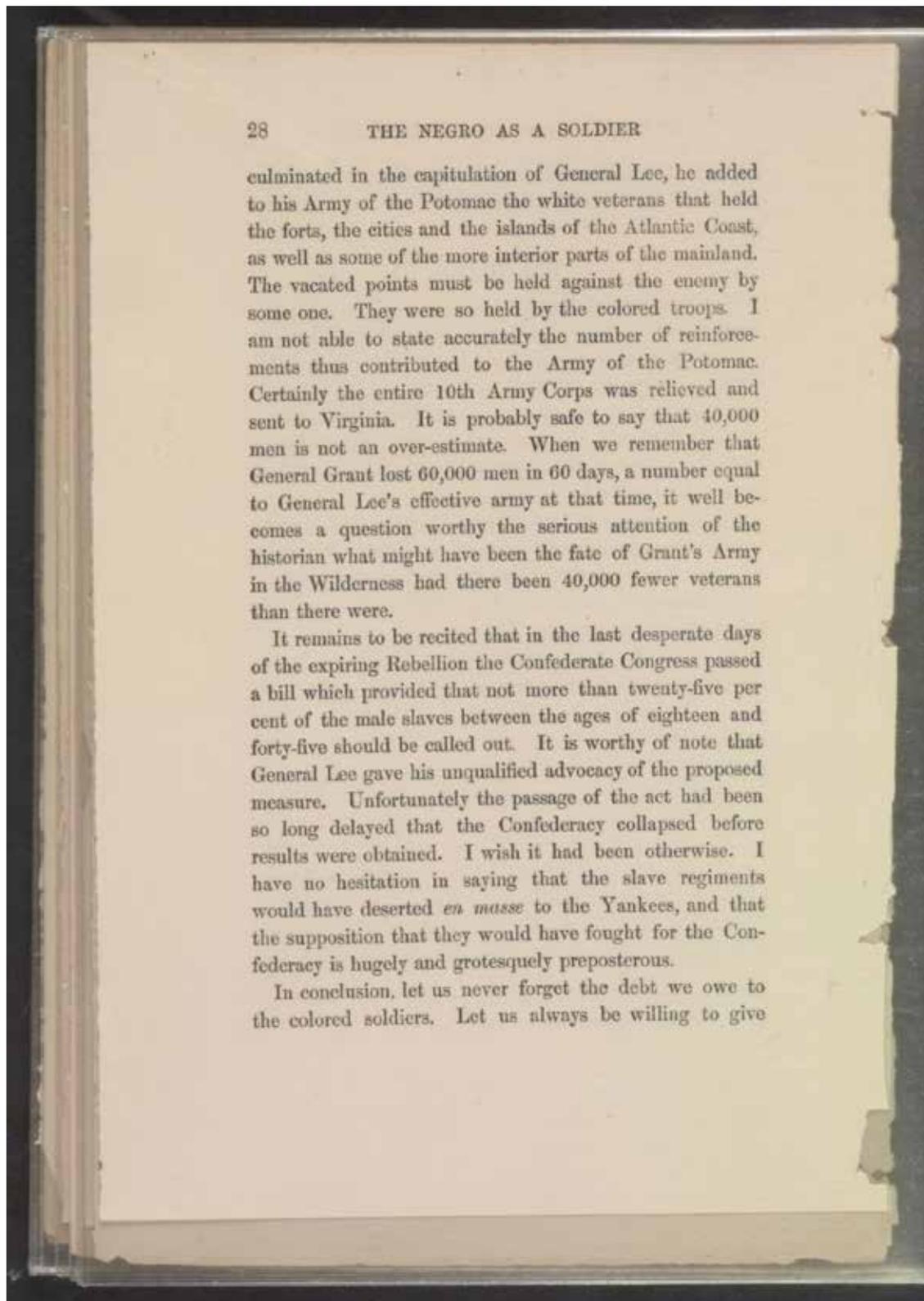
In the victory at Nashville, December 16th, 1864, the heaviest loss in any regiment occurred in the 13th U. S. Colored Infantry,— 55 killed and 106 wounded: total 221. General George H. Thomas, the hero of that battle, a Virginian and at one time a slaveholder, when riding over the field, saw the dead colored troops commingled with the bodies of the white soldiers, and said, “This proves the manhood of the negro.”¹

Fox enumerates 52 battles and actions in which colored troops were prominently engaged, and from the same authority it appears that before the war closed there were 145 regiments of infantry, 7 of cavalry, 12 of heavy artillery, 1 of light artillery, and 1 of engineers: total 166. Of these, about 60 were brought into action on the battlefield, the others having been assigned to post or garrison duty. Fox makes the following judicial remark: “Of the regiments brought into action, only a few were engaged in more than one battle; the war was half over, and so the total of killed does not appear as great as it otherwise would have done. The total number killed or mortally wounded was 143 officers and 2751 men.”² The actual fighting done by the colored troops was not, under the conditions stated, inconsiderable. The indirect benefit to our armies was incalculable. When General Grant gathered together his forces to make the supreme effort that

¹ Van Horn's *Life of Thomas*, 347.

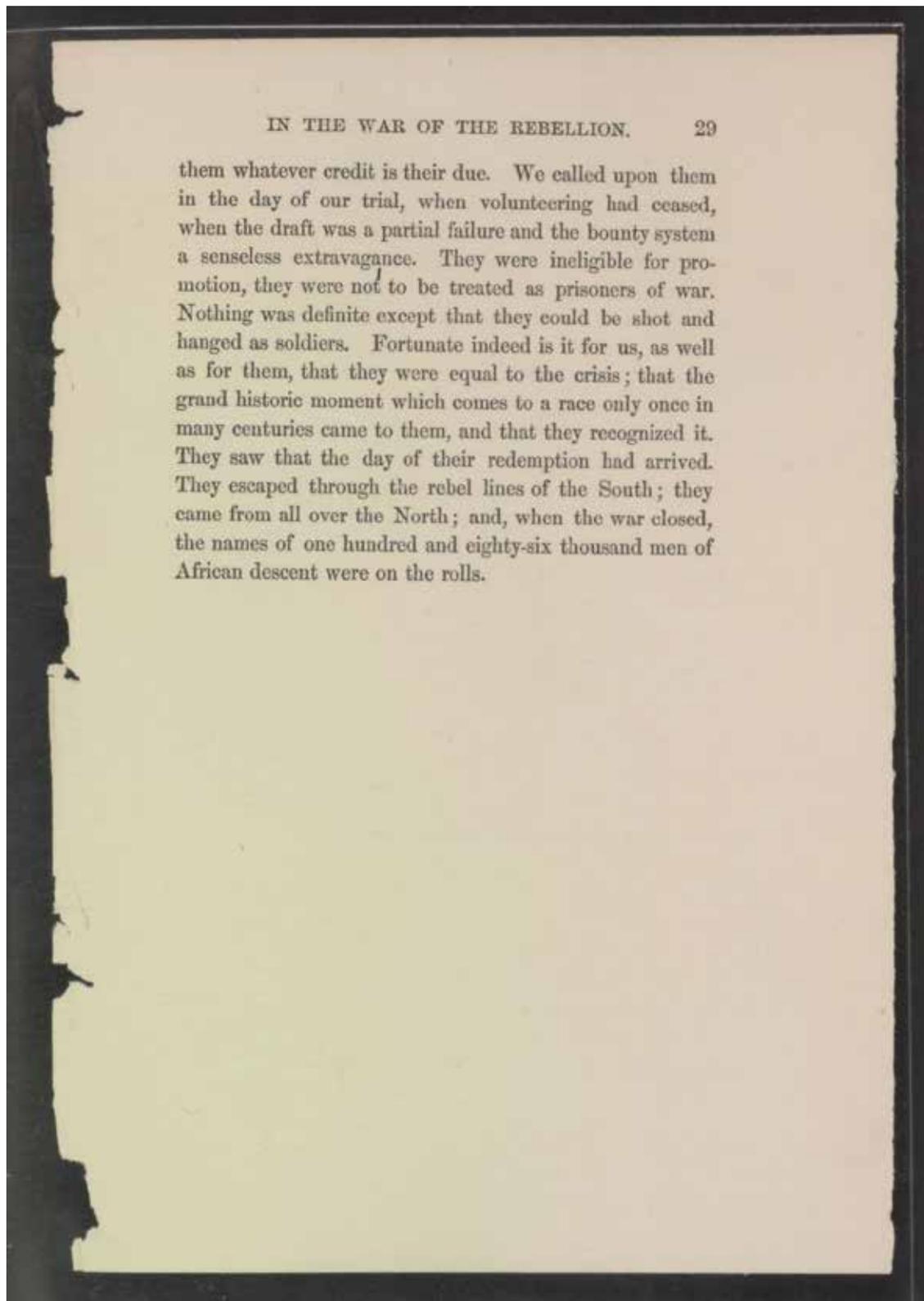
² Fox's *Regimental Losses*, 56.

“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.6)



Hallowell, Norwood P., "The Negro as a Soldier in the War of the Rebellion," 1897. [Courtesy of Library of Congress](#)

“The Negro as a Soldier in the War of the Rebellion” Pamphlet, 1897 (Pg.7)



“Men of Color to Arms! Now or Never!” Broadside, 1863

MEN OF COLOR, TO ARMS! NOW OR NEVER!

This is our Golden Moment. The Government of the United States calls for every Able-Bodied Colored Man to enter the Army for the **THREE YEARS' SERVICE**, and join in fighting the Battles of Liberty and the Union. A new era is open to us. For generations we have suffered under the horrors of slavery, outrage and wrong; our manhood has been denied, our citizenship blotted out, our souls seared and burned, our spirits cowed and crushed, and the hopes of the future of our race involved in doubts and darkness. But now the whole aspect of our relations to the white race is changed. Now therefore is our most precious moment. Let us Rush to Arms! **Fail Now and Our Race is Doomed** on this the soil of our birth. We must now awake, arise, or be forever fallen. If we value Liberty, if we wish to be free in this land, if we love our country, if we love our families, our children, our homes, we must strike NOW while the Country calls: must rise up in the dignity of our manhood, and show by our own right arms that we are worthy to be freemen. Our enemies have made the country believe that we are craven cowards, without soul, without manhood, without the spirit of soldiers. Shall we die with this stigma resting on our graves? Shall we leave this inheritance of shame to our children? No! A thousand times No! **We WILL Rise!** The alternative is upon us; let us rather die freemen than live to be slaves. What is life without liberty? We say that we have manhood—now is the time to prove it. A nation or a people that cannot fight may be pitied, but cannot be respected. If we would be regarded *Men*, if we would forever **SILENCE THE TONGUE OF CALUMNY**, of prejudice and hate; let us rise NOW and fly to arms! We have seen what **Valor and Heroism** our brothers displayed at **PORT HUDSON** and at **MILLIKEN'S BEND**; though they are just from the galling, poisoning grasp of slavery, they have startled the world by the most exalted heroism. If they have proved themselves heroes, can not we prove ourselves men? **ARE FREEMEN LESS BRAVE THAN SLAVES?** More than a Million White Men have left Comfortable Homes and joined the Armies of the Union to save their Country; cannot we leave ours, and swell the hosts of the Union, to save our liberties, vindicate our manhood, and deserve well of our Country?

MEN OF COLOR! All Races of Men—the Englishman, the Irishman, the Frenchman, the German, the American, have been called to assert their claim to freedom and a manly character, by an appeal to the sword. The day that has seen an enslaved race in arms, has, in all history, seen their last trial. We can now see that **OUR LAST OPPORTUNITY HAS COME!** If we are not lower in the scale of humanity than Englishmen, Irishmen, white Americans and other races, we can show it now.

MEN OF COLOR! BROTHERS and FATHERS! WE APPEAL TO YOU! By all your concern for yourselves and your liberties, by all your regard for God and Humanity, by all your desire for Citizenship and Equality before the law, by all your love for the Country, to stop at no subterfuges, listen to nothing that shall deter you from rallying for the Army. Come forward, and at once Enroll your Names for the **Three Years' Service**. **STRIKE NOW**, and you are henceforth and forever **FREEMEN!**

E. D. Bassett,
Wm. D. Forten,
Frederick Douglass,
Wm. Whipper,
D. D. Turner,
Jas. McCrummell,
A. S. Cassey,
A. M. Green,
J. W. Page,
L. R. Seymour,
Rev. J. Underdue,

John W. Price,
Augustus Dorsey,
Rev. Stephen Smith,
N. W. Depee,
Dr. J. H. Wilson,
J. W. Cassey,
P. J. Armstrong,
J. W. Simpson,
Rev. J. B. Trusty,
S. Morgan Smith,
Wm. E. Gipson,

Rev. J. Boulden,
Rev. J. Asher,
Rev. J. C. Gibbs,
Daniel George,
Robert M. Adger,
Henry M. Cropper,
Rev. J. B. Reeve,
Rev. J. A. Williams,
Rev. A. L. Stanford,
Thomas J. Bowers,
Elijah J. Davis,

John P. Burr,
Robert Jones,
O. V. Catto,
Thos. J. Dorsey,
I. D. Cliff,
Jacob C. White,
Morris Hall,
James Needham,
Rev. Elisha Weaver,
Ebenezer Black,
Rev. Wm. T. Catto,

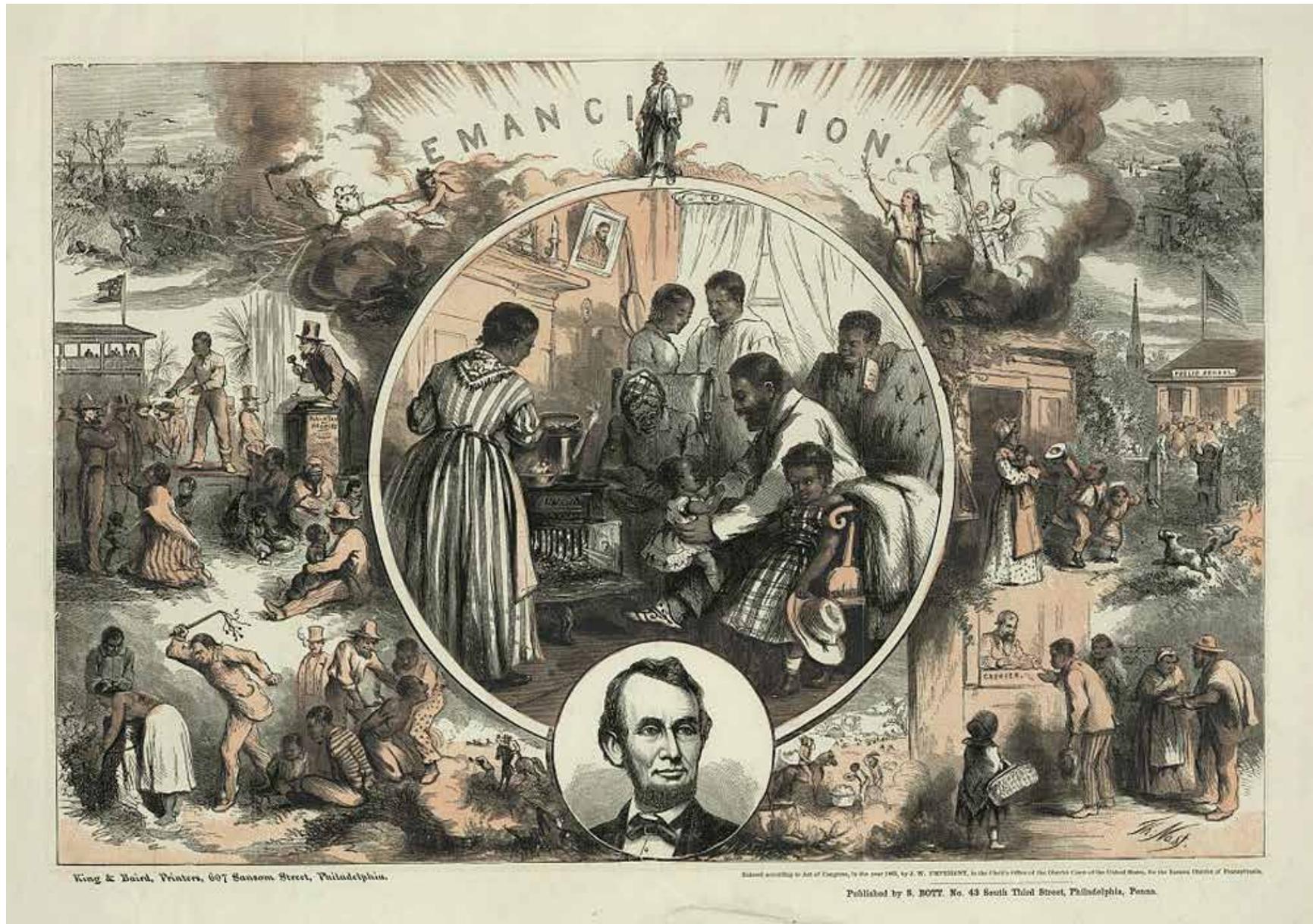
Jas. R. Gordon,
Samuel Stewart,
David B. Bowser,
Henry Minton,
Daniel Colley,
J. C. White, Jr.,
Rev. J. P. Campbell,
Rev. W. J. Alston,
J. P. Johnson,
Franklin Turner,
Jesse E. Glasgow.

“One Cause, One Country - 45th Regt. U.S. Colored Troops,” between 1863 and 1865



Bowser, David B., “One cause, one country - 45th Regt. U.S. Colored Troops,” between 1863 and 1865.
[Courtesy of Library of Congress](#)

“Emancipation,” 1865



Nast, Thomas, “Emancipation / Th. Nast ; King & Baird, printers, 607 Sansom Street, Philadelphia,” 1865. [Courtesy of Library of Congress](#)



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AMERICAN STEEL COLLARS. APRIL 19, 1864.

STAMMERING. Caused by Brain Disease. ...



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State of Illinois. The rapid development of Illinois, its steady increase in population and wealth, and its capacity to produce every kind of raw material for industry and commerce, has attracted the attention of the Government of Agriculture and the attention of the principal crops of 1864, for the whole country, as follows: Indian corn, 530,540,000 bushels; wheat, 169,800,000 bushels; oats, 170,000,000 bushels; of which the State of Illinois yielded 128,200,000 bushels of Indian corn, 25,000,000 bushels of wheat, and 24,000,000 bushels of oats—more than one-fourth of the crop, more than one-third of the wheat, and almost one-fourth of the oats produced in all the United States.

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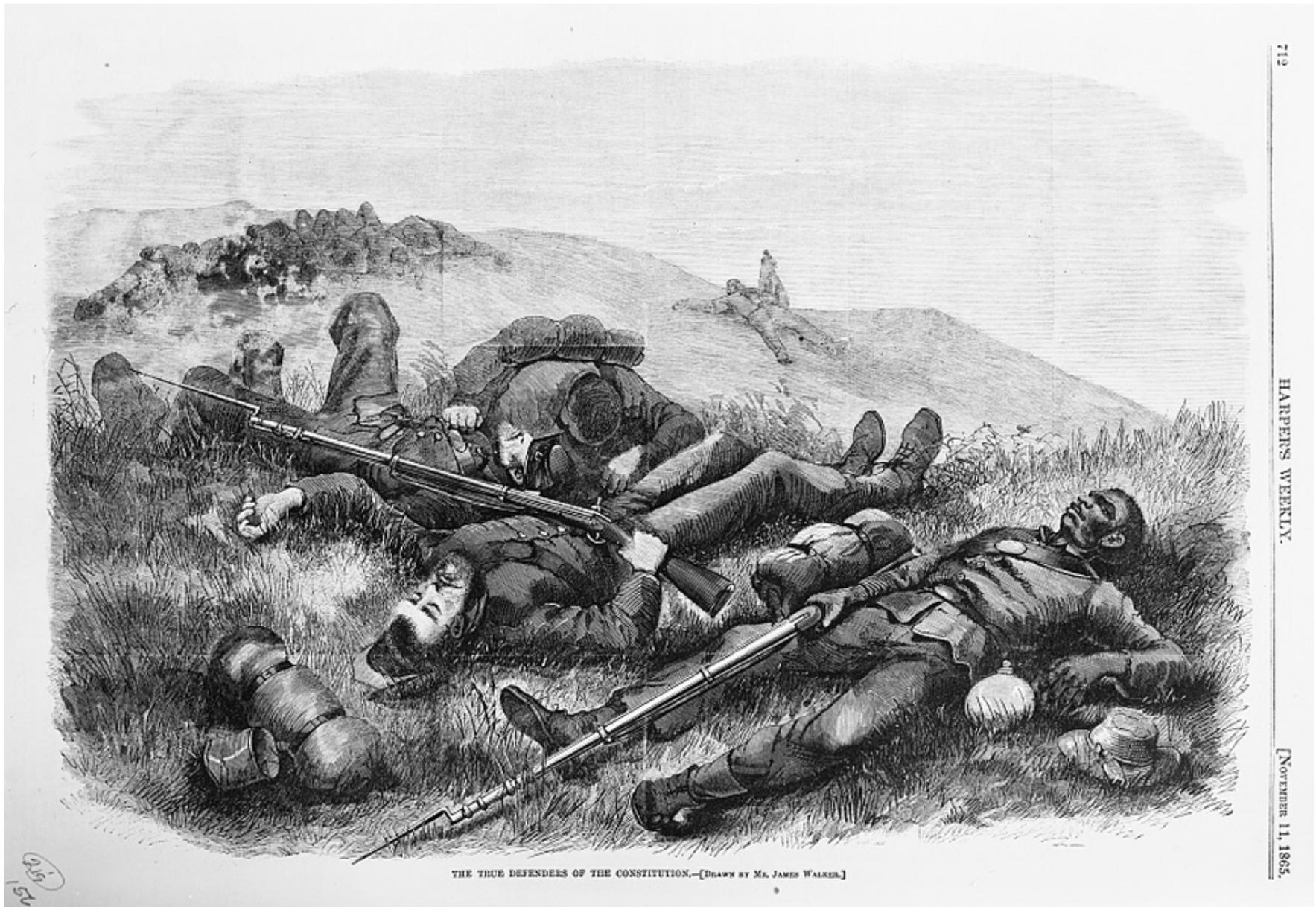
A CARD.—To the Editor: Please Sir.—With your permission I wish to say to the readers of your paper that I will send you a copy of my book, "The History of the United States," in exchange for a copy of your paper.

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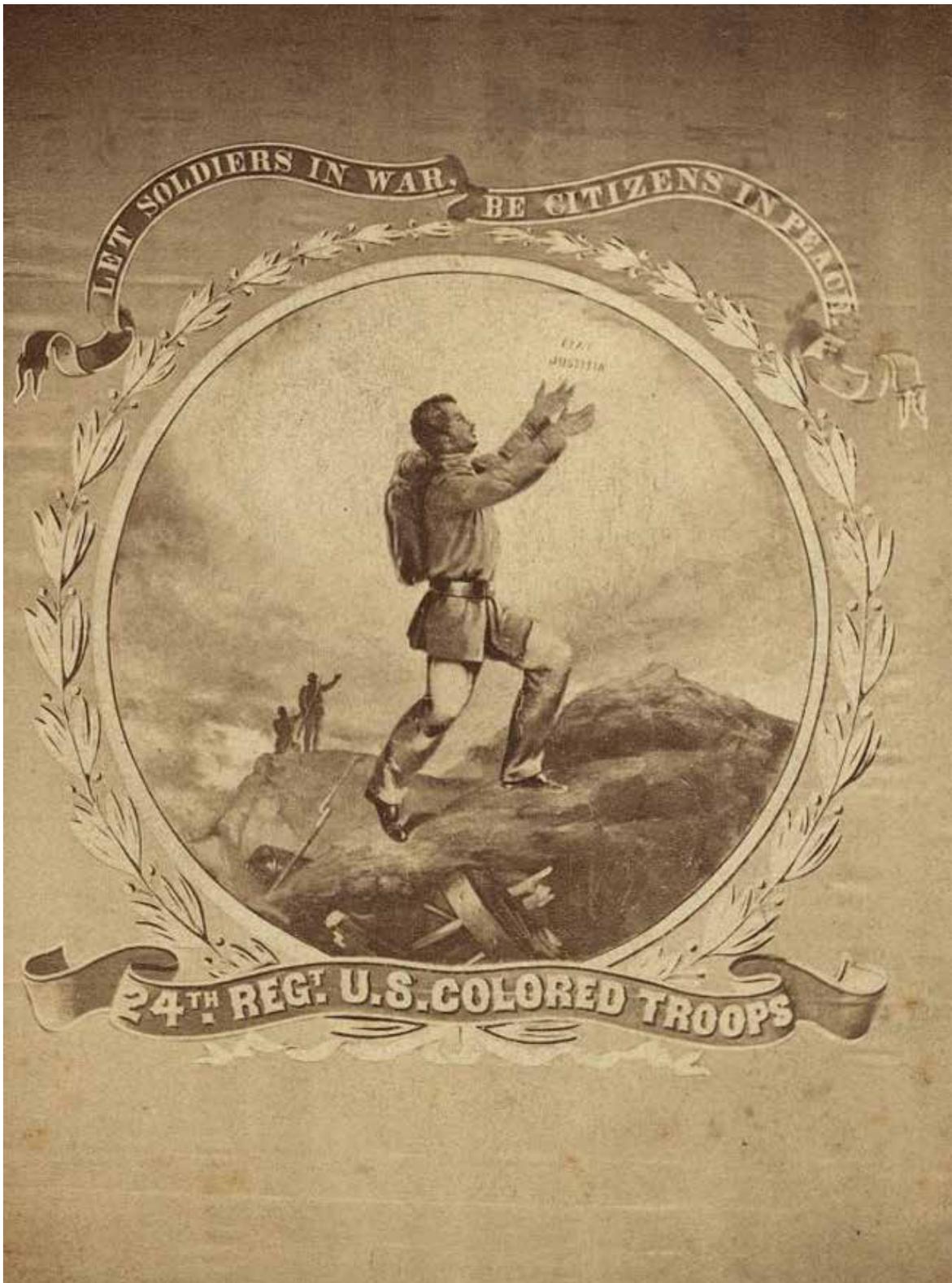
STAMMERING. Caused by Brain Disease. ...

“The True Defenders of the Constitution,” November 11, 1865



Walker, James, “The True Defenders of the Constitution,” *Harper’s Weekly*, 1865. [Courtesy of Library of Congress](#)

“24th Regt. U.S. Colored Troops. Let Soldiers in War, Be Citizens in Peace,” ca. 1865



“24th Regt. U.S. Colored Troops. Let Soldiers in War, Be Citizens in Peace,” ca. 1865. [Courtesy of Library of Congress](#)

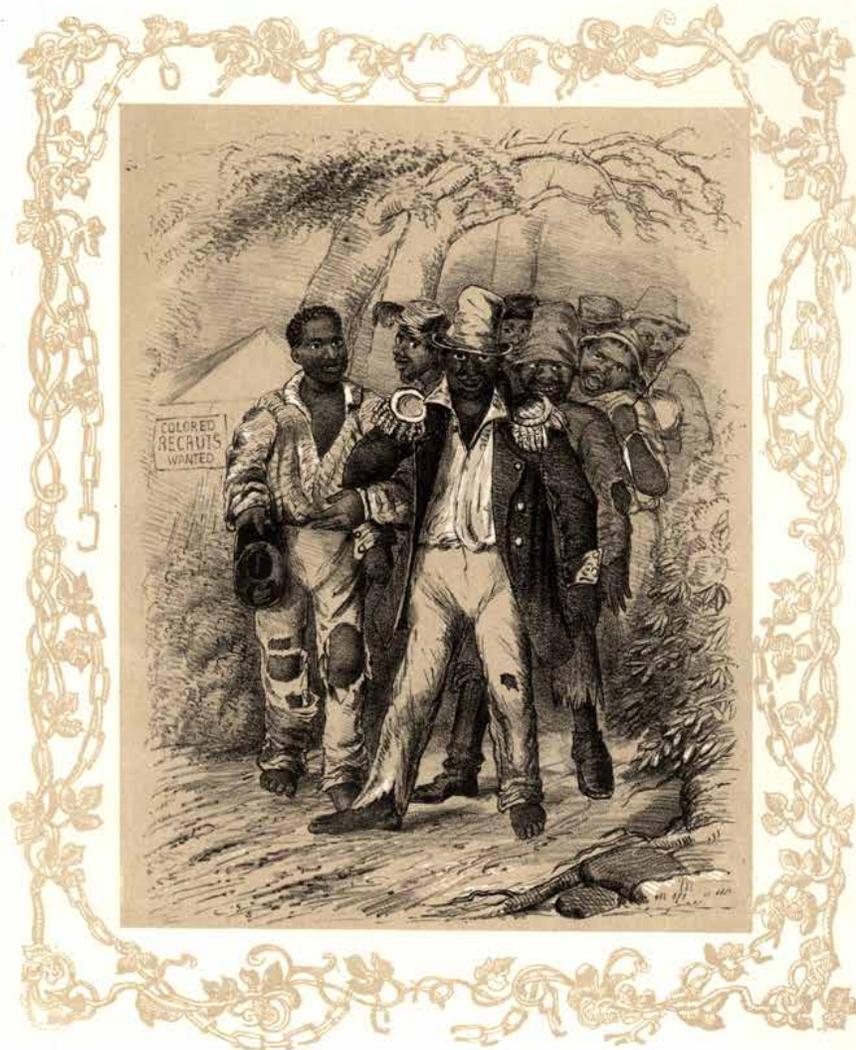
“Pardon. Franchise Columbia,” August 5, 1865



Courtesy of Library of Congress, Nast, Thomas, “Pardon. Franchise Columbia. -- “Shall I trust these men, and not this man?” // Th. Nast.,
Harper’s Magazine Co., 5 August 1865. [Courtesy of Library of Congress](#)

"The Darkies Rally" Song, 1863 (Pg.1)

THE DARKIES RALLY



SONG & CHORUS

BY

W. W. PARTRIDGE.

—♦—

CLEVELAND,

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T. BRIDGEMAN'S LITH. PRESS

"The Darkies Rally" Song, 1863 (Pg.2)

DE DARKIE'S RALLY.

WORDS AND MUSIC
BY
W. W. PARTRIDGE.

Moderato.



5. An when our massas conquerd are, An we wid' dem, our freedom share, We'll



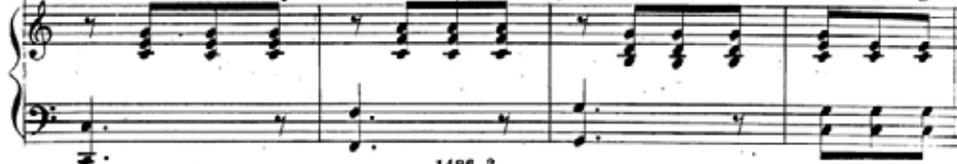
1. Old mas - sa Linkum he'm de man, Tu' break up dat ole wicked clan, Who
2. Dey wuck'd us hard and paid us naught, Our children dear, dey sole an bought, Our
3. Dey bound us down wid cru - el might, Wid wicked force dey held our right, But
4. "De year of Ju - bi - lee hab come," When we shall hab a freeman's home; Den



work for dem for pay-not fear, An keep our wives an children dear.



tink no rights to Nig's be - long But lib a slave de whole life long.
wifes dey tore from our embrace, An doom'd us to a bru - tal race.
tink de Lord, fur peass we see, We Darkie's all will soon be free.
let us ral - ly wid our might, "An strike for free - dom an our right?"



1486 3

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“The Darkies Rally” Song, 1863 (Pg.3)

4

CHORUS.

Den come on all ye Darkies unto Massa Linkum's camp, Whar we're all bound to go, An we'll

Den come on all ye Darkies unto Massa Linkum's camp, Whar we're all bound to go, An we'll

meet our ole Massas an we'll conquer dem or die, Dat we must do you know, We are

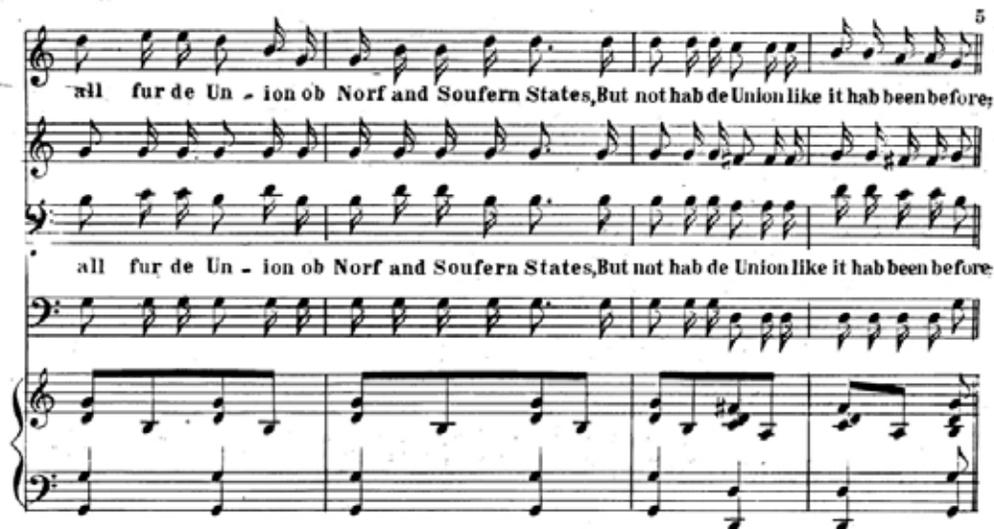
meet our ole Massas an we'll conquer dem or die, Dat we must do you know, We are

1486 3

“The Darkies Rally” Song, 1863 (Pg.4)

all fur de Un - ion ob Norf and Soufern States, But not hab de Union like it hab been before;

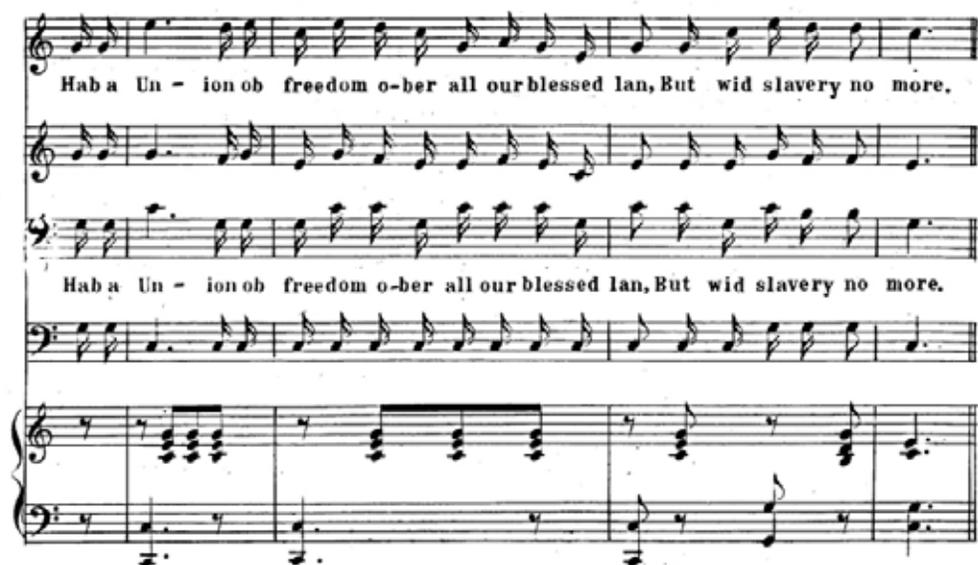
all fur de Un - ion ob Norf and Soufern States, But not hab de Union like it hab been before;



The first system of the musical score consists of four staves. The top two staves are vocal lines in treble clef, with the lyrics 'all fur de Un - ion ob Norf and Soufern States, But not hab de Union like it hab been before;' written below them. The bottom two staves are piano accompaniment in bass and treble clefs. A small number '5' is written above the first staff.

Hab a Un - ion ob freedom o-ber all our blessed lan, But wid slavery no more.

Hab a Un - ion ob freedom o-ber all our blessed lan, But wid slavery no more.



The second system of the musical score consists of four staves. The top two staves are vocal lines in treble clef, with the lyrics 'Hab a Un - ion ob freedom o-ber all our blessed lan, But wid slavery no more.' written below them. The bottom two staves are piano accompaniment in bass and treble clefs.



The third system of the musical score consists of two staves for piano accompaniment in bass and treble clefs. A small number '1496 8' is written below the bottom staff.

Narrative of Former Slave Felix Haywood, 1936 (Pg.1)

EX-SLAVE STORIES
(Texas)

Page One 130

JUL 6 1937

FELIX HAYWOOD is a temperamental and whimsical old Negro of San Antonio, Texas, who still sees the sunny side of his 92 years, in spite of his total blindness. He was born and bred a slave in St. Hedwig, Bexar Co., Texas, the son of slave parents bought in Mississippi by his master, William Gudlow. Before and during the Civil War he was a sheep herder and cowpuncher. His autobiography is a colorful contribution, showing the philosophical attitude of the slaves, as well as shedding some light upon the lives of slave owners whose support of the Confederacy was not accompanied by violent hatred of the Union.

"Yes, sir, I'm Felix Haywood, and I can answer all these things that you want to know. But, first, let me ask you this: Is you all a white man, or is you a black man?"

"I'm black, blacker than you are," said the caller.

The eyes of the old blind Negro, - eyes like two murkey brown marbles - actually twinkled. Then he laughed:

"No, you ain't. I knewed you was white man when you comes up the path and speaks. I jus' always asks that question for fun. It makes white men a little insulted when you dont know they is white, and it makes niggers all conceited up when you think maybe they is white."

And there was the key nete to the old Negro's character and temperament. He was making a sort of privileged game with a sportive twist out of his handicap of blindness.

As the interviewer scribbled down a nete, the doer to the little shanty on Arabella Alley opened and a backless chair was carried out on the perch by a vigorous old colored woman. She was Mrs. Ella Thompson,

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Ex-slave Stories
(Texas)

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Felix' youngest sister, who had known only seven years of slavery. After a timid "How-do-you-de," and a comment on the great heat of the June day, she went back in the house. Then the old Negro began searching his 92 years of reminiscences, intermixing his findings with philosophy, poetry and prognostications.

"It's a funny thing how folks always want to know about the War. The war weren't so great as folks suppose. Sometimes you didn't knowed it was goin' on. It was the endin' of it that made the difference. That's when we all wakes up that somethin' had happened. Oh, we knowed what was goin' on in it all the time, 'cause old man Gudlow went to the post office every day and we knowed. We had papers in them days jus' like now.

"But the War didn't change nothin'. We saw guns and we saw seldiers, and one member of master's family, Colmin Gudlow, was gone fightin' - somewhere. But he didn't get shot no place but one - that was in the big tee. Then there was neighbors went off to fight. Some of 'em didn't want to go. They was teek away (conscription). I'm thinkin' lots of 'em pretended to want to go as seen as they had to go.

"The ranch went on jus' like it always had before the war. Church went on. Old Mew Jehnson, the preacher, seen to it church went on. The kids didn't know War was happenin'. They played marbles, see-saw and rede. I had old Buster, a ex, and he teek me about plenty good as a horse. Nothin' was different. We get layed-ente (whipped) time on time, but gen'rally life was good -- just as good as a sweet potato. The only misery I had was when a black spider bit me on the ear. It swelled up my head and stuff came out. I was plenty sick and Dr. Brennen, he teek good care of me. The whites always teek good care of people when they was sick. Hospitals couldn't do

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(Texas)

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no better for you today.... Yes, maybe it was a black widow spider, but we called it the 'devil biter'.

"Sometimes someone would come 'long and try to get us to run up North and be free. We used to laugh at that. There wasn't no reason to run up North. All we had to do was to walk, but walk South, and we'd be free as soon as we crossed the Rio Grande. In Mexico you could be free. They didn't care what color you was, black, white, yellow or blue. Hundreds of slaves did go to Mexico and got on all right. We would hear about 'em and how they was goin' to be Mexicans. They brought up their children to speak only Mexican.

"Me and my father and five brothers and sisters weren't goin' to Mexico. I went there after the war for a while and then I looked 'round and decided to get back. So I come back to San Antonio and I got a job through Colonel Breckenridge with the waterworks. I was handling pipes. My foreman was Tom Flanigan -- he must have been a full-blooded Frenchman!

"But what I want to say is, we didn't have no idea of runnin' and escapin'. We was happy. We got our lickings, but just the same we got our fill of biscuits every time the white folks had 'em. Nobody knew how it was to lack food. I tell my chillen we didn't know no more about pants than a hawk knows about heaven; but I tells 'em that to make 'em laugh. We had all the clothes we wanted and if you wanted shoes bad enough you got 'em - shoes with a brass square toe. And shirts! Mister, them was shirts that was shirts! If someone gets caught by his shirt on a limb of a tree, he had to die there if he weren't cut down. Them shirts wouldn't rip no mere'n buckskin.

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Ex-slave Stories
(Texas)

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"The end of the war, it come jus' like that -- like you snap your fingers."

"How did you know the end of the war had come?" asked the interviewer.

"How did we know it! Hallelujah broke out --

"'Abe Lincoln freed the nigger
With the gun and the trigger;
And I ain't goin' to get whipped any more.
I got my ticket,
Leavin' the thicket,
And I'm a-headin' for the Golden Shore!'

"Soldiers, all or a sudden, was everywhere -- comin' in bunches, cressin' and walkin' and ridin'. Everyone was a-singin'. We was all walkin' on golden clouds. Hellejuhan!

"'Union ferever,
Hurrah, beys, hurrah!
Although I may be poor,
I'll never be a slave--
Sheucin' the battle cry of freedom.'

"Everybody went wild. We all felt like heroes and nobody had made us that way but ourselves. We was free. Just like that, we was free. It didn't seem to make the whites mad, either. They went right on giving us food just the same. Neeedy took our homes away, but right off colored felks started on the move. They seemed to want to get closer to freedom, so they'd know what it was -- like it was a place or a city. Me and my father stuck, stuck close as a lean tick to a sick kitten. The Gudlows started us out on a ranch. My father, he'd round up cattle, unbranded cattle, for the whites. They was cattle that they belonged to, all right; they had gone to find water 'long the San Antonio River and the Guadalupe. Then the whites gave me and my father some cattle for our own. My father had his own brand, 7 B), and we had a herd to start out with of seventy.

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(Texas)

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"We knewed freedom was on us, but we didn't know what was to come with it. We thought we was goin' to get rich like the white folks. We thought we was goin' to be richer than the white folks, 'cause we was stronger and knewed how to work, and the whites didn't and they didn't have us to work fer them anymore. But it didn't turn out that way. We seen found out that freedom could make felks proud but it didn't make 'em rich.

"Did you ever step to think that thinking don't do any good when you do it too late? Well, that's how it was with us. If every mother's son of a black had thrown 'way his hoe and took up a gun to fight fer his own freedom along with the Yankees, the war'd been over before it began. But we didn't do it. We couldn't help stick to our masters. We couldn't no more shoot 'em than we could fly. My father and me used to talk 'bout it. We decided we was too soft and freedom wasn't goin' to be much to our good even if we had a education."

The old Negro was growing very tired, but, at a request, he instantly get up and tapped his way out into the scorching sunshine to have his photograph taken. Even as he did so, he seemed to smile with these blurred, dead eyes of his. Then he chuckled to himself and said:

"Warmth of the wind
And heat of the South,
And ripe red cherries
For a ripe, red mouth."

"Land sakes, Felix!" came through the window from sister Ella.

"How you carries on! Don't you be a-mindin' him, mister."
