

Vol. xii. p. 1262.

taunts of that part of Virginia lying west of the Alleghany Mountains and of such other parts of that state and the other states hereinbefore named as might maintain a legal adhesion to the Union and the Constitution, or might be, from time to time, occupied and controlled by forces of the United States engaged in the dispersion of said insurgents), were in a state of insurrection against the United States, and that all commercial intercourse between the same and the inhabitants thereof with the exceptions aforesaid, and the citizens of other states and other parts of the United States was unlawful, and would remain unlawful, until such insurrection should cease or be suppressed, and that all goods and chattels, wares and merchandise, coming from any of said states, with the exceptions aforesaid, into other parts of the United States, without the license and permission of the President, through the Secretary of the Treasury, or proceeding to any of said States, with the exceptions aforesaid, by land or water, together with the vessel or vehicle conveying the same to or from said states, with the exceptions aforesaid, would be forfeited to the United States :

And whereas, experience has shown that the exceptions made in and by said Proclamation embarrass the due enforcement of said act of July 13, 1861, and the proper regulation of the commercial intercourse authorized by said act with the loyal citizens of said states :

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, do hereby revoke the said exceptions, and declare that the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia, (except the forty-eight counties of Virginia designated as West Virginia, and except, also, the ports of New Orleans, Key West, Port Royal, and Beaufort in North Carolina,) are in a state of insurrection against the United States; and that all commercial intercourse not licensed and conducted as provided in said act between the said states and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other states and other parts of the United States, is unlawful, and will remain unlawful, until such insurrection shall cease or has been suppressed, and notice thereof has been duly given by Proclamation; and all cotton, tobacco, and other products, and all other goods and chattels, wares and merchandise, coming from any of said states, with the exceptions aforesaid, into other parts of the United States, or proceeding to any of said states, with the exceptions aforesaid, without the license and permission of the President, through the Secretary of the Treasury, will, together with the vessel or vehicle conveying the same, be forfeited to the United States.

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 second day of April, A. D. eighteen [L. s.] hundred and sixty-three, and of the Independence of the United States of America the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

No. 3.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: April 20, 1863.

A PROCLAMATION.

WHEREAS, by the act of congress approved the 31st day of December, last, the State of West Virginia was declared to be one of the United States of America, and was admitted into the Union on an equal footing with the original states in all respects whatever, upon the condition that certain changes should be duly made in the proposed constitution for that state :

And whereas proof of a compliance with that condition, as required by the second section of the act aforesaid, has been submitted to me :

Now, therefore, be it known, that I, ABRAHAM LINCOLN, President of the United States, do hereby, in pursuance of the act of congress aforesaid, declare and proclaim that the said act shall take effect and be in force from and after sixty days from the date hereof.

Preamble.
1863, ch. 6.
Vol. xii. p. 633.

Act admitting West Virginia as a State, to be in force in sixty days from, &c.

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 twentieth day of April, in the year [L. s.] of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

No. 4.

May 8, 1863. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA :

A PROCLAMATION.

Preamble.

1863, ch. 75.
Vol. xii. p. 731.

WHEREAS, The congress of the United States at its last session enacted a law entitled "An act for enrolling and calling out the national forces, and for other purposes," which was approved on the 3d day of March last; and

Whereas, It is recited in the said act that there now exists in the United States an insurrection and rebellion against the authority thereof, and it is, under the Constitution of the United States, the duty of the government to suppress insurrection and rebellion, to guarantee to each state a republican form of government, and to preserve the public tranquillity; and

Whereas, For these high purposes a military force is indispensable, to raise and support which all persons ought willingly to contribute; and

Whereas, No service can be more praiseworthy and honorable than that which is rendered for the maintenance of the Constitution and Union, and the consequent preservation of free government; and

Whereas, For the reasons thus recited, it was enacted by the said statute that all able-bodied male citizens of the United States and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty and forty-five years, (with certain exceptions not necessary to be here mentioned,) are declared to constitute the national forces, and shall be liable to perform military duty in the service of the United States, when called out by the President for that purpose; and

Whereas, It is claimed by and in behalf of persons of foreign birth within the ages specified in said act who have heretofore declared on oath their intentions to become citizens under and in pursuance of the laws of the United States, and who have not exercised the right of suffrage or any other political franchise under the laws of the United States, or of any of the states thereof, that they are not absolutely concluded by their aforesaid declaration of intention from renouncing their purpose to become citizens, and that, on the contrary, such persons under treaties or the law of nations retain a right to renounce that purpose and to forego the privileges of citizenship and residence within the United States under the obligations imposed by the aforesaid act of congress :

Plea of alienage
not to be allowed
to exempt, &c.

Now, therefore, to avoid all misapprehensions concerning the liability of persons concerned to perform the service required by such enactment, and to give it full effect, I do hereby order and proclaim that no plea of alienage will be received or allowed to exempt from the obligations imposed by the aforesaid act of congress, any person of foreign birth who shall have declared on oath his intention to become a citizen of the United States under the laws thereof, and who shall be found within the United States at any time during the continuance of the present insurrection and rebellion, at or after the expiration of the period of sixty-five days from the date of this Proclamation, nor shall any such plea of alienage be allowed in favor of any such person who has so, as aforesaid, declared his intention to become a citizen of the United States, and shall have exercised at any time the right of suffrage, or any other political franchise, within the United States, under the laws thereof, or under the laws of any of the several states.

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