

## No. 40.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: June 12, 1865.

## A PROCLAMATION.

WHEREAS, by my Proclamation [Executive order] of the twenty-ninth of April, one thousand eight hundred and sixty-five, all restrictions upon internal, domestic, and commercial intercourse, with certain exceptions therein specified and set forth, were removed "in such parts of the States of Tennessee, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, and so much of Louisiana as lies east of the Mississippi River, as shall be embraced within the lines of national military occupation";

And whereas, by my Proclamation of the twenty-second of May, one thousand eight hundred and sixty-five, for reasons therein given, it was declared that certain ports of the United States which had been previously closed against foreign commerce, should, with certain specified exceptions, be reopened to such commerce on and after the first day of July next, subject to the laws of the United States, and in pursuance of such regulations as might be prescribed by the Secretary of the Treasury;

And whereas I am satisfactorily informed that dangerous combinations against the laws of the United States no longer exist within the State of Tennessee; that the insurrection heretofore existing within said state has been suppressed; that within the boundaries thereof the authority of the United States is undisputed, and that such officers of the United States as have been duly commissioned are in the undisturbed exercise of their official functions:

Now, therefore, be it known, that I, ANDREW JOHNSON, President of the United States, do hereby declare that all restrictions upon internal, domestic, and coastwise intercourse and trade, and upon the removal of products of states heretofore declared in insurrection, reserving and excepting only those relating to contraband of war, as hereinafter recited, and also those which relate to the reservation of the rights of the United States to property purchased in the territory of an enemy, heretofore imposed in the territory of the United States east of the Mississippi River, are annulled, and I do hereby direct that they be forthwith removed; and that, on and after the first day of July next, all restrictions upon foreign commerce with said ports, with the exception and reservation aforesaid, be likewise removed; and that the commerce of said states shall be conducted under the supervision of the regularly appointed officers of the customs provided by law; and such officers of the customs shall receive any captured and abandoned property that may be turned over to them, under the law, by the military or naval forces of the United States, and dispose of such property as shall be directed by the Secretary of the Treasury. The following articles contraband of war are excepted from the effect of this Proclamation: arms, ammunition, all articles from which ammunition is made, and gray uniforms and cloth.

And I hereby also proclaim and declare that the insurrection, so far as it relates to and within the State of Tennessee, and the inhabitants of the said State of Tennessee as reorganized and constituted under their recently adopted constitution and reorganization, and accepted by them, is suppressed; and therefore, also, that all the disabilities and disqualifications attaching to said state and the inhabitants thereof consequent upon any proclamations issued by virtue of the fifth section of the act entitled "An act further to provide for the collection of duties on imports, and for other purposes," approved the thirteenth day of July, one thousand eight hundred and sixty-one, are removed.

But nothing herein contained shall be considered or construed as in any wise changing or impairing any of the penalties and forfeitures for treason heretofore incurred under the laws of the United States, or any of the provisions, restrictions, or disabilities set forth in my Proclamation bearing date the twenty-ninth day of May, one thousand eight hundred and sixty-five, or as impairing existing regulations for the suspension of the habeas corpus, and the exercise of military law in cases where it shall be necessary for the general public safety and welfare during the existing insurrection; nor shall this Proclamation affect, or in any way impair, any laws heretofore passed by congress, and duly approved by the President, or any proclamations or orders issued by him during the aforesaid insurrection, abolishing slavery, or in any way affecting the relations of

Preamble.  
*Post*, p. 776.

*Ante*, p. 757.

Restrictions on trade, east of the Mississippi, removed,—contraband of war excepted.

The insurrection in Tennessee declared suppressed.

1861; ch. 8.  
Vol. xii. p. 257.

Penalties, &c., for treason not impaired.

Former proclamations, &c., to be in force.

*Ante*, p. 758.

slavery, whether of persons or [of] property; but, on the contrary, all such laws and proclamations heretofore made or issued are expressly saved and declared to be in full force and virtue.

In testimony 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 thirteenth day of June, in the [L. S.] year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States of America the eighty-ninth.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, *Secretary of State.*

#### No. 41.

June 17, 1865. BY THE PRESIDENT OF THE UNITED STATES OF AMERICA:

### A PROCLAMATION.

#### Preamble.

WHEREAS the fourth section of the fourth article of the Constitution of the United States declares that the United States shall guarantee to every state in the Union a republican form of government, and shall protect each of them against invasion and domestic violence; and whereas the President of the United States is, by the constitution, made commander-in-chief of the army and navy, as well as chief civil executive officer of the United States, and is bound by solemn oath faithfully to execute the office of President of the United States, and to take care that the laws be faithfully executed; and whereas the rebellion, which has been waged by a portion of the people of the United States against the properly constituted authorities of the government thereof, in the most violent and revolting form, but whose organized and armed forces have now been almost entirely overcome, has, in its revolutionary progress, deprived the people of the State of Georgia of all civil government; and whereas it becomes necessary and proper to carry out and enforce the obligations of the United States to the people of Georgia, in securing them in the enjoyment of a republican form of government:

Provisional  
governor ap-  
pointed for  
Georgia.

His duty and  
authority.

Qualifications  
of electors, and  
for membership  
of convention.

Convention,  
&c., to prescribe  
qualification.

Now, therefore, in obedience to the high and solemn duties imposed upon me by the Constitution of the United States, and for the purpose of enabling the loyal people of said state to organize a state government, whereby justice may be established, domestic tranquillity insured, and loyal citizens protected in all their rights of life, liberty, and property, I, ANDREW JOHNSON, President of the United States, and commander-in-chief of the army and navy of the United States, do hereby appoint James Johnson, of Georgia, provisional governor of the State of Georgia, whose duty it shall be, at the earliest practicable period, to prescribe such rules and regulations as may be necessary and proper for convening a convention, composed of delegates to be chosen by that portion of the people of said state who are loyal to the United States, and no others, for the purpose of altering or amending the constitution thereof; and with authority to exercise, within the limits of said state, all the powers necessary and proper to enable such loyal people of the State of Georgia to restore said state to its constitutional relations to the federal government, and to present such a republican form of state government as will entitle the state to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection, and domestic violence; *Provided* that, in any election that may be hereafter held for choosing delegates to any state convention as aforesaid, no person shall be qualified as an elector, or shall be eligible as a member of such convention, unless he shall have previously taken and subscribed the oath of amnesty, as set forth in the President's Proclamation of May 29, A. D. 1865, and is a voter qualified as prescribed by the constitution and laws of the State of Georgia in force immediately before the nineteenth (19th) of January, A. D. 1861, the date of the so-called ordinance of secession; and the said convention, when convened, or the legislature that may be thereafter assembled, will prescribe the qualification of electors, and the eligibility of persons to hold office under the constitution and laws of the state, — a power the people of the several states composing the Federal Union have rightfully exercised from the origin of the government to the present time.