**PRESIDENTIAL RECONSTRUCTION DOCUMENT # 1**

**Excerpts from THE EMANCIPATION PROCLAMATION (January 1, 1863)**

**By the President of the United States of America: A Proclamation**

Whereas on the 22nd day of September, A.D., 1862, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

That on the 1st day of January, A.D. 1863, 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 recognize 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 1st day of January . . . designate the States and parts of States, if any, in which the people . . . 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. . . at elections wherein a majority of the qualified voters of such States shall have participated shall . . . be deemed conclusive evidence that such State and the people thereof are not then in rebellion against the United States.

Now, therefore I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this 1st day of January, A.D., 1863 . . . order and designate as the States and parts of States wherein the people thereof . . . are this day in rebellion against the United States the following to wit: (A list of such areas appears in the document at this point.)

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make know that such persons of suitable condition will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

**PRESIDENTIAL RECONSTRUCTION DOCUMENT # 2**

Excerpts from LINCOLN’S PROCLAMATION OF AMNESTY AND RECONSTRUCTION

December 8, 1863

Whereas in and by the Constitution of the United States it is provided that the President “shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment,” and . . .

Whereas it is now desired by some persons heretofore engaged in said rebellion to resume their allegiance to the United States and to reinaugurate loyal State governments within and for their respective States:

Therefore, I, Abraham Lincoln, President of the United States, do proclaim. . . . to all persons who have . . . participated in the existing rebellion, except as hereinafter excepted, that a full pardon is hereby granted to them . . .,with restoration of all rights of property, except as to slaves . . ., and upon the condition that every such person shall take and subscribe an oath and thenceforward keep and maintain said oath inviolate, and which oath shall be registered for permanent preservation and shall be of the tenor and effect following, to wit:

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, do solemnly swear, in the presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States and the Union of the States thereunder: and that I will in like manner abide by and faithfully support all acts of Congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress or by decision of the Supreme Court; and that I will in like manner abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court so help me God.

The persons excepted from the benefits of the foregoing provisions are all who are or shall have been civil or diplomatic officers or agents of the so-called Confederate Government; all who have left judicial stations under the United States to aid the rebellion; all who are or shall have been military or naval officers of said so-called Confederate Government above the rank of colonel in the army or of lieutenant in the navy; all who left seats in the United States Congress to aid the rebellion; all who resigned commissions the Army or Navy of the United States and afterwards aided the rebellion; and all who have engaged in any way in treating colored persons, or white persons in change of such, otherwise than lawfully as prisoners of war . . .

And I do further proclaim . . . that whenever in any of the (former rebel) States . . . a number of persons, not less than one-tenth in number of the votes cast in such State at the Presidential election of the year A.D. 1860, each having taken the oath aforesaid, and not having since violated it, and being a qualified voter by the election law of the State existing immediately before the so-called act of secession . . . shall re-establish a State government which shall be republican and in nowise contravening said oath, such shall be recognized as the true government of the State . . .

And I do further proclaim . . . that any provision which may be adopted by such State government in relation to the freed people of such state which shall recognize and declare their permanent freedom, provide for their education, and which may yet be consistent as a temporary arrangement with their present condition as a laboring, landless, and homeless class, will not be objected to by the National Executive.

**PRESIDENTIAL RECONSTRUCTION DOCUMENT # 3**

**PRESIDENT JOHNSON’S AMNESTY PROCLAMATION**

**May 29, 1865**

(Note: President Johnson’s proclamation was similar in most respects to Lincoln’s proclamation of December 8, 1863. It, too, provided for an oath of allegiance and set forth certain classes of individuals who were not to be allowed to participate in the formation of new state governments in the states which had seceded. The most important difference between the Lincoln and Johnson proclamations is found in section thirteen of Johnson’s proclamation, offered below.)

The following classes of persons are excepted from the benefits of this (amnesty) proclamation: . . .

Thirteenth. All persons who have voluntarily participated in said rebellion and the estimated value of whose taxable property is over $20,000.

**PRESIDENTIAL RECONSTRUCTION DOCUMENT # 4**

**Excerpts from JOHNSON’S SECOND ANNUAL MESSAGE TO CONGRESS**

**December 3, 1866**

Fellow Citizens of the Senate and House of Representatives:

. . . In my message of the 4th of December, 1865, Congress was informed of the measures which had been instituted by the Executive with a full view to the gradual restoration of the States in which the insurrection occurred to their relations with the General Government. Provisional governors had been appointed, conventions called, governors elected, legislatures assembled, and Senators and Representatives chosen to the Congress of the United States. Courts had been opened for the enforcement of laws long in abeyance. The blockade had been removed, custom-houses reestablished, and the internal-revenue laws put in force . . . Postal operations had been renewed . . . The States themselves had been asked to take part in the high function of amending the Constitution, and of thus sanctioning the extinction of African slavery as one of the legitimate results of our internecine struggle.

Having progressed thus far, the executive department found that it had accomplished nearly all that was within the scope of its constitutional authority. One thing, however, yet remained to be done before the work of Senators and Representatives from the States whose people had rebelled against the lawful authority of the General Government. This question devolved upon the respective Houses (of Congress), which the Constitution are made the judges of the elections, returns, and qualifications of their own members . . .

All of the States in which the insurrection had existed promptly amended their constitutions so as to make them conform to the (Thirteenth Amendment); declared null and void all ordinances and laws of secession; repudiated all pretended debts and obligations created for the revolutionary purposes of the insurrection, and proceeded in good faith to the enactment of measures for the protection and amelioration of the condition of the colored race. **Congress, however, yet hesitated to admit any of these States to representation, and it was not until toward the eighth month of the session that an exception was made in favor of Tennessee by the admission of her Senators and Representatives.**

**I deem it a subject of profound regret that Congress has thus far failed to admit to seats loyal Senators and Representatives from the other States whose inhabitants, with those of Tennessee, had engaged in the rebellion. Ten States – more than one fourth of the whole number – remain without representation . . . not by their own consent, not by a failure of election, but by the refusal of Congress to accept their credentials.**

**CONGRESSIONAL RECONSTRUCTION DOCUMENT # 1**

**Excerpts from The Freedmen’s Bureau Act**

**March 3, 1865**

**(**Note: The Freedmen’s Bureau was to continue for one year after the close of the war. An act of February 19, 1866, extending the life of the Freedmen’s Bureau was vetoed by President Johnson. A supplementary Freemen’s Bureau Act, enlarging the scope of the Bureau, was passed over the President’s veto, July 16, 1866.)

An Act to establish a Bureau for the Relief of Freemen and Refugees

Be it enacted, That there is hereby established in the War Department, to continue during the present war or rebellion, and for one year thereafter, a bureau of refugees, freedmen, and abandoned lands . . .

Sec. 2. That the Secretary of War may direct such issues of provisions, clothing, and fuel, as he may deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their wives and children . . .

Sec. 4. That the commissioner (of the Bureau), under the direction of the President, shall have authority to set apart, for the use of loyal refugees and freemen, such tracts of land within the insurrectionary states as shall have been abandoned, or to which the United States shall have acquired title by confiscation or sale, or otherwise; and to every male citizen, whether refugee or freedman . . . there shall be assigned not more than forty acres of such land, and the person to whom it was so assigned shall be protected in the use and enjoyment of the land for the term of three years at an annual rent not exceeding six per centum upon the value of such land, as it was appraised by the state authorities in the year eighteen hundred and sixty, for the purpose of taxation . . . At the end of said term, or at any time during said term, the occupants of any parcels so assigned may purchase the land and receive such title thereto as the United States can convey . . .

**CONGRESSIONAL RECONSTRUCTION DOCUMENT # 2**

**Excerpts from THE CIVIL RIGHTS ACT**

**April 9, 1866**

**(Note: This measure, designed to protect the freemen from such discriminatory legislation as the Black Codes, was first passed March 13. It was vetoed by President Johnson and passed over his veto April 9th. The act conferred citizenship upon formerly enslaved persons, legislation necessitated by the Dred Scott decision. Doubt as to the constitutionality of the Civil Rights Act induced Congress to enact most of its provisions into the Fourteenth Amendment.)**

**An Act to protect all Persons in the United States in their Civil Rights, and furnish the means of their Vindication**

**Be it enacted, That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States, and such citizens, of every State and Territory in the United States, to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary not withstanding.**

**Sec. 9. An be it further enacted, That it shall be lawful for the President of the United States . . . to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to . . . enforce the due execution of this act . . .**

**CONGRESSIONAL RECONSTRUCTION DOCUMENT # 3**

**Amendments 13, 14, and 15**

**Ratified 1865, 1868, 1870**

**Amendment 13:**

**Section 1.**

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

**Section 2**.

Congress shall have power to enforce this article by appropriate legislation.

**Amendment 14:**

The Fourteenth Amendment addresses many aspects of citizenship and the rights of citizens, especially the phrase – “equal protection of the laws.” “Equal protection of the laws” has figured prominently in the following cases:

Brown v. Board of Education – racial discrimination

Roe v. Wade – women’s reproductive rights

California v. Bakke – racial quotas in education

Bush v. Gore – recounts for the Election of 2000

Reed v. Reed - gender discrimination

**Section 1.**

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

**Section 2.**

Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a state, or the members of the legislature thereof, is denied to any of the [male](https://www.law.cornell.edu/constitution/amendmentxix) inhabitants of such state, [being twenty-one years of age](https://www.law.cornell.edu/constitution/amendmentxxvi), and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such state.

**Section 3.**

No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any state, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any state legislature, or as an executive or judicial officer of any state, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability.

**Section 4.**

The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any state shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

**Section 5.**

The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

**Amendment 15:**
**Section 1.**

The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude.

**Section 2.**

The Congress shall have the power to enforce this article by appropriate legislation.

**CONGRESSIONAL RECONSTRUCTION DOCUMENT # 4**

**Excerpts from The Civil Rights Act of 1875**

**March 1, 1875**

**The Civil Rights Act of 1875 is perhaps the last gasp of the spirit of Congressional Reconstruction. Five cases, the so-called “Civil Rights Cases,” each involving denial of accommodations or privileges guaranteed by this act, were heard by the U.S. Supreme Court in 1883. The Supreme Court ruled that the rights which the 1875 Civil Rights Act attempted to protect were social, rather than civil rights, and that the Federal Government had no jurisdiction over these matters. The court’s decision in these cases practically put an end to the effort of the federal government to enforce the guarantees of the Fourteenth Amendment for the next eighty years. Not until the court’s 1954 decision in Brown v. Board of Education of Topeka, Kansas, was the concept of racially segregated public accommodations and facilities again seriously challenged.**

An act to protect all citizens in their civil and legal rights.

Whereas it is essential to just government we recognize the equality of all men before the law, and hold that it is the duty of government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political; and it being the appropriate object of legislation to enact great fundamental principles into law: Therefore,

Be it enacted,

Sec. 1. That all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities, and privileges of inns, public conveyances on land or water, theaters, and other places of public amusement; applicable alike to citizens of every race and color, regardless of any previous condition of servitude.

Sec. 2. That any person who shall violate the foregoing section by denying to any citizen . . . the full enjoyment of any of the accommodations, advantages, facilities, or privileges in said section enumerated, or by aiding or inciting such denial, shall, for every offense, forfeit and pay the sum of five hundred dollars to the person aggrieved thereby . . . and shall also, for every such offense, be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than five hundred nor more than one thousand dollars, or shall be imprisoned not less than thirty days nor more than one year . . .

**(According to the Bureau of Labor Statistics inflation calculator, $1,000 in the year 1913 - earlier statistics unavailable - has the approximate buying power of $23,941.11 in 2015.)**

**CONGRESSIONAL RECONSTRUCTION DOCUMENT # 5**

**Political Participation of Blacks in Reconstruction**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Population in 1860** | **Registered Voters in 1867** | **Delegates to Constitutional Convention** | **Members of First Reconstruction Legislature** |
| **State** | **Blacks** | **Whites** | **Blacks** | **Whites** | **Blacks** | **Whites** | **Blacks**  | **Whites** |
| **AL** | **437,000** |  **526,000** | **104,000** |  **61,000** | **18** | **90** | **26** | **58** |
| **FL** |  **62,000** |  **77,000** |  **16,000** |  **11,000** | **18** | **27** | **19** | **57** |
| **GA** | **465,000** |  **591,000** |  **95,000** |  **96,000** | **33** | **137** | **32** | **214** |
| **LA** | **350,000** |  **357,000** |  **84,000** |  **45,000** | **49** | **49** | **49** | **88** |
| **MI** | **437,000** |  **353,000** |  **60,000** |  **46,000** | **16** | **84** | **40** | **75** |
| **NC** | **361,000** |  **639,000** |  **72,000** | **106,000** | **15** | **118** | **19** | **135** |
| **SC** | **412,000** |  **291,000** |  **80,000** |  **46,000** | **76** | **48** | **84** |  |
| **VA** | **548,000** | **1,100,000** | **105,000** | **120,000** | **25** | **80** | **27** | **154** |

**Federal Troops Stationed in the South, 1865-1872**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **State** | **Sept. 1865** | **Oct. 1866** | **Oct. 1867** | **Oct. 1868** | **Oct. 1869** | **Oct. 1870** | **Oct. 1871** | **Oct. 1872** |
| **VA** |  **15,610** |  **3,026** |  **2,522** |  **1,733** |  **1,088** |  **433** |  **315** |  **306** |
| **NC** |  **8,788** |  **1,226** |  **1,203** |  **939** |  **366** |  **277** |  **313** |  **395** |
| **SC** |  **9,603** |  **1,506** |  **1,508** |  **881** |  **417** |  **427** |  **1,030** |  **965** |
| **GA** |  **15,779** |  **850** |  **1,185** |  **983** |  **755** |  **875** |  **580** |  **360** |
| **AL** |  **18,057** |  **863** |  **1,022** |  **588** |  **798** |  **631** |  **205** |  **246** |
| **FL** |  **8,703** |  **1,279** |  **1,067** |  **1,131** |  **354** |  **317** |  **453** | **?** |
| **MS** |  **13,873** |  **570** |  **2,073** |  **1,851** |  **978** |  **198** |  **275** |  **345** |
| **AK** |  **11,139** |  **1,398** |  **1,548** |  **1,562** |  **605** |  **124** |  **64** |  **59** |
| **TN** |  **16,065** |  **1,837** |  **998** |  **370** |  **311** |  **430** |  **338** |  **321** |
| **LA** |  **23,747** |  **5,124** |  **1,958** |  **1,944** |  **953** |  **598** |  **612** |  **427** |
| **TX** |  **45,424** | **?** |  **5,033** |  **5,675** |  **4,612** |  **4,740** |  **3,853** |  **3,944** |
| **TOTAL** | **186,788** |  **17,679** |  **20,117** |  **17,657** |  **11,237** |  **9,050** |  **8,038** |  **7,368** |

**Statistics from**

**CONGRESSIONAL RECONSTRUCTION DOCUMENT # 6**

**Map of Military Reconstruction**

 **1868**

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