

Promulgating the Emancipation Proclamation.

GENERAL ORDERS }
No. 12. }

HEADQUARTERS. DEPARTMENT OF THE GULF,

New Orleans, January 29, 1862.

The Proclamation of the President of the United States, dated January 1st, 1863, is published in General Orders for the information and government of the officers and soldiers of this command, and all persons acting under their authority. It designates portions of the State of Louisiana, which are not to be affected by its provisions. The laws of the United States, however, forbid officers of the army and navy to return slaves to their owners, or to decide upon the claims of any person to the service or labor of another ; and the inevitable conditions of a state of war unavoidably deprive all classes of citizens of much of that absolute freedom of action and control of property which local law and the continued peace of the country guaranteed and secured to them. The forcible seizure of fugitives from service or labor by their owners is inconsistent with these laws and conditions, inasmuch as it leads to personal violence, and the disturbance of the public peace, and it cannot be permitted. Officers and soldiers will not encourage or assist slaves to leave their employers, but they cannot compel or authorize their return by force.

The public interest peremptorily demands that all persons without other means of support be required to maintain themselves by labor. Negroes are not exempt from this law. Those who leave their employers will be compelled to support themselves and families by labor upon the public works. Under no circumstances whatever can they be maintained in idleness, or allowed to wander through the parishes and cities of the State without employment. Vagrancy and crime will be suppressed by an enforced and constant occupation and employment.

Upon every consideration, labor is entitled to some equitable proportion of the crops it produces. To secure the objects both of capital and labor, the Sequestration Commission is hereby authorized and directed, upon conference with planters and other parties, to propose and establish a yearly system of negro labor, which shall provide for the food, clothing, proper treatment and just compensation for the negroes, at fixed rates, or an equitable proportion of the yearly crop. as may be deemed advisable. It should be just, but not exorbitant or onerous. When accepted by the planter or other parties, all the conditions of continuous and faithful service, respectful deportment, correct discipline and perfect subordination, shall be enforced on the part of the negroes by the officers of the Government. To secure their payment, the wages of labor will constitute a lien upon its products.

This may not be the best, but it is now the only practicable system. Wise men will do what they can, when they cannot do what they would. It is the law of success! In three years from the restoration of peace, under this voluntary system of labor the State of Louisiana will produce threefold the product of its most prosperous year in the past.

The Quartermaster's Department is charged with the duty of harvesting corn on deserted fields, and cultivating abandoned estates. Unemployed negroes will be engaged in this service under the control of suitable agents or planters, with a just compensation in food, clothing and money, consistent with the terms agreed upon by the Commission, and under such regulations as will tend to keep families together, to impart self-supporting habits to the negroes, and protect the best interest of the people and the Government.

BY COMMAND OF MAJOR GENERAL BANKS:

RICHARD B. IRWIN,

Lieutenant Colonel, Assistant Adjutant General.

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

WHEREAS, on the 22d day of September, in the year of our Lord one thousand eight hundred and sixty-two, a Proclamation was issued by the President of the United States, containing, among other things, the following, to wit: "That on the first day of January, in the year of our Lord 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 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 States shall have participated, shall, in the absence of strong countervailing testimony, 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 first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days, from the first day above mentioned, order and designate as the States and parts of States wherein the people

thereof respectively are this day in rebellion against the United States, the following, to wit :

Arkansas, Texas, Louisiana (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terrebonne, Lafourche, St. Marie, St. Martin, and Orleans, including the city of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are for the present left precisely as if this proclamation were not issued.

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 except 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 known, that such persons, of suitable conditions, 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.

IN TESTIMONY WHEREOF, I have hereunto set my name and caused the seal of the United States to be affixed.

Done at the City of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States the eighty-seventh.

[L. s.]

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, Secretary of State.

