



**Ministry of Higher Education and Scientific Research  
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Civilization Texts' Studies: Lectures

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## **Introduction / a historical recall**

This course is an exploration of American History during the late Civil War and Reconstruction through cornerstone events. The course is illustrated by a selection of texts ranging from political speeches, fiction, and institutional texts.

The US history is a utopian construction predicated on immigration and idealism. The first settlements were motivated by the rise of Protestantism and the subsequent persecution of religious minorities. The arrival of European colons was extremely tough, in the sense that they were confronted to a hostile environment where cold and exotic diseases prevailed.

The New England settlers were helped by the American Natives to overcome the immediate difficulties and they assisted them in adjusting to the new environment. Once well established, the colonies drafted their lifestyle which blended religious Puritanism with the quest for transcendence. Their gradual autonomy from Britain climaxed in a War of Independence (1775-1783).

Once their independence achieved, the Americans began the designed a republic – far from the monarchical models – based on a strict separation between the three powers: executive, legislative, and judiciary. This system of checks and balances enable the new born country to secure stable institutions through which a fair balance is maintained between state government and federal government.

The various post-independence-war conflicts (War of 1812 and the Mexican War, 1848) and the inevitable Westward Expansion accentuated the difference between the Northern and the Southern States, notably on the question of slavery. The accumulation of antagonisms between the Free States and The Slave States culminated in the secession of the South into the Confederate States of America (11 states, namely, Alabama, Florida, Georgia, Louisiana, Mississippi, South Carolina, and Texas, then followed by Virginia , Arkansas, Tennessee, and North Carolina, in a second time).

Relatively equal in force and war craft, the Northern army ended up triumphing over the Southern troops. Two years before the end of the war, the 1863 Proclamation of Emancipation (see text below), issued by Abraham Lincoln, free all the slaves and enacted the abolitionist march.

The war ended in 1865 with considerable casualties in both sides. The damages caused by the secession conflict surpassed human and material loss. In fact, the trauma of the war marked the Americans for the years to come. Reconstruction was painful and delicate. For instance, the situation of the ex-slaves was novel and complex. Providing this category of the population with a civil status equals shifting them from objects of propriety to subjects of the Republic.

Reconstruction was a tremendous challenge as the country became clearly dismantled, and divided not only on the question of slavery, but further, on economic matters and the vision of the nation, its aspirations, social models, and historical legacy.

## **Further Reading**

James M. Buchanan .The Limits of Liberty (Collected Works of James M. Buchanan, Vol. 7). Liberty Fund Inc, 2000.

Kevin Hillstrom, Lawrence W. Baker, American Civil War. Almanac. From the Series : American Civil War Reference Library. UXL. 2009.

Jay Sexton. Debtor Diplomacy: Finance and American Foreign Relations in the Civil War Era 1837-1873. From the Series: Oxford Historical Monographs. Oxford University Press, USA, 2005.

Susan-Mary Grant. Themes of the American Civil War: The War Between the States. Routledge, London, 2010.

Mark Lardas, Peter Dennis. African American Soldier in the American Civil War: USCT 1862-66. From the Series Warrior 114. Osprey City, 2006.

## Appendix 1: Related Text

### The Emancipation Proclamation

**Source:** National Park Service

<https://www.nps.gov/museum/tmc/Antietam/Lesson3/The%20Emancipation%20Proclamation%20Text%20copy.pdf>

January 1, 1863

A Transcription

By the President of the United States of America:

A Proclamation.

Whereas, on the twenty-second 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 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 recognize and maintain the freedom of such persons, and will do no act or acts to oppress 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 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 day first 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. Mary, 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 Berkley, 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, unless in necessary self-defence; 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 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.

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 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 of America the eighty-seventh.

By the President: ABRAHAM LINCOLN

WILLIAM H. SEWARD, Secretary of State.

## Appendix 2: Related Text

### Harriet Beecher Stowe: Uncle Tom's Cabin

Source: <https://d1lexza0zk46za.cloudfront.net/history/am-docs/uncle-toms-cabin.pdf>

Excerpt from *Uncle Tom's Cabin* by Harriet Beecher Stowe

Long after dusk, the whole weary train, with their baskets on their heads, defiled up to the building appropriated to the storing and weighing the cotton. Legree was there, busily conversing with the two drivers.

"Dat ar Tom's gwine to make a powerful deal o'trouble; kept a puttin' into Lucy's basket.—One o'these yer dat will get all der niggers to feelin' 'bused, if Mas'r don't watch him!" said Sambo.

"Hey-dey! The black cuss!" said Legree. "He'll have to get a breakin' in, won't he boys?"

Both negroes grinned a horrid grin at this intimation.

"Ay, ay! Let Mas'r Legree alone, for breakin in! De debil heself couldn't beat Mas'r at that!" said quimbo.

"Wal, boys the best way is to give him the flogging to do, till he gets over his notions. Break him in!"

"It'll have to come out of him, though!" said Legree, as he rolled his tobacco in his mouth.

"Now, dar's Lucy,—de aggravatimest, ugliest wench on de place!" pursued Sambo.

"Take care, Sam; I shall begin to think what's the resaon for your spit agin Lucy."

"Well, Mas'r knows she sot herself up agin Mas'r and wouldn't have me, when he telled her to."

"Id a flogged her into 't," said Legree, spitting, "only there's such a press o' work, it don't seem wuth a while to upset her jist now. She's slender; but these yer slender gals with bear half killin' to get their own way!"

"Wal, Lucy was real aggravatin' and lazy, sulkin' round; wouldn't do nothin',—and Tom he tuck up for her."

"He did eh! Wal, then, Tom shall have the pleasure of floggin her. It'll be a good practice for him, and he won't put it on to the gal like you devils, neither."

"Ho, ho! haw! haw! haw!" laughed both to the sooty wretches; and the diabolical sounds seemed, in truth, a not unapt expression of the fiendish character which Legree gave them.

"Wal, but, Mas'r, Tom and Misse Cassy, and dey among 'em, filled Lucy's basket. I ruther guess der weight's in it, Mas'r!"

"I do the weighing!" said Legree, emphatically.

Both the drivers laughed again their diabolical laugh.

"So!" he added, "Misse Cassy did her day's work."

"She picks like de debil and all his angels!"

She's got 'em all in her, I believe!" said Legree; and growling a brutal oath, he proceeded to the weighing room.

Slowly, the weary dispirited creatures wound their way into the room, and, with crouching reluctance, presented their baskets to be weighed.

Legree noted on a slate, on the side of which was pasted a list of names, the amount.

Tom's basket was weighed and approved; and he looked, with an anxious glance, for the success of the woman he had befriended. Tottering with weakness, she came forward, and delivered her basket. It was of full weight, as Legree well perceived; but, affecting anger, her said,—

"What, you lazy beast! short again! stand aside, you'll catch it pretty soon!"

The woman gave a groan of utter despair, and sat sown on a board.

The person who had been called Misse Cassy now came forward, and, with a haughty, negligent air, delivered her basket. As she delivered it, Legree looked in her eyes with a sneering yet inquiring glance.

She fixed her black eyes steadily on him, her lips moved slightly, and she said something in French. What it was, no one know, but Legree's face became perfectly demoniacal in its expression as she spoke; he half raised his hand as if to strike,—a gesture which she regarded with fierce disdain, as she turned and walked away.

"And now: said Legree, "come here, you Tom. You see I telled ye I didn't buy ye jest for the common work; I mean to promote ye, and make a driver of ye; and tonight ye may jest as well begin to get yer hand in. Now, ye jest take this yer gal and flog her; ye've seen enough on't to now how."

"I beg Mas'r's pardon," said Tom; "hopes Mas'r won't set me at that. It's what I an't used to,—never did,—and can't do, no way possible."

"Ye'll larn a pretty smart chance of things ye never did know, before I've done with ye!" said Legree, taking up a cowhide and striking Tom a heavy blow across the cheek, and following up the infliction by a shower of blows.

"There" he said, as he stopped to rest, "now will ye tell me ye can't do it?"

"Yes Mas'r,:" said Tom, putting up his hand to wipe the blood that trickled down his face. "I'm willin' to work night and day, and work while there's life and breath in me; but this yer thing I can't feel it right to do; and, Mas'r I *never* shall do it,—*never!*" Tom had a remarkably smooth, soft voice, and a habitually respectful manner that had given Legree an idea that he would be cowardly, and easily subdued. When he spoke these last words, a thrill of amazement went through everyone, the poor woman clasped her hands and said, "O Lord!" and everyone

involuntarily looked at each other and drew in their breath, as if to prepare for the storm that was about to burst.

Legree looked stupefied and confounded, but at last burst forth,—

"What! Ye blasted black beast ! tell *me* ye don't think it *right* to do what I tell ye! What have any of you cussed cattle to do with thinking what's right? I'll put a stop to it! Why, what do ye think ye are? May be ye think ye're a gentleman, master Tom, to be a telling your master what's right and what an't! So you pretend it's wrong to flog the gal!"

"I think so, Mas'r," said Tom, "the poor crittur's sick and feeble; 't would be downright cruel, and it's what I never will do, nor begin to. Mas'r if you mean to kill me, kill me, but as to my raising my hand agin anyone here, I never shall,—I'll die first!"

Tom spoke in a mild voice but with a decision that could not be mistaken. Legree shook with anger; his greenish eyes glared fiercely and his very whiskers seemed to curl with passion; but, like some ferocious beast that plays with its victim before he devours it, he kept back his strong impulse to proceed to immediate violence and broke out into bitter raillery.

"Well, here's a pious dog, at last, let down among us sinners!—a saint, a gentleman, and no less, to talk to us sinners about our sins! Powerful, holy crittur, he must be! Here, you rascal, you make believe to be so pious,—didn't you never hear out of yer Bible, 'Servants, obey yer masters'? An't I yer master? Didn't I pay down twelve hundred dollars, cash, for all there is inside yer old cussed black shell? An't yer mine, now body and soul?" he said, giving Tom a violent kick with his heavy boot. "Tell me!"

In the very depth of physical suffering, bowed by brutal oppression, this question shot a gleam of joy and triumph through Tom's soul. He suddenly stretched himself up, and, looking earnestly to heaven, while the tears and blood that flowed down his face mingled, he exclaimed—

"No! no! no! my soul an't yours, Mas'r! You haven't bought it,—ye can't buy it. It's been bought and paid for by open that is able to keep it—no matter, no matter, you can't harm me!"

"I can't!" said Legree, with a sneer, "we'll see,—we'll see! Here Sambo, Quimbo, give this dog such a breakin' in as he won't get over this month!"

The two gigantic negroes that now laid hold of Tom, with fiendish exultation in their faces, might have formed no unapt personification of the powers of darkness. The poor woman screamed with apprehension, and all rose, as by a general impulse, while they dragged him unresisting from the place.

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[From Harriet Beecher Stowe, *Uncle Tom's Cabin, Or Life Among the Lowly* (Boston: Houghton Mifflin, 1886), pp. 396–99.]



## Reconstruction (1865–1877)

### Introduction

Reconstruction (1865-1877) is the period of the Aftermath of the American Civil War. It consisted in re-building the nation literally in various fields: politics, economy, and society. The burden of human losses and human casualties was proportionally equal to the psychological wounds found in collective unconscious. Reconstruction was envisaged by Abraham Lincoln several months before the end of the war. On the terrain it was structured by Lincoln and Johnson (Presidential Reconstruction) and later by the radical wing of the Republican Party (Radical Reconstruction).

### Lincoln's Vision

Abraham Lincoln anticipated the inevitable question of reconstructing the South and the United States, in general. In the 1863 Proclamation of Amnesty and Reconstruction (See annexed text), he introduced the 'Ten Percent Plan' as a primary condition to take full benefit from amnesty. Concretely, the Federal government expects the ex-Confederate State to revise and amend their local constitution after the consent of 10 percent of the Southern voters who swear allegiance to the Union. This way, they could be readmitted to the union.

The then-congress was divided: the governing party was supportive. On the other hand, a radical wing of the Republican Party (led by Wade and Davis<sup>1</sup>) wanted to chastise the South for its irreverence and ensure an end to all possible return to slavery. The Wade-Davis Bill (1864) proposed to increase the rate of voters to 50 percent. Lincoln vetoed the bill, and the Congress replied with the creation of the Freedmen's Bureau. This structure was created to account for the newly freed slaves – providing them with social and medical assistance<sup>2</sup>.

Lincoln was assassinated in 1865 and his vice president, Andrew Johnson, took office. Johnson shared Lincoln's ideals and decided to maintain the Ten Percent Plan. Hence, Amnesty was granted to the Southern inhabitants. He attempted to pacify the situation by validating the new States' constitutions, reassigning the lands to their original owners, and reorganizing the prerogatives of the Freedmen's Bureau. By December 1865, Reconstruction was finally enacted.

### The African Americans

The period of Reconstruction was an age of uninterrupted euphoria for the Afro-Americans. The 1866 Civil Rights Act upgraded the conditions of the Afro-Americans and granted them rudimentary rights. The Constitution was amended two times<sup>3</sup>: the Thirteenth Amendment (the abolition of slavery) and the Fourteenth Amendment (generalization of US citizenship to

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<sup>1</sup> See Zuczek, 2006 p.80.

<sup>2</sup> See: Edward. *Law in American history. Volume 2, From reconstruction through the 1920s*, United, 2016.

<sup>3</sup> See Appendix 3 : Amendments to the US Constitution

all ex-slaves). The institutions of the Republic have introduced inclusive statement towards the ex-slaves.

These measures were meant to appease the sentiment of humiliation – prevailing among the Southern population. The reality was, ironically, the rise of a vivid wrath, especially against the Civil Rights Act and the recent constitutional amendments. Subsequently, the opponents of the new governmental / congressional measures galvanized their effort in the instatement of “White Supremacy”. This racist ideology promptly formed a clandestine organization known as the Ku Klux Klan. Founded in Tennessee, the KKK aimed at persecuting the Southern ex-slave for the sake of re-establishing the superiority of the Whites over the Blacks. This resulted in frequent massacres and racial tensions. The Radical Republicans purported to protect the black population of South by the passing of the Ku Klux Klan Act of 1871. This law was a response to White Supremacists’ Black Codes.

The Black Codes<sup>4</sup> were a legislative set - containing blacks-oriented laws that instate institutional racism and discrimination. In the years 1865-1866, the Southern States’ Legislatures precipitated the adoption of the Jim Crow Laws<sup>5</sup>. These laws restricted drastically the basic civil liberties of the Southern blacks. Among these restrictions, one may cite segregations in transportation, renting, vote, and inter-ethnic marriage. Many Historians attribute the radicalization the white supremacists to Johnson’s awkwardness in the management of the post-war political and institutional decisions. The Black Code would not be aborted until 1965.

### **The Presidential Reconstruction and Johnsons’ Impeachment**

In the political scene, the tensions between the president and the Congress. In 1866, Johnson surrendered to the Radical Republicans will, which consisted in dismissing the Southern governors and replacing them by appointed military administration (Except Tennessee). The Scalawags (Southerners who sustained Reconstruction), the Carpetbaggers (Northern officials), and the Sharecroppers (ex-slaves with lands) formed an alliance to form local governments.

The Congress considered that Johnson possessed excessive prerogatives and that the danger of power abuse is potentially dangerous. The Congress took profit from inner dissensions in the President Cabinet to pass the Tenure of Office Act (1867) to bind the President to the Congress’ approval before any envisaged modification of his Cabinet. When Johnson braved the Act, the Congress set off (for the first time in US history) an impeachment procedure. A large majority, in The House of Representatives, voted the President’s impeachment. In Senate, Johnson was acquitted in - extremis<sup>6</sup>.

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<sup>4</sup> See: Michael J. Klarman . *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*. 2004 ; Nikki L. M. Brown, Barry M. Stentiford. *The Jim Crow Encyclopedia*, 2008.

<sup>5</sup> Jim Crow is a fictional character, created by Thomas D. Rice for a Musical Representation. Crow is a white man satirized Afro-Americans by painting in black his face and arms.

<sup>6</sup> See Hans Louis Trefousse’s *Impeachment of a president: Andrew Johnson, the Blacks, and Reconstruction*, 1999.

The feud between the Democrats and the Republicans was not only centered on power circles. The situation in the South (in majority under the flag of the Democrats) was constantly evolving and the Republicans start to set their ideological ground bases there. When Johnson left office (1868), it was the Radical Republican Ulysses S. Grant who took the reigns. Grant's presidency was tumultuous; during two terms, he had to complete Reconstruction, handle the outrageous claims of the KKK and to manage the country's economy. Grant's reputation was tarnished by various accusations of his cabinet's corruption.

Grant endorsed The Ku Klux Klan Act of 1871 that declared illegal the organization, and The Civil Rights Act of 1875 (banning race discrimination in housing). Yet, he could not stop the fuliginous progression of the Democrats in the Southern legislatures<sup>7</sup>. Grant endeavored in the reintegration of the Southern States: by 1886 six states were readmitted, and the four others, a year after.

The repetitive scandals surrounding Grant and his entourage accelerated the dissensions inside the Republican Party. In the Congress, the Liberals advocated a prompt ending to Reconstruction and a restriction of the Federal government's prerogatives. Grant was annoyed but not endangered by the growing forces of this new layer of his party. His second term was profoundly by an economic depression (1873). Recession hit the job market, and millions of Americans lost their work and demanded aid from the Federal Government. Grant faced a cash availability crisis and the Federal Bank refused to print additional money. The Northerners did not support the Radical's economic measures, and responded by voting Democrat, in the mid-term election.

While the North was entrapped in economic depression, the Redeemers (Southern Democrats) regained electoral voices by using systematic intimidation and treachery. The South was re-controlled by segregationists and white supremacists. This period (mid 1870s) is referred to as "Redemption". In fact, Redemption consisted in recovering the ideological sovereignty of the Southern bourgeoisie. Hence, aided by the Supreme Court, all the progressive actions were unraveled, and segregation was restored. The KKK Act (1871), for instance, was declared unfit with States' legislative specificities, and thus, cannot be generalized to the whole nation.

## **The End of Reconstruction**

Reconstruction ended with the Election of 1876. Samuel J. Tilden and Rutherford B. Hayes run for the Democrats and the Republicans, respectively. The charismatic Tilden pledged for a 'clean' republic and a quick restoration of the Union. He overwhelmed Hayes and defeated him with a tiny majority.

After the votes were contested by the Republicans, the Congress created a mixed board (8 Republicans / 7 Democrats) to recount the disputed votes, in three states: South Carolina, Louisiana, and Florida. The commission validated Hayes' claims over the three states. Antagonism ended with the 1877 Compromise. Both sides agreed to prevent the country from another conflict. The Democrats conceded the presidency to Hayes in return of an immediate withdrawal of the Northern army and the end of Reconstruction. The Republicans agreed and sealed the deal.

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<sup>7</sup> The Whisky Ring Scandal Forced Grant's Vice President to resign.

## **Conclusion**

Reconstruction was hard to achieve; as hard as the war itself. The rebuilding of the South and its restructuration leaned between leniency and radicalism. Lincoln, Johnson, and Grant have attempted to fulfill the rebuilding process with serious successes (the emancipation of slaves, for instance), but, also, with blatant failures (bringing the Southerners to evolve around the question of racial segregations). The Southerners took profit from the Northerners' division and reinstated segregationist laws. For them, the ex-slave cannot pretend to access the privileges of white men: land property, franchise, and public sphere

## **Further Reading**

Richard Zuczek. *Encyclopedia of the Reconstruction Era*. [2 volumes]: Greenwood Milestones in African American History Volume: vol 1. Greenwood, 2006.

Jeff Wallenfeldt. *The American Civil War and Reconstruction: People, Politics, and Power*. From the Series: America at War Periodical. Rosen Education Service, 2009.

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Edward O. Frantz . *A Companion to the Reconstruction Presidents 1865-1881*. From the Series: Wiley Blackwell Companions to American History. Wiley-Blackwell, 2014.

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Michael J. Klarman . *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*. Oxford University Press, USA, 2004.

Nikki L. M. Brown, Barry M. Stentiford. *The Jim Crow Encyclopedia Two Volumes : Greenwood Milestones in African American History (Milestones in Business History)*. Greenwood City, 2008

## **Appendix 1: Related Text**

### **Proclamation of Amnesty and Reconstruction**

Source: Library of Congress:

<https://www.loc.gov/resource/mal.2849300/?sp=1&st=text>

Abraham Lincoln, Proclamation of Amnesty and Reconstruction [Draft]<sup>1</sup>, December 8, 1863

1 During his illness with varioloid (a mild form of smallpox), Lincoln was drafting both his annual message to Congress (See Abraham Lincoln to Congress, December 8, 1863 and *Collected Works*, VII, 36-53), and this document, which was announced by the president in that message. Though this proclamation was unanticipated, the annual message was anxiously awaited, for it was presumed that in it, Lincoln would address the issue of reconstruction. The president had received a variety of advice as he was in the process of composing the two documents. For a sampling, see Zachariah Chandler to Lincoln, November 15, 1863, Andrew Johnson to Montgomery Blair, November 24, 1863, Salmon P. Chase to Lincoln, November 25, 1863, and Isaac N. Arnold to Lincoln, December 4, 1863.

The Proclamation of Amnesty and Reconstruction that follows embodies Lincoln's "ten per cent" plan of reconstructing the seceded states. The plan was based on the affirmations of future loyalty to the Union of at least one tenth of the 1860 voters in those states, which loyal voters would then be a core of electors involved in the re-establishment of new republican governments there. That Lincoln was willing to rely on a minority of previously-qualified voters for this task shows how far he had come from his earlier conviction of the underlying loyalty to the Union of the Southern masses. When announced, the plan given here had at least the temporary approval of a broad spectrum of Unionists, from war Democrats to radical Republicans. In the enthusiastic words of his secretary, John Hay: "Men acted as if the Millenium had come. Chandler was delighted, Sumner was beaming, while at the other political pole Dixon and Reverdy Johnson said it was highly satisfactory." See Michael Burlingame and John Turner Ettliger, eds., *Inside Lincoln's White House: The Complete Civil War Diary of John Hay* (Carbondale: Southern Illinois University Press, 1997), 121-122.

The manuscript carries the names of typesetters assigned various parts, indicating that this copy, which was likely the final handwritten draft, was set up in print.

Dec. 8, 1863

Proclamation.<sup>2</sup>

2 Both the date and the heading "Proclamation" appear to be in another hand, not Lincoln's.

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 offences against the United States, except in cases of impeachment, and

Whereas a rebellion now exists whereby the loyal State governments of several States have for a long time been subverted, and many persons have committed, and are now guilty of treason against the United States, and

Whereas, with reference to said rebellion and treason, laws have been enacted by Congress, declaring forfeitures, and confiscations of property, and liberation of slaves, all upon terms and conditions therein stated, and also declaring that the President was thereby authorized at any time thereafter, 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, and

Whereas the Congressional declaration for limited and conditional pardon, accords with well established judicial exposition of the pardoning power, under the British, and American Constitutions, and

Whereas, with reference to said rebellion, the President of the United States has issued several proclamations, with provisions in regard to the liberation of slaves, and

Whereas it is now desired by some persons heretofore engaged in said rebellion, to resume their allegiance to the United States, and to re-inaugurate loyal State governments within and for their respective States, therefore

I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known, to all persons who have, directly or by implication, participated in the existing rebellion, except

[Space in Manuscript:]<sup>3</sup>

3 In the official copy, the words “as hereinafter excepted,” follow at this point.

that a full pardon is hereby granted to them and each of 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 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.”\*<sup>4</sup>

4 The asterisk indicates the insertion point for a paragraph written out as an addition on a separate slip. The list of exceptions is based on War Department, Memoranda for Proclamation of Amnesty and Reconstruction, December, 1863 (q. v.), a document which was provided Lincoln to aid in preparing this proclamation.

\*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 in 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 charge of such, otherwise than lawfully as

prisoners of war, and which persons may have been found in the United States service as soldiers, seamen, or in any other capacity.

And I do further proclaim, declare, and make known that whenever, in any of the States of Arkansas, Texas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, South-Carolina, and North Carolina, a number of persons, not less than one tenth in number of the votes cast at in such state, at the Presidential election of the year of our Lord, one thousand eight hundred and sixty, 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, and excluding all others, shall re-establish a State government, which shall be republican, and in no wise contravening said said oath, such shall be recognized as the true government of the State, and the State shall receive thereunder the benefits of the Constitutional provision which declares that “The United States shall guaranty to every State in the Union a republican form of government, and shall protect each of them against invasion, and on application of the legislature, or the executive (when the legislature can not be convened against domestic violence.”

And I do further proclaim, declare, and make known 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, shall not be objected to by the national executive.\*<sup>5</sup>

5 The asterisk indicates the insertion point for the addition to the text that follows. For preliminary drafts of this passage, see the memorandum on the reverse side of Lincoln's draft of a letter to George Opdyke, December 2, 1863.

\*And it is suggested as not improper that in constructing a loyal State government in any State, the name of the State, the boundary, the subdivisions, the Constitution, and the general code of laws, as before the rebellion, be maintained, subject only to the modifications made necessary by the conditions hereinbefore stated, and such others, if any, not contravening said conditions, and which may be deemed expedient by those framing the new State government.

To avoid misunderstanding it may be proper to say that this paper proclamation, so far as it relates to State governments, has no reference to States wherein loyal State governments have all the while been maintained. And for the same reason it may be proper to further say that whether members sent to Congress from any State shall be admitted to seats constitutionally rests exclusively with the respective Houses, and not to any extent with the executive.

And still further that this proclamation is intended to present the people of the States wherein the national authority has been suspended, and loyal State governments have been subverted, a mode in and by which the national authority and loyal States governments may be re-established within said States, or in any of them; and, while the mode presented is the best the executive can present suggest, with his present impressions, it must not be understood that no other possible mode would be acceptable.

Given under my hand at the City of Washington, the 8th of December, A. D. one thousand eight hundred and sixty three, and of the independence of the United States of America the eightyeighth.

**Abraham Lincoln**

## **Appendix 2: Related Text**

### **Reconstruction Questions:**

Classwork Grade .

Source : [http://apush-heading.weebly.com/uploads/5/8/9/8/58989297/reconstruction\\_plan\\_reading.pdf](http://apush-heading.weebly.com/uploads/5/8/9/8/58989297/reconstruction_plan_reading.pdf)

1. The Ten-Percent Plan: Why did Lincoln want to end the war quickly?
2. Lincoln's Idea for Reconstruction: How did Lincoln try to get southerners to support his reconstruction plan?
3. The Radical Republicans: Did the Radical Republicans agree with Lincoln's plan? How did the Radical Republican feel Reconstruction should be carried out?
4. The Wade-Davis Bill: How was Lincoln able to defeat the Wade-Davis bill? 5. Lincoln's Assassination: Who killed Abraham Lincoln?
6. Reconstruction after Lincoln: Why were the Radical Republicans surprised by Johnson? 7. Presidential Reconstruction: Was Johnson hard on the South? Explain.
8. The Northern Response: Why did many Northerners vote Republican in the election of 1866?
9. Radical Reconstruction: How did the Radicals use the U.S. military to support their plan?
10. Reestablishing Order in the South: How did many Southerners feel about their new governments? Were the new governments successful?
11. Johnson's Impeachment: Why did the Republicans impeach Johnson? Were they able to kick him out of office? Explain.



**Appendix 3: Related Text**  
**Amendments to the Constitution ( 1<sup>st</sup> to the 15<sup>th</sup> Amendment)**

Source:

GovInfo : Discover US. Government Information.

<https://www.govinfo.gov/content/pkg/GPO-CONAN-1992/pdf/GPO-CONAN-1992-7.pdf>

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**AMENDMENTS**  
**TO THE**  
**CONSTITUTION OF THE UNITED STATES**  
**OF AMERICA**

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**ARTICLES IN ADDITION TO, AND AMENDMENT OF,  
THE CONSTITUTION OF THE UNITED STATES OF  
AMERICA, PROPOSED BY CONGRESS, AND RATI-  
FIED BY THE SEVERAL STATES, PURSUANT TO THE  
FIFTH ARTICLE OF THE ORIGINAL CONSTITUTION <sup>1</sup>**

AMENDMENT [I.] <sup>2</sup>

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people

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<sup>1</sup>In *Dillon v. Gloss*, 256 U.S. 368 (1921), the Supreme Court stated that it would take judicial notice of the date on which a State ratified a proposed constitutional amendment. Accordingly the Court consulted the State journals to determine the dates on which each house of the legislature of certain States ratified the Eighteenth Amendment. It, therefore, follows that the date on which the governor approved the ratification, or the date on which the secretary of state of a given State certified the ratification, or the date on which the Secretary of State of the United States received a copy of said certificate, or the date on which he proclaimed that the amendment had been ratified are not controlling. Hence, the ratification date given in the following notes is the date on which the legislature of a given State approved the particular amendment (signature by the speaker or presiding officers of both houses being considered a part of the ratification of the "legislature"). When that date is not available, the date given is that on which it was approved by the governor or certified by the secretary of state of the particular State. In each case such fact has been noted. Except as otherwise indicated information as to ratification is based on data supplied by the Department of State.

<sup>2</sup>Brackets enclosing an amendment number indicate that the number was not specifically assigned in the resolution proposing the amendment. It will be seen, accordingly, that only the Thirteenth, Fourteenth, Fifteenth, and Sixteenth Amendments were thus technically ratified by number. The first ten amendments along with two others that were not ratified were proposed by Congress on September 25, 1789, when they passed the Senate, having previously passed the House on September 24 (1 *Annals of Congress* 88, 913). They appear officially in 1 Stat. 97. Ratification was completed on December 15, 1791, when the eleventh State (Virginia) approved these amendments, there being then 14 States in the Union.

The several state legislatures ratified the first ten amendments to the Constitution on the following dates: New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; New York, February 27, 1790; Pennsylvania, March 10, 1790; Rhode Island, June 7, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791. The two amendments that then failed of ratification prescribed the ratio of representation to population in the House, and specified that no law varying the compensation of members of Congress should be effective until after an intervening election of Representatives. The first was ratified by ten States (one short of the requisite number) and the second, by six States; subsequently, this second proposal was taken up by the States in the period 1980–1992 and was proclaimed as ratified as of May 7, 1992. Connecticut, Georgia, and Massachusetts ratified the first ten amendments in 1939.

peaceably to assemble, and to petition the Government for a redress of grievances.

AMENDMENT [II.]

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

AMENDMENT [III.]

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT [IV.]

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

AMENDMENT [V.]

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

## AMENDMENT [VI.]

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence.

## AMENDMENT [VII.]

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

## AMENDMENT [VIII.]

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

## AMENDMENT [IX.]

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

## AMENDMENT [X.]

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

AMENDMENT [XI.]<sup>3</sup>

The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one on the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

AMENDMENT [XII.]<sup>4</sup>

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as

<sup>3</sup>The Eleventh Amendment was proposed by Congress on March 4, 1794, when it passed the House, 4 *Annals of Congress* 477, 478, having previously passed the Senate on January 14, Id., 30, 31. It appears officially in 1 Stat. 402. Ratification was completed on February 7, 1795, when the twelfth State (North Carolina) approved the amendment, there being then 15 States in the Union. Official announcement of ratification was not made until January 8, 1798, when President John Adams in a message to Congress stated that the Eleventh Amendment had been adopted by three-fourths of the States and that it "may now be deemed to be a part of the Constitution." In the interim South Carolina had ratified, and Tennessee had been admitted into the Union as the sixteenth State.

The several state legislatures ratified the Eleventh Amendment on the following dates: New York, March 27, 1794; Rhode Island, March 31, 1794; Connecticut, May 8, 1794; New Hampshire, June 16, 1794; Massachusetts, June 26, 1794; Vermont, between October 9 and November 9, 1794; Virginia, November 18, 1794; Georgia, November 29, 1794; Kentucky, December 7, 1794; Maryland, December 26, 1794; Delaware, January 23, 1795; North Carolina, February 7, 1795; South Carolina, December 4, 1797.

<sup>4</sup>The Twelfth Amendment was proposed by Congress on December 9, 1803, when it passed the House, 13 *Annals of Congress* 775, 776, having previously passed the Senate on December 2, Id., 209. It was not signed by the presiding officers of the House and Senate until December 12. It appears officially in 2 Stat. 306. Ratification was probably completed on June 15, 1804, when the legislature of the thirteenth State (New Hampshire) approved the amendment, there being then 17 States in the Union. The Governor of New Hampshire, however, vetoed this act of the legislature on June 20, and the act failed to pass again by two-thirds vote then required by the state constitution. Inasmuch as Article V of the Federal Constitution specifies that amendments shall become effective "when ratified by legislatures of three-fourths of the several States or by conventions in three-fourths thereof," it has been generally believed that an approval or veto by a governor is without significance. If the ratification by New Hampshire be deemed ineffective, then the amendment became operative by Tennessee's ratification on July 27, 1804. On September 25, 1804, in a circular letter to the Governors of the several States, Secretary of State Madison declared the amendment ratified by three-fourths of the States.

The several state legislatures ratified the Twelfth Amendment on the following dates: North Carolina, December 22, 1803; Maryland, December 24, 1803; Kentucky, December 27, 1803; Ohio, between December 5 and December 30, 1803; Virginia, between December 20, 1803 and February 3, 1804; Pennsylvania, January 5, 1804; Vermont, January 30, 1804; New York, February 10, 1804; New Jersey, February 22, 1804; Rhode Island, between February 27 and March 12, 1804; South Carolina, May 15, 1804; Georgia, May 19, 1804; New Hampshire, June 15, 1804; and Tennessee, July 27, 1804. The amendment was rejected by Delaware on January 18, 1804, and by Connecticut at its session begun May 10, 1804. Massachusetts ratified this amendment in 1961.

President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest Number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President—The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a



quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

AMENDMENT XIII.<sup>5</sup>

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 XIV.<sup>6</sup>

SECTION. 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the

<sup>5</sup>The Thirteenth Amendment was proposed by Congress on January 31, 1865, when it passed the House, Cong. Globe (38th Cong., 2d Sess.) 531, having previously passed the Senate on April 8, 1864. Id. (38th cong., 1st Sess.), 1940. It appears officially in 13 Stat. 567 under the date of February 1, 1865. Ratification was completed on December 6, 1865, when the legislature of the twenty-seventh State (Georgia) approved the amendment, there being then 36 States in the Union. On December 18, 1865, Secretary of State Seward certified that the Thirteenth Amendment had become a part of the Constitution, 13 Stat. 774.

The several state legislatures ratified the Thirteenth Amendment on the following dates: Illinois, February 1, 1865; Rhode Island, February 2, 1865; Michigan, February 2, 1865; Maryland, February 3, 1865; New York, February 3, 1865; West Virginia, February 3, 1865; Missouri, February 6, 1865; Maine, February 7, 1865; Kansas, February 7, 1865; Massachusetts, February 7, 1865; Pennsylvania, February 8, 1865; Virginia, February 9, 1865; Ohio, February 10, 1865; Louisiana, February 15 or 16, 1865; Indiana, February 16, 1865; Nevada, February 16, 1865; Minnesota, February 23, 1865; Wisconsin, February 24, 1865; Vermont, March 9, 1865 (date on which it was "approved" by Governor); Tennessee, April 7, 1865; Arkansas, April 14, 1865; Connecticut, May 4, 1865; New Hampshire, June 30, 1865; South Carolina, November 13, 1865; Alabama, December 2, 1865 (date on which it was "approved" by Provisional Governor); North Carolina, December 4, 1865; Georgia, December 6, 1865; Oregon, December 11, 1865; California, December 15, 1865; Florida, December 28, 1865 (Florida again ratified this amendment on June 9, 1868, upon its adoption of a new constitution); Iowa, January 17, 1866; New Jersey, January 23, 1866 (after having rejected the amendment on March 16, 1865); Texas, February 17, 1870; Delaware, February 12, 1901 (after having rejected the amendment on February 8, 1865). The amendment was rejected by Kentucky on February 24, 1865, and by Mississippi on December 2, 1865.

<sup>6</sup>The Fourteenth Amendment was proposed by Congress on June 13, 1866, when it passed the House, Cong. Globe (39th Cong., 1st Sess.) 3148, 3149, having previously passed the Senate on June 8. Id., 3042. It appears officially in 14 Stat. 358 under date of June 16, 1866. Ratification was probably completed on July 9, 1868, when the legislature of the twenty-eighth State

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

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(South Carolina or Louisiana) approved the amendment, there being then 37 States in the Union. However, Ohio and New Jersey had prior to that date “withdrawn” their earlier assent to this amendment. Accordingly, Secretary of State Seward on July 20, 1868, certified that the amendment had become a part of the Constitution if the said withdrawals were ineffective. 15 Stat. 706–707. Congress on July 21, 1868, passed a joint resolution declaring the amendment a part of the Constitution and directing the Secretary to promulgate it as such. On July 28, 1868, Secretary Seward certified without reservation that the amendment was a part of the Constitution. In the interim, two other States, Alabama on July 13 and Georgia on July 21, 1868, had added their ratifications.

The several state legislatures ratified the Fourteenth Amendment on the following dates: Connecticut, June 30, 1866; New Hampshire, July 7, 1866; Tennessee, July 19, 1866; New Jersey, September 11, 1866 (the New Jersey Legislature on February 20, 1868 “withdrew” its consent to the ratification; the Governor vetoed that bill on March 5, 1868; and it was repassed over his veto on March 24, 1868); Oregon, September 19, 1866 (Oregon “withdrew” its consent on October 15, 1868); Vermont, October 30, 1866; New York, January 10, 1867; Ohio, January 11, 1867 (Ohio “withdrew” its consent on January 15, 1868); Illinois, January 15, 1867; West Virginia, January 16, 1867; Michigan, January 16, 1867; Kansas, January 17, 1867; Minnesota, January 17, 1867; Maine, January 19, 1867; Nevada, January 22, 1867; Indiana, January 23, 1867; Missouri, January 26, 1867 (date on which it was certified by the Missouri secretary of state); Rhode Island, February 7, 1867; Pennsylvania, February 12, 1867; Wisconsin, February 13, 1867 (actually passed February 7, but not signed by legislative officers until February 13); Massachusetts, March 20, 1867; Nebraska, June 15, 1867; Iowa, March 9, 1868; Arkansas, April 6, 1868; Florida, June 9, 1868; North Carolina, July 2, 1868 (after having rejected the amendment on December 13, 1866); Louisiana, July 9, 1868 (after having rejected the amendment on February 6, 1867); South Carolina, July 8, 1868 (after having rejected the amendment on December 20, 1866); Alabama, July 13, 1868 (date on which it was “approved” by the Governor); Georgia, July 21, 1868 (after having rejected the amendment on November 9, 1866—Georgia ratified again on February 2, 1870); Virginia, October 8, 1869 (after having rejected the amendment on January 9, 1867); Mississippi, January 17, 1870; Texas, February 18, 1870 (after having rejected the amendment on October 27, 1866); Delaware, February 12, 1901 (after having rejected the amendment on February 7, 1867). The amendment was rejected (and not subsequently ratified) by Kentucky on January 8, 1867. Maryland and California ratified this amendment in 1959.

Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, 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 XV.<sup>7</sup>

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 power to enforce this article by appropriate legislation.

AMENDMENT XVI.<sup>8</sup>

The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment

<sup>7</sup>The Fifteenth Amendment was proposed by Congress on February 26, 1869, when it passed the Senate, Cong. Globe (40th Cong., 3rd Sess.) 1641, having previously passed the House on February 25. *Id.*, 1563, 1564. It appears officially in 15 Stat. 346 under the date of February 27, 1869. Ratification was probably completed on February 3, 1870, when the legislature of the twenty-eighth State (Iowa) approved the amendment, there being then 37 States in the Union. However, New York had prior to that date “withdrawn” its earlier assent to this amendment. Even if this withdrawal were effective, Nebraska’s ratification on February 17, 1870, authorized Secretary of State Fish’s certification of March 30, 1870, that the Fifteenth Amendment had become a part of the Constitution. 16 Stat. 1131.

The several state legislatures ratified the Fifteenth Amendment on the following dates: Nevada, March 1, 1869; West Virginia, March 3, 1869; North Carolina, March 5, 1869; Louisiana, March 5, 1869 (date on which it was “approved” by the Governor); Illinois, March 5, 1869; Michigan, March 5, 1869; Wisconsin, March 5, 1869; Maine, March 11, 1869; Massachusetts, March 12, 1869; South Carolina, March 15, 1869; Arkansas, March 15, 1869; Pennsylvania, March 25, 1869; New York, April 14, 1869 (New York “withdrew” its consent to the ratification on January 5, 1870); Indiana, May 14, 1869; Connecticut, May 19, 1869; Florida, June 14, 1869; New Hampshire, July 1, 1869; Virginia, October 8, 1869; Vermont, October 20, 1869; Alabama, November 16, 1869; Missouri, January 7, 1870 (Missouri had ratified the first section of the 15th Amendment on March 1, 1869; it failed to include in its ratification the second section of the amendment); Minnesota, January 13, 1870; Mississippi, January 17, 1870; Rhode Island, January 18, 1870; Kansas, January 19, 1870 (Kansas had by a defectively worded resolution previously ratified this amendment on February 27, 1869); Ohio, January 27, 1870 (after having rejected the amendment on May 4, 1869); Georgia, February 2, 1870; Iowa, February 3, 1870; Nebraska, February 17, 1870; Texas, February 18, 1870; New Jersey, February 15, 1871 (after having rejected the amendment on February 7, 1870); Delaware, February 12, 1901 (date on which approved by Governor; Delaware had previously rejected the amendment on March 18, 1869). The amendment was rejected (and not subsequently ratified) by Kentucky, Maryland, and Tennessee. California ratified this amendment in 1962 and Oregon in 1959.

<sup>8</sup>The Sixteenth Amendment was proposed by Congress on July 12, 1909, when it passed the House, 44 Cong. Rec. (61st Cong., 1st Sess.) 4390, 4440, 4441, having previously passed the Senate on July 5. *Id.*, 4121. It appears officially in 36 Stat. 184. Ratification was completed on February 3, 1913, when the legislature of the thirty-sixth State (Delaware, Wyoming, or New Mexico) approved the amendment, there being then 48 States in the Union. On February