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1863

COMMERCIAL INTERCOURSE

WITH AND IN

STATES DECLARED IN INSURRECTION,

AND

THE COLLECTION

OF

ABANDONED AND CAPTURED PROPERTY.

EMBRACING

THE TREASURY DEPARTMENT CIRCULARS AND REGULATIONS; THE EXECUTIVE PROCLAMATIONS AND LICENSE; AND THE WAR AND NAVY DEPARTMENT ORDERS RELATING TO THOSE SUBJECTS.

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SEPTEMBER 11, 1863.

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## TREASURY DEPARTMENT CIRCULAR OF JULY, 1863.

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[This letter, addressed to Supervising Special Agent Mellen and sent to the other Supervising Special Agents in July last, is republished, with some modifications adapting it to the Revised Regulations, for the convenient information of all parties concerned.]

TREASURY DEPARTMENT, *July 3, 1863.*

SIR: I have received your letter of the 5th of June, from Memphis, and also those of previous dates from Cincinnati, relative to the collection of abandoned and captured property within the States heretofore declared to be in insurrection.

In reply, I think it important to direct your attention, in the first place, to the general distinctions under which all property, subject to the disposition of national officers, within the district under your supervision may be arranged.

There may be said to be four classes of such property, viz., abandoned, captured, commercial, and confiscable.

*First*; Abandoned property is of two descriptions (1st,) that which has been deserted by the owners; and (2d,) that which has been voluntarily abandoned by them to the civil or military authorities of the United States. Such property is to be collected or received by the Special Agents of this Department and sold, under the authority of the Act of March 12, 1863; and the proceeds, after deducting the expenses of transportation and sale, and other expenses attending the collection and disposition thereof, are to be deposited in the Treasury, subject to award by the Court of Claims. Before this court, claimants to such property, or the proceeds thereof, have the right, under the act, to prefer their claims at any time after the sale, and before the expiration of two years from the close of the war. No guaranty can be given to owners of abandoned property in respect to the time when, or the persons to whom, proceeds will be paid.

*Second*; Captured property is understood to be that which has been seized or taken from hostile possession by the military or naval forces of the United States, and is to be turned over, with certain exceptions named, to the Special Agents of this Department, in accordance with the provisions of the Act of March 12, 1863. All property taken possession of by military or naval forces, and turned over to Special Agents, must be regarded as *prima facie* captured property. Such property you will receive and direct to be sold, and will cause the proceeds to be deposited in the Treasury, subject to the future award of the Court of Claims.

Captured property which is held as lawful prize by the Navy is not to be turned over to the Department Agents, nor to be in any way controlled by them.

*Third*; Commercial property is that which has been or may be sold and purchased under the license of the President, through permits granted by the officers of the Treasury Department.

*Fourth*; Confiscable property is that which belongs to certain classes of persons, as recited in the Confiscation Act of July 17, 1862, and is liable to seizure and condemnation by judicial proceedings in the manner prescribed by that act.

Great care must be exercised in properly classifying all property, that the provisions of the law applicable to each class may be complied with; and it must be remembered that with the property included in the fourth class, unless found deserted and abandoned, the Agents of the Treasury Department have no authority to interfere. The execution of the Confiscation Act is confided, by its express terms, to the President, by whom the Attorney General has been charged with the direction of all seizures and proceedings under it.

It must be remembered, also, that all property coming from insurrectionary districts into loyal States, or in reversed direction, or being transported within or to insurrectionary districts, in contravention of law or Departmental Regulations, is forfeited or forfeitable; and that it is the duty of the Agents of the Department, as well as of other proper officers, to enforce the forfeitures thus incurred; but property thus forfeited or forfeitable must not be confounded with confiscated or confiscable property, which is to be proceeded against and disposed of under the Act of July 17, 1862, or with prize property captured by the navy, and subject to disposition under the direction of Prize Commissioners and Courts.

In respect to property embraced in the first class, namely, abandoned property, it is to be observed that no Agent is authorized to make any other assurances than that property voluntarily abandoned shall be faithfully disposed of under the law, so as to secure, as far as practicable in the existing condition of the country, the rights of owners. No authority is given, or intended to be given, to agents to make any promises of special immunities or advantages not specified in the law.

In respect to both descriptions of abandoned property, whether found deserted or voluntarily abandoned, the law authorizes the payment of such expenses as must necessarily be incurred in its collection, or receipt and disposition.

You will, therefore, pay all such expenses, including fees, taxes, freights, storage, charges, labor, and other necessary expenses, out of the general fund arising therefrom; being careful to avoid all useless or indiscreet expenditures, and to charge each particular lot or parcel with the specific or proportionate amount of expense pertaining to it, and, unless unavoidably prevented, to take vouchers therefor, to be filed with the account of sales in this Department.

Where property is liable to be lost or destroyed, in consequence of its location being unknown to the Special Agents, or from other causes, and parties propose for compensation to collect and deliver it into the hands of the Agents of this Department, at points to be designated by them, you may contract for the collection and delivery

thereof, on the best possible terms, not exceeding twenty-five per cent. of the proceeds of the property; which percentage must be full compensation for all expenses of whatever character incurred in collecting, preparing, and delivering such property at the points indicated. Prior to any contract being entered into, each party proposing must submit, in writing, a statement, as near as may be, giving the kind and amount of property proposed to be collected; the location whence to be obtained; and all the facts and circumstances connected with it, particularly as to its ownership; and any contract made in pursuance of this authority will be restricted, either to the collection and delivery of particular lots at named localities, which is preferred, or, when circumstances clearly justify, to the general collection and delivery of all abandoned property in limited districts, not greater in any case than one parish or county, and not more than one district to be assigned to one contractor.

Before payment to any contractor for services in fulfilment of any contracts made in pursuance of this authority, a bond equal to the amount stipulated to be paid must be given by him, indemnifying the United States against all claims to the property delivered on account of damages by trespass or otherwise, occasioned by the act or connivance of the contractor, and against all claims that may arise on account of expenses incurred in the collection, preparation, and transportation of said property to the points designated in such contract.

Should cases arise justifying, in your opinion, the allowance of a larger percentage than that herein authorized, you will refer such cases to this Department, accompanied by a statement of the facts and circumstances connected therewith, together with such views and opinions of your own as you may think proper to submit for my consideration.

If property of a perishable nature is found abandoned, and its immediate sale is required by the interests of all concerned, it may be disposed of as provided for by regulations. You will aim to mitigate, as far as possible, and will in no case do anything avoidable to augment the calamities of war.

In relation to captured property you will observe the same directions, as far as they may be applicable, as to its receipt and subsequent disposition, as are prescribed in relation to abandoned property.

In relation both to captured and abandoned property, you will remember that no release must be granted to persons claiming ownership of property which has come to the possession of the Agents of the Department as abandoned, captured, or forfeited; nor must any permits be granted to individuals to remove such property; nor must personal favors, in any case, be extended to one individual or party rather than to another; nor must any liabilities be assumed or contracts made on the part of the United States not clearly warranted by law and the Departmental Regulations made in pursuance of law.

In case furniture, or other movable property of like character, is abandoned or captured, you will cause it to be retained and left on the premises where found whenever it can be done with safety; other-

wise, if practicable, and not attended with too great cost, you will have it safely stored and properly marked and numbered, and will report the facts to this Department and await further directions.

Your principal embarrassments will doubtless arise from questions relating to property of the third class, or commercial property.

The general purposes which, under the acts charging me with the regulation of the restricted commercial intercourse permitted by the President, I have kept steadily in view, have already been sufficiently explained in general regulations and in letters.

They may be briefly stated thus : (1) To allow within districts in insurrectionary States when the authority of the government is so completely re-established, in your judgment, sanctioned by that of the commanding General, as to warrant it, and between such districts and loyal States the freest commercial intercourse compatible with prevention of supplies to persons within rebel lines. (2d) To allow beyond such districts, but within the lines of our military occupation, such intercourse, sanctioned by the commanding General, as may be required to supply the inhabitants with necessaries, but to allow no other until the complete re-establishment of the national authority shall warrant it; and (3) To allow no intercourse at all beyond the national and within the rebel lines of military occupation; across these lines there can be no intercourse except that of a character exclusively military.

The limits of the districts within which the most general trade may be allowed must necessarily be prescribed by you, after full conference with the commanding Generals of Departments, whenever such conference is practicable, and these should be so clearly and distinctly marked by known geographical boundaries, or by the enumeration of counties, as to leave no uncertainty as to their course or comprehension. The limits of the regions within which necessaries may be supplied cannot be so clearly defined, but must be ascertained as well as possible from the commanding Generals, and the power to permit any supplies within them must be exercised with great caution.

There does not seem to me to be so much danger in intercourse which does not involve the furnishing of supplies. If, for example, any person desires to bring cotton, tobacco, sugar, turpentine, or other property, already purchased, or to be purchased for money only, from any place within the lines of our military occupation, I can see no objection to his being permitted to do so, subject to the fees and obligations specified in the general Regulations, on his giving a bond in a sufficient sum, and with sufficient sureties, conditioned that no military, naval, or civil officers or persons, prohibited by law, or by orders of the President, or of the Secretaries of War or Navy, or of military or naval commanders having proper authority, from being interested in such property, whether purchased or to be purchased, shall be so interested therein. Intercourse such as this might, it seems to me, be safely permitted, almost, if not quite, co-extensively with our lines of military occupation.

Should this view meet the approval of the Generals commanding Departments within your Agency, the question of intercourse within

the doubtful region between what may be called the commercial and the military line would be reduced to a question of the quantity of supplies allowed to be furnished for money.

It is impossible at once to arrive at the best possible ways of accomplishing the great objects which Congress had in view in the several acts relating to commercial intercourse; but if these objects themselves be kept steadily in view, namely, (1st,) non-intercourse between loyal States or districts, and States or districts controlled by insurgents; and (2d,) modified intercourse between loyal States or districts, and States or districts partially regained to the Union. the best modes of accomplishing them will gradually disclose themselves. You will diligently observe the course of events, and hear attentively all suggestions made by respectable and loyal citizens, and report to me whatever may seem to you proper for consideration in establishing or modifying the Regulations of the Department.

Nothing occurs to me as needing to be now added, except that hereafter the Supervising Special Agents may establish, in conjunction with, or obedience to, the Generals commanding Departments, lines within which trade, more or less limited, may be carried on without awaiting my sanction, taking care, however, to give as general notice as practicable, through the press and otherwise, of the establishment or modification of such lines. All action under this authority must be immediately and specifically reported to the Department.

With great respect,

S. P. CHASE,  
*Secretary of the Treasury.*

WM. P. MELLEEN, Esq.,  
*Supervising Special Agent, &c.*



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# TREASURY DEPARTMENT CIRCULAR

CONCERNING

## Trade with and in States Declared in Insurrection,

AND CONCERNING

## ABANDONED AND CAPTURED PROPERTY.

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*To the Special Agents of the Treasury Department :*

TREASURY DEPARTMENT, *September 11, 1863.*

GENTLEMEN : The President of the United States, having, by Proclamation of July 1, 1862, declared and proclaimed that the States of South Carolina, Florida, Georgia, Alabama, Louisiana, Texas, Mississippi, Arkansas, Tennessee, North Carolina, and the State of Virginia, except the following counties, Hancock, Brooke, Ohio, Marshall, Wetzell, Marion, Monongalia, Preston, Taylor, Pleasants, Tyler, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt, Roane, Calhoun, Gilmer, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Webster, Fayette, and Raleigh, are in insurrection and rebellion :

And having also by Proclamation on the 31st of March, 1863, revoked certain exceptions made by his former Proclamation dated August 16, 1861, and declared that the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia (except the forty-eight counties of Virginia designated as West Virginia, and except, also, the ports of New Orleans, Key West, Port Royal, and Beaufort, in North Carolina,) are in a state of insurrection against the United States, and that all commercial intercourse, not licensed and conducted as provided in said act, between the said States and the inhabitants thereof with the exceptions aforesaid, and the citizens of other States and other parts of the United States, is unlawful, and will remain unlawful until such insurrection shall cease or has been suppressed, and notice thereof has been duly given by Proclamation; and all cotton, tobacco, and other products, and all other goods and chattels, wares, and merchandise coming from any of said States, with the exceptions aforesaid, into other parts of the United States, or proceeding to any of said States, with the exceptions aforesaid, without the license and permission of the President, through the Secretary of the Treasury, will, together with the vessel or vehicle conveying the same, be forfeited to the United States ;

And the act of Congress "further to provide for the collection of duties on imports and for other purposes, approved July 13, 1861," having authorized said Proclamation, and the License and Regulations referred to;

And the act of Congress supplementary to said act of July 13, 1861, approved May 20, 1862, having conferred additional powers on said Secretary, and prescribed further conditions of trade;

And the act of Congress approved March 12, 1863, entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States," having declared

"That it shall be lawful for the Secretary of the Treasury, from and after the passage of said act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any State or Territory, or any portion of any State or Territory, of the United States designated as in insurrection against the lawful government of the United States by the proclamation of the President of July 1, 1862: *Provided*, That such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war;"

And further, "That any part of the goods or property received or collected by such agent or agents may be appropriated to public use on due appraisement and certificate thereof, or forwarded to any place of sale within the loyal States, as the public interests may require, and that all sales of such property shall be at public auction to the highest bidder, and the proceeds thereof shall be paid into the Treasury of the United States;"

And further, "that he shall cause a book or books of account to be kept, showing from whom such property was received, the cost of transportation, and the proceeds of the sale thereof;"

And further, "that any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the Court of Claims; and on proof, to the satisfaction of said court, of his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds after deducting the expenses of transportation and sale of said property, and any other lawful expenses attending the disposition thereof;"

And further, "that it shall be the duty of any officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States, upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse to do so he shall be

tried by a court-martial, and punished as said court shall order, with the approval of the President of the United States;"

And the Secretary of War and the Secretary of the Navy having respectively made and published orders, for the enforcing of said acts;

The following Regulations are prescribed for the government of the several Supervising, Assistant, and Local Special Agents and Agency Aids, appointed to carry said acts and the Regulations made under them, into effect, and for the purpose of conducting the commercial intercourse licensed and permitted by the President, and preventing the conveyance of munitions of war and supplies to insurgents, or to localities declared to be in insurrection against the United States, or in such quantities that there will be imminent danger of their falling into the possession or under the control of insurgents; and are published, together with the Proclamations and License of the President, the several acts of Congress, and the Orders of the Secretaries of War and of the Navy, for the information of parties interested.

All officers charged with the execution of these Regulations, while using necessary vigilance to prevent supplies to rebels, either directly or by undue accumulation at points where there will be imminent danger of their falling into their hands, and in collecting abandoned or captured property, will be careful to occasion as little inconvenience as possible to any legitimate trade or intercourse, or to loyal people.

S. P. CHASE,  
*Secretary of the Treasury.*

TREASURY DEPARTMENT, *September 11, 1863.*

EXECUTIVE MANSION,

*Washington, September 11, 1863.*

The following Revised Regulations of the Secretary of the Treasury having been seen and considered by me, are hereby approved.

ABRAHAM LINCOLN.

# TRADE REGULATIONS

PRESCRIBED BY THE SECRETARY OF THE TREASURY FOR THE GOVERNMENT OF THE LIMITED COMMERCIAL INTERCOURSE, LICENSED BY THE PRESIDENT, BETWEEN THE CITIZENS OF LOYAL STATES AND THE INHABITANTS OF STATES AND PARTS OF STATES HERETOFORE DECLARED TO BE IN INSURRECTION, AS REVISED AND REPUBLISHED SEPTEMBER 11, 1863.

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I. The States and parts of States declared to be in insurrection, between which and the citizens of loyal States commercial intercourse has been or may be licensed by the President, to be conducted and carried on in pursuance of Regulations and Rules prescribed by the Secretary of the Treasury, are hereby divided into districts, called Special Agencies, to which Supervising Special Agents, appointed by the Secretary, are assigned.

II. The Special Agencies are distinguished numerically, and described as follows:

Special Agencies named and described. The First Special Agency comprises the district of the United States west of the Alleghany mountains, known as the Valley of the Mississippi, and extending southward so as to include so much of the States of Alabama, Mississippi, Arkansas, and Louisiana, as is or may be occupied by national forces operating from the North.

The Second Special Agency comprises the State of Virginia, and so much of the State of West Virginia as lies east of the Alleghany mountains; also the territory north and east thereof, from which trade is carried on with the States or parts of States declared to be in insurrection.

The Third Special Agency comprises the State of North Carolina.

The Fourth Special Agency comprises the States of South Carolina, Georgia, and Florida.

The Fifth Special Agency comprises the State of Texas and so much of the States of Louisiana, Arkansas, Alabama, and Mississippi as is, or may be, within the lines of the national forces operating from the South.

Additional Special Agencies, if established, will be numerically designated in the order of their establishment; and if the boundaries of Agencies already established shall be changed, due notice thereof will be given.

III. Supervising Special Agents will supervise within their respective Agencies the execution of these Regulations; make and from time to time change such Local Rules not inconsistent with them, as may be proper for that purpose, and temporarily suspend or qualify the authority to grant Permits, if the public interest shall require it, subject to the approval of the Secretary of the Treasury; and they will confer with Generals commanding Departments and Naval Officers commanding within their Agencies, and obtain, as far as practicable, their sanction to such action as may affect their military or naval movements, and carefully avoid all interference with military or naval operations prosecuted by them.

IV. These Regulations, and the Local Rules prescribed by the several Supervising Special Agents, for their respective Agencies, will be carried into effect by Assistant Special Agents, Local Special Agents, and Agency Aids. Local Special Agents will take the place and perform the duties of the Boards of Trade heretofore authorized. Assistant Special Agents will be appointed by the Secretary of the Treasury; Local Special Agents and Agency Aids will be appointed by the Supervising Special Agents or Assistant Special Agents, as under Regulation XXX, subject to the approval of the Secretary.

V. No goods, wares, or merchandise will be allowed to be transported to, from, or within any State or part of a State under restriction, or declared in insurrection, except under Permits, Certificates, and Clearances, as herein-after provided.

VI. The officers of the Treasury Department authorized to grant Permits to Districts in States or parts of States heretofore declared to be in insurrection, but where commercial intercourse has been or may be licensed by the President under Regulations of the Secretary of the Treasury, are the Surveyors of Customs at Pittsburg, Wheeling, Cincinnati, Madison, Louisville, New Albany, Evansville, Paducah, Cairo, Quincy, St. Louis, Nashville, Memphis, and Baltimore; the Collectors of Customs at Philadelphia, Georgetown, Beaufort in North Carolina, and Port Royal in South Carolina; and the Collector of Internal Revenue at New Orleans. Other officers will be designated to grant permits should the public interests require it; and no permit will be granted except by such officers as shall be authorized by the Secretary of the Treasury, or such as are approved by him.

VII. Commercial intercourse with localities beyond the lines of military occupation by the United States forces is strictly prohibited; and no permit will be granted for the transportation of any property to any place under the control of insurgents against the United States.

VIII. No clearance or permit whatsoever will be granted for any shipment to any port or place affected by the existing blockade, except upon the request of the Department of War, or the Department of the Navy, either directly or through a specially authorized officer, addressed to the Secretary of the Treasury, or to some officer specially authorized by him, accompanied by a certificate that the articles are required for military or naval purposes, and in the manner and form prescribed by Regulation XXXII.

IX. The several Supervising Special Agents within their respective Agencies will, after conference with the Generals commanding Departments, when possible, and with their sanction, unless unavoidable circumstances prevent the obtaining of it, designate by known geographical boundaries, or by enumeration of counties, that portion of the territory included in their Agencies, respectively, with which trade may be safely permitted, and report such designation to the Secretary. The part of territory so designated shall be called the Trade District; and no transportation of goods, except as hereinafter provided, shall be permitted beyond the lines of such Trade District.

X. If it shall appear that beyond the lines of the Trade District, but within the lines of national military occupation, there is some territory within which the supply of necessaries is required by humanity and sound policy, while trade cannot yet be safely re-established, then the Supervising Special Agents, with the sanction of the General commanding Department, but in no case without his sanction, and subject to revocation or modification by the Secretary, may in like manner designate the portion of territory in their respective Agencies to which goods may be properly permitted for individual and family supply, but for no other purpose. The territory so designated shall be called the Supply District; and no goods shall be transported thereto for resale except as provided in Regulation XVIII.

XI. All applications for permits to transport goods or property under these Regulations shall state the character and value of the merchandise to be transported, the place to which such transportation is to be made, the names of the owner or purchaser, and, if any, of the shipper and consignee thereof, and the number and description of the packages, with the marks thereon.

XII. Every applicant for a permit to transport goods, wares, or merchandise into or within any place or section where such transportation may be permitted, shall present with his application the original invoices of the goods, wares, and merchandise to be transported, and shall file with the officer granting it the certificate of the Local Special Agent authorizing it, if any be necessary, and an

affidavit that the names of the owners, the quantities, descriptions, and values of the merchandise, are correctly stated in said invoices, true copies of which shall be annexed to and filed with the affidavit; and that the marks on the packages are correctly stated in the application, and that the packages contain nothing except as stated in the invoices; that the merchandise so permitted shall not, nor shall any part thereof, be disposed of by him, or by his authority, connivance, or assent, in violation of the terms of the permit, and that neither the permit so granted nor the merchandise to be transported shall be so used or disposed of by him, or by his authority, connivance, or assent, as in any way to give aid, comfort, information, or encouragement to persons in insurrection against the United States. All affidavits required by these Regulations or by Local Rules shall be taken before a Supervising, Assistant or Local Special Agent, or some other authorized officer.

XIII. No certificate shall be given by a Local Special Agent in a State declared in insurrection, for purchase of goods for resale, except to parties having trade stores under authority from the Supervising Special Agent, or Assistant Special Agent designated by him, as hereinafter provided; and no permit shall be granted to transport merchandise into any such State, unless authorized by such certificate; except that fresh vegetables, fresh fruits, ice, poultry, eggs, fresh butter, coal, wood, hay and other forage, beef-cattle, sheep, hogs and household goods of families moving, may be permitted by the officers named in Regulation VI, to go to any not blockaded military post, fleet, or naval vessel, of the United States forces, without such certificate but under careful discretion to prevent abuse of the exception.

XIV. After a Trade District in any Agency shall be designated, as aforesaid, persons of well-ascertained loyalty, desiring to continue or establish trade stores therein, may make application in writing to the proper Supervising Special Agent, or to such Assistant Special Agent as he shall designate for that purpose, setting forth the locality of the proposed trade store, and will make and attach to such application an affidavit that he is in all respects true to the Government of the United States; that he will faithfully conform to the Proclamations and orders of the President of the United States and of the military Governors and Generals exercising authority under him, and to Departmental Regulations authorized by law, and that he will at all times by his conduct and conversation, and by every other means he can properly use, aid in suppressing the rebellion and restoring obedience to the constitution and laws of the United States. The Supervising Special Agent, or the officer designated by him, will inquire into the character of the applicant and circumstances of the locality, and if deemed expedient will authorize him to sell at said trade store an amount of goods per month specified in the Authority,

A copy of the Authority shall be filed with the Local Special Agent nearest the trade store, who shall thereby be authorized to give the Trader certificates amounting in the aggregate to the specified monthly sum, and upon which, goods, wares, and merchandise not prohibited by Regulations or Local Rules may be permitted by the proper Collector or Surveyor to be transported to such trade store. Great care will be exercised by the Supervising Special Agent, and Assistant Special Agent designated by him, to so limit the number of stores and quantities of goods to be permitted as to prevent undue accumulation of supplies at such stores; and every Trader, before receiving his Authority, shall be required to execute a bond to the United States in a penalty, and with sureties to be approved by the Agent granting the Authority, conditioned that he will not transport goods to any place other than to said trade store, or engage directly or indirectly in any prohibited trade; and that no part of the goods transported by him shall, with his knowledge or assent, or by his connivance, be so used or disposed of as to give aid or encouragement to the insurgents; and also conditioned that no military, naval, or civil officer or person prohibited by law or by order of the President, or of military or naval commanders having proper authority, from being interested in the property purchased or sold by him, shall be so interested therein.

XV. Authorized Traders, (except in the cities of Memphis and Nashville and such other cities or towns as may be hereafter designated by the Secretary of the Treasury, with the concurrence and approval of the General commanding Department,) shall not sell goods to others to be resold by them; but shall sell only to persons for their own individual, family, or plantation use, upon presentation of the permit for transportation thereof of the proper Local Special Agent, as provided in Regulations XVI and XVII. In Memphis, Nashville, and other cities after designation as above, authorized traders may sell goods to other traders for purpose of resale, upon the certificate of the proper Local Special Agent. Persons and families residing in Memphis, Nashville, and other cities after designation thereof as above, may purchase supplies for their own consumption at any trade store therein without any permit or certificate; but goods so sold shall not be transported out of said cities, except under permit of the proper officer, to be issued only upon the certificate of the Local Special Agent, as provided in Regulation XVI. All authorized Traders shall keep true accounts of all their sales, with the name and residence of each purchaser, and the date and amount of every sale, and shall file and preserve all cancelled permits under which goods have been transported, and copies of all permits under which sales have been made; and their books, invoices, accounts, cancelled permits, and copies of permits, shall be open to inspection of the Supervising Special Agent, or Assistant Special Agents under his direction. If any such Trader

shall violate any Regulation or Local Rule, his Authority shall be revoked by the Supervising Special Agent, or Assistant Special Agent by him designated, and said revocation reported to the Secretary, and his stock in trade seized and forfeited to the United States.

**XVI.** The purchase and transportation of individual, family, and plantation supplies may be permitted by a Local Special Agent, from any trade store in that part of a Trade District for which he is appointed to the home of the applicant therein, upon application to him by the head of the family or such other person as shall be authorized by him or her in writing: provided, that the applicant shall make affidavit, and the agent shall be satisfied, that the supplies applied for are necessary for the use and consumption of such person or family during the two months next ensuing the date of the affidavit; that no part thereof will be sold or otherwise disposed of by him or her, or by his or her assent, except for use of such person or family; and that, to the best of his or her knowledge and belief, no application has been made for any permit for the same or like supplies to any other officer or Agent, and that no supplies for the period mentioned have been or are expected to be otherwise obtained; and no one person shall be recognized as representing more than six families.

Such transportation may also be permitted by any authorized Collector or Surveyor out of the District for which the Local Special Agent is appointed, upon his certificate and recommendation, granted upon the same application and affidavit as above required.

**XVII.** Persons or families residing without the lines of the Trade District, but within the lines of a Supply District, may procure supplies on the certificate of the nearest Local Special Agent that the supplies specified therein are necessary for the use and consumption of such person or family for a period of time not exceeding the month ensuing. All applications for such certificate must be made personally to the proper Local Special Agent by such person, or a member of such family, or other person authorized by the head of the family; and the applicant shall make and file with him an affidavit that the supplies applied for are necessary for the use and consumption of the person or family for the time specified, not exceeding one month next ensuing; that no part thereof will be sold or otherwise disposed of by him or her, or by his or her assent, except for the use of such person or family, and that to the best of his or her knowledge and belief no application has been made for the same or like supplies to any other officer or Agent, and that no supplies for the period mentioned have been or are expected to be otherwise obtained; and no person shall be recognized as representing more than six families. The certificate so obtained must be presented

to the nearest Collector or Surveyor, who, upon being satisfied that it has been properly granted, will issue a permit to the holder for the transportation of the articles specified therein; but in cases where the supplies are purchased at a trade store, and there is no authorized Collector or Surveyor within five miles thereof, the Local Special Agent nearest to such trade store may grant such permit, retaining the certificate and delivering the permit to the applicant. Except in cases mentioned in this Regulation and Regulation XVI, no permit will be granted by any Local Special Agent.

XVIII. Upon the request of the General commanding Department, the proper Supervising Special Agent may authorize the establishment of one or more trade stores in any city or town of a Supply District, under the same Regulations as trade stores are established in Trade Districts, and subject to military orders; but the Authority to establish any such store may be revoked, and the store discontinued by the Supervising Special Agent whenever the public interest may require it.

XIX. After any Trade or Supply District shall have been established, loyal and well-disposed persons residing therein may bring their products to market, unless prohibited by Regulation, Rule, or military order, and may be permitted by the proper Collector or Surveyor, on payment of prescribed fees, to sell the same for money other than gold or silver, and to take back to their respective homes so much of the proceeds of products so sold in individual, family, or plantation supplies, as shall be certified by the Local Special Agent nearest to the residence of such person to be necessary for the use or consumption of the individual, family, or plantation, for a period not exceeding two months next ensuing, if residing within the limits of a Trade District, or one month if within the limits of a Supply District; and any attempt to take back more than the quantity so certified will debar the party all further privilege to bring products to market or to trade.

XX. All proper and loyal persons may apply in the prescribed form to the proper Supervising Special Agent, or an Assistant Special Agent designated by him, for authority to purchase, for money other than gold or silver, any of the products of the country within the lines of National military occupation in his Agency, except when prohibited by order of the General commanding Department or other special military order, and to transport the same to market; and—on making and filing with such Agent an affidavit, in the prescribed form, and executing a bond with penalty and sureties to be approved by said Agent, and conditioned that he will pay or secure all fees required by Regulations, that he will not purchase products at any place other than that named in the Authority, or engage directly or

indirectly in prohibited trade, and that no military, naval, or civil officer or person prohibited by law or by order of the President, or of military or naval commanders having proper authority, from being interested in the property purchased by him, shall be so interested therein—the Supervising Special Agent, or Assistant Special Agent designated by him, if he deems it expedient, may authorize the proper officer to permit, on payment or security of the prescribed fees, the purchase and transportation of products as applied for, except articles prohibited. Upon presentation of such Authority to any officer named in Regulation VI, he may issue a permit for the purchase, transportation and sale of products specified, in pursuance of the terms of the Authority; but before delivering it, he will require the prescribed fees to be paid, or a bond therefor to be executed to the United States with penalty, and sureties approved by him, conditioned that the fees for each shipment made under the permit shall be paid to him or some other proper officer at the time or within ten days after such shipment shall be made; and that immediately after the making of any shipment by land or water under the permit, notice of such shipment shall be forthwith given to the officer issuing the permit, which notice shall specify the date and place of shipment, and contain or be accompanied by a description of the property and the marks thereon, and a statement of its destination and the route thereto; and that upon its arrival at any port where there is an officer of customs, a similar report shall be forthwith made to him. If any person obtaining a permit, and paying the fees therefor, shall purchase or transport no merchandise under the same or a less quantity than is permitted, the fees paid, or the proper proportion thereof, shall be refunded on application and due showing to the proper Supervising Special Agent.

Any neglect on the part of the person permitted to purchase and transport, or of any one acting for him, to comply with Regulations and Local Rules, or with the conditions of the bond to the permit officer, shall work immediate forfeiture of all rights under the Authority or permit, and any property purchased or transported under the same after such neglect shall be forfeited to the United States.

XXI. Every permit to purchase or sell cotton, tobacco, or other merchandise within any place or section in a State heretofore declared in insurrection, after commercial intercourse therewith shall have been permitted by the Secretary of the Treasury, and every permit to transport the same thereto, therein, or therefrom, shall clearly define the character and quantity of the merchandise so permitted to be sold, purchased, or transported, and the place or section within which the same may be purchased or sold, and to and from which the same may be transported; and each person shall, before receiving such permit, make affidavit that he is in all respects loyal and true to the government of the United States; that he will faithfully conform to the Proclamations and orders of the President of the United States, and of the Military Governors and Generals exercising authority under him, and to Departmental Regulations authorized by law; and that he will at all times, by his conduct and conversation, and by

Conditions upon which permits to purchase products may be issued.

every other means he can properly use, aid in suppressing the rebellion and restoring obedience to the Constitution and laws of the United States.

XXII. All transportation of coin or bullion to any State or section heretofore declared to be in insurrection is absolutely prohibited, except for military purposes, and under military orders, or under the special license of the President. And no payment of gold or silver or foreign bills of exchange shall be made for cotton or other merchandise within any such State or section. All cotton or other merchandise purchased in any such State or section, to be paid for therein, directly or indirectly, in gold or silver, or foreign bills of exchange, shall be forfeited to the United States.

XXIII. Authorities to purchase products, unless renewed, and all Certificates of Local Special Agents recommending permits for transportation, shall expire thirty days after date. Permits for transportation shall expire ten days after date; and all authorities, certificates, and permits, will be liable to revocation by the Secretary of the Treasury, or the proper Supervising Special Agent, as the public interests may require.

XXIV. Permits will be granted to Sutlers to transport to the regiments sutlered by them such articles as they are authorized to sell, free of the five per cent. fee; but no permit will be granted to a Sutler except on presentation to the proper permit officer of the original certificate of his appointment from the commanding officer of his regiment, countersigned by the Division commander thereof, and an application and affidavit in the form prescribed. Transportation shall not be permitted to any Sutler for an amount of goods exceeding \$2,500 per month; nor for over two months supply at one time; nor for any goods except such as he is by law and War Department orders allowed to deal in.

XXV. Supplies and other property belonging to the United States for the use of the army or navy, moving under military or naval orders, are excepted from the operation of these Regulations. Supplies for the army or navy, furnished under contract, will be permitted free of charge, upon the certificate of the proper military or naval officer that such supplies are required and are to be shipped in fulfillment of an actual existing contract with the government.

XXVI. In order to prevent, under the pretence of legitimate trade, the conveyance of supplies which there is reason to believe are ultimately intended for persons in rebellion against the government, or for places under the control of insurgents, and to prevent undue accumulation of goods at points in dangerous proximity to districts under control of insurgents, transportation of any goods,

wares, or merchandise, without the permit of a duly authorized officer of this Department, is prohibited to any place on the south side of the Potomac River, or to any place on the north side of the Potomac and south of the Washington and Annapolis railroad, or on the eastern shore of the Chesapeake, or on the south side of the Ohio River below Wheeling, except Louisville; or on the west side of the Mississippi River below the mouth of the Des Moines, except St. Louis.

XXVII. Permits for shipment of goods into districts or places with which commercial intercourse is restricted, but which have not been declared to be in insurrection, may be granted by Collectors or Surveyors of customs, or other specially authorized officers of the Department located near the point of destination, in conformity with Regulations and local rules; and Collectors or Surveyors at any other port or place, when applied to by parties wishing to make shipments into such districts or places, if satisfied of the loyalty of such parties and the good faith of the proposed transaction, may furnish certificates to that effect, which will be received as sufficient evidence on those points by the Collector, Surveyor, or other proper officer near the point of destination, to whom application for permits will be made by the shipper, and by whom, on compliance with Regulations and Local Rules, such permits will be granted; and all questions of detention or seizure of goods *en route* to points above indicated will be decided by the Collector or Surveyor at the last port to be passed before entering a restricted district. Any information touching the character of any goods or transaction in the possession of any officer of this Department likely to be useful in such decisions should be promptly forwarded to the officer on whom rests the decision or who grants the permit, and also to the Secretary.

XXVIII. No vessel, boat, or other vehicle, used for transportation from any place in the loyal States, shall carry goods, wares, or merchandise into any place, section, or State not declared in insurrection, but with which commercial intercourse has been or may be restricted, without the permit of a duly authorized officer of the Treasury Department, application for which permit may be made to such authorized officer near the point of destination as may suit the convenience of the shipper. Nor shall any vessel, boat, or other craft, or vehicle used for transportation, put off any goods, wares, or merchandise, at any place other than that named in the permit or clearance as the place of destination of such goods, wares, and merchandise.

XXIX. Before any boat or vessel running on any of the western waters south of Louisville or St. Louis, or other waters within or adjacent to any State or section commercial intercourse with which now is, or may hereafter be, restricted as aforesaid, shall depart from any port where there is a collector or surveyor of customs, there shall

Conditions upon which goods to restricted districts may be permitted.

No vessel or other vehicle shall carry goods into, or put off goods in, restricted districts without permit.

Boats on western waters must present manifest and clearance.

be exhibited to the collector or surveyor, or such other officer as may be authorized to act in his stead, a true manifest of its entire cargo, and a clearance, obtained to proceed on its voyage; and when freights are received on board at a place where there is no Collector or Surveyor, as hereinafter provided in Regulation XXX, then the same exhibit shall be made and clearance obtained at the first port to be passed where there is such an officer, if required by him, and such vessel or boat shall be reported and the manifest of its cargo exhibited to the collector or surveyor of every port to be passed on the trip where there is such an officer, if required by him; but no new clearance shall be necessary unless additional freights shall have been taken on board after the last clearance. Immediately on arriving at the port of final destination, and before discharging any part of the cargo, the manifest shall be exhibited to the Surveyor of such port, or other officer authorized to act in his stead, whose approval for landing the cargo shall be indorsed on the manifest before any part thereof shall be discharged; and the clearance and shipping permits of all such vessels and boats shall be exhibited to the officer in command of any Naval vessel or military post whenever such officer may require it.

XXX. To facilitate trade, and guard against improper transportation, Agency Aids will be appointed by the proper Supervising Special Agent, or under his direction by an Assistant Special Agent, from time to time, on cars, vessels, and boats, when desired by owners, agents, or masters thereof, which Aids will have free carriage on the respective cars, vessels, and boats on which they are placed, and will allow proper way freights to be taken on board without permit, keeping a statement thereof, and reporting the same to the first officer to be passed on the trip who is authorized to grant the permit desired, from whom a permit therefor must be obtained, or the goods shall be returned to the shipper under his direction. No permit will be granted for transportation into or within any State or district under restriction, or declared in insurrection, except on cars, vessels, and boats carrying such Aids, or by private conveyance specified in the permit, or on boats, vessels, or cars bonded not to receive anything on board for transportation during the trip, nor to land or discharge anything at any point except that of ultimate destination without proper permit.

XXXI. Boats and vessels may be cleared, and merchandise not prohibited may be permitted, from any port which has not been blockaded to any port which has been blockaded but opened by proclamation, upon payment of such fees only as were chargeable therefor before the blockade was declared, but subject to Regulations XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, and XL, and upon giving bond not to land or discharge any of such merchandise at any intermediate point, except under permit authorized by these Regulations. But no goods, wares, or

merchandise shall be shipped or transported from or out of such opened port, except under permits granted upon compliance with Regulations and Local Rules, and payment of the fees prescribed in Regulation XLII.

XXXII. Applicants for permits to ship to any port or place affected by the existing blockade, but occupied by United States forces, must present, with their application, a certificate from the Department of War, or Department of the Navy, either directly or through a duly authorized officer, that the articles are required for military or naval purposes, and a request that the transportation of the same may be permitted, together with invoices in duplicate of the articles to be permitted, specifying their character, quantity, value, and destination. On receiving such certificate and request and duplicate invoices, the Secretary of the Treasury, or some officer specially authorized by him, will transmit to the proper officer one of the invoices, and direct the permitting of the transportation requested, and forward the other invoice to the Assistant or Local Special Agent at the port or place to which the goods are to be permitted. The Assistant or Local Special Agent will, in all cases, on the arrival of any articles claimed to have been permitted, examine and compare such articles with the duplicate invoice; and in case of any excess or evasion of the permit, he will seize the whole shipment, and report the facts forthwith to the Supervising Special Agent, that proceedings may be taken for their forfeiture under the act of July 13, 1861, May 20, 1862, and March 12, 1863.

XXXIII. Where ports heretofore blockaded have been opened by the proclamation of the President, licenses will be granted by the United States Consuls, on application by the proper parties, to vessels clearing from foreign ports to the ports so opened, upon satisfactory evidence that the vessel so licensed will convey no person, property, or information contraband of war, either to or from said ports, which license shall be shown to the Collector of the port to which the vessel is bound, and, if required, to any officer in charge of the blockade. And on leaving any port so opened, the vessel must have a clearance from the Collector, according to law, showing no violation of the conditions of the license. Any violation of the conditions will involve the forfeiture and condemnation of the vessel and cargo, and the exclusion of all parties concerned from entering the United States for any purpose during the war.

XXXIV. Vessels clearing from domestic ports to any of the ports so opened will apply to the custom-house officers of the proper ports, in the usual manner, for licenses or clearances under the Regulations heretofore established.

XXXV. Whenever application is made to a Collector, or Surveyor authorized to grant it, for a permit, license, or clearance, for either a foreign or domestic port, if for satisfactory reasons he shall deem it necessary to prevent the cargo of the vessel from being used in affording aid or comfort to any person or parties in insurrection against the authority of the United States, he shall require a bond to be executed by the master or owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such Collector or Surveyor, conditioned that the said cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States, with the knowledge or consent or connivance of the owner or shipper thereof, or with the knowledge, consent, or connivance of the master of the vessel on which the same may be laden, or of other persons having control of the same, until after delivery to the proper consignee, and the sale or other disposition, by him in good faith, of said cargo.

XXXVI. Collectors and Surveyors will refuse clearances and permits to all vessels, or other vehicles, whether with or without cargo, destined for a foreign or domestic port, whenever they shall have satisfactory reason to believe that such vessels or their cargoes, or any part thereof, whatever may be their ostensible destination, are intended for ports or places in possession or under control of insurgents against the United States. And if any vessel or other vehicle for which a clearance or permit shall have been refused as aforesaid shall depart, or attempt to depart, for a foreign or domestic port, without being duly cleared or permitted, such Collector, or Surveyor, or the Supervising Special Agent, or Assistant Special Agent, shall cause such vessel or vehicle to be seized and detained, and proceedings to be instituted for the forfeiture to the United States of such vessel or other vehicle, with her tackle, apparel, furniture, and cargo.

XXXVII. When any Collector, Surveyor, Supervising, Assistant, or Local Special Agent, charged with the execution of these Regulations, and the laws authorizing them, shall find within his proper limits any goods, wares, or merchandise which, in his opinion, founded on satisfactory evidence in writing, are in danger of being transported to insurgents, he may require the owner or holder thereof to give reasonable security that they shall not be transported to any place under insurrectionary control, and shall not in any way be used to give aid or encouragement to the insurgents.

If the required security be not given, such officer shall promptly state the facts to the United States marshal for the district within which such goods are situated; or if there be no United States marshal, then

Bonds may be required in certain cases.

Clearances may be refused in certain cases.

Vessels may be seized.

Merchandise, in whatever locality, liable to reach insurgents, owner to give bond.

If no security given, goods to be taken possession of.

to the commander of a near military post, whose duty it shall be to take possession thereof, and hold them for safe-keeping, reporting the facts promptly to the Secretary of the Treasury, and awaiting instructions.

**XXXVIII.** No clearance or permit will be granted for the shipment of prohibited articles, viz : cannon, mortars, fire-arms, pistols, bombs, grenades, powder, saltpetre, sulphur, balls, bullets, pikes, swords, boarding-caps, (always excepting the quantity of the said articles which may be necessary for the defence of the ship and of those who compose the crew,) saddles, bridles, cartridge-bag material, percussion and other caps, clothing adapted for uniforms, sail-cloth of all kinds, hemp and cordage, intoxicating drinks, other than beer and light native wines, or other articles prohibited by the proper authorities, except upon certificate and request under Regulation XXXII, or by the special direction of the Supervising Special Agent sanctioned by the General commanding Department or District into or from which the shipment is to be made.

**XXXIX.** Every vessel, on approaching a gunboat or revenue cutter, or vessel appearing to be such, before proceeding further, shall bear up and speak said boat or cutter, and submit to such examination as may be required.

**XL.** All vessels, boats, and other vehicles used for transportation, violating Regulations or Local Rules, and all cotton, tobacco, or other merchandise shipped or transported or purchased or sold in violation thereof, will be forfeited to the United States. If any false statement be made or deception practiced in obtaining an Authority, Certificate, or Permit under these Regulations, such Authority, Certificate, or Permit, and all others connected therewith or affected thereby, will be absolutely void, and all merchandise purchased or shipped under them shall be forfeited to the United States. In all cases of forfeiture, as aforesaid, immediate seizure will be made and proceedings instituted promptly for condemnation. The attention of all officers of the government, common-carriers, shippers, consignees, owners, masters, conductors, agents, drivers, and other persons connected with the transportation of merchandise, or trading therein, is particularly directed to the acts of July 13, 1861, May 20, 1862, and March 12, 1863, and to the orders of the Secretaries of War and of the Navy hereto appended.

**XLI.** In cases where military or naval Commanders shall have ordered all packages sent by friends to the officers and soldiers of their command to be delivered only to designated regimental or vessel officers for delivery to the proper parties, such packages may be transported, without Collector's or Surveyor's permits, by the Adams Express Com-

pany, or other carriers having authority for that purpose from the Secretary of the Treasury, on such carriers giving bond conditioned to render a true account of all such packages by them transported, and to carry no goods without proper permits, other than such packages.

XLII. The following fees are prescribed :

Fees for administering oath and certifying affidavit.....	10 cents.
for each Authority from agent.....	3 dolls.
for certificate of Local Special Agent.....	10 cents.
for each permit for purposes of trade.....	20 cents.
for each permit to purchase cotton in any insurrectionary district, and to transport the same to any loyal State .....	per pound .. 4 cents.
for permit so to purchase and transport tobacco per hhd.	2 dolls.
for permit so to purchase or sell and transport to or from such district other products, goods, wares, or merchandise, five per centum on the sworn invoice value thereof at the place of shipment.	
for each permit for individual, family, or plantation supplies, on every purchase over \$20 and not over \$50,	5 cents.
“ “ over \$50 and not over \$100,	10 cents.
“ “ over \$100 .....	15 cents.

For permits for individual, family, or plantation supplies, not over twenty dollars in amount, no charge is allowed, except for revenue stamps, on affidavits and certificates in districts under restriction; and no charge, except five cents for permit and five cents for each revenue stamp on affidavit and certificate, is allowed in States declared in insurrection. When purchases are less than five dollars, the permit officer may dispense with affidavits and certificates when no ground to suspect fraud or imposition appears.

XLIII. Internal revenue stamps are required by law to be attached to affidavits, certificates, and bonds, but not to any other instruments or writings provided for by these Regulations. Stamps will be furnished by the proper Special Agents at the rates fixed by the internal revenue

Internal revenue stamps to be attached.

act, namely:

For affidavits.....	5 cents.
For certificates of Local Special Agents or Collectors and Surveyors.....	5 cents.
For bonds.....	25 cents.

XLIV. Every officer authorized by the Secretary of the Treasury to grant permits under these Regulations shall keep in his office a record of every permit granted by him, showing the names of the owner, shipper, and consignee, the place from and to which each transportation is permitted, the character and invoice value of the merchandise permitted, and shall transmit to the Secretary, and also to the proper Supervising Special Agent, as near as possible on the first day

Officers to keep record of permits and fees received, and make reports.

of every month, a transcript of such record; and will also at the same time transmit to the Supervising Special Agent an abstract statement showing the permits granted daily to parts of States not declared in insurrection but in which trade is restricted, and also showing the permits granted daily to States declared in insurrection, with the invoice value of the merchandise permitted, the fees received, and the disposition made of the same, together with the names of all Agency Aids reporting to him, and the compensation paid to each.

XLV. All money received by each Assistant or Local Special Agent shall be paid over as promptly as possible to the Supervising Special Agent, or to an Assistant Treasurer or Designated Depository as directed by him, and so that all receipts during each month shall be paid over before the making of his required monthly report; and all money received by each Supervising Special Agent or Collector, Surveyor, or other officer authorized to grant permits, under these Regulations, shall be promptly paid over to the Assistant Treasurer or Designated Depository most convenient to him, and so that all receipts for each month shall be so paid over before the making of his monthly report.

XLVI. Every officer authorized to receive money under these Regulations shall transmit to the Secretary on the first of each month a report, stating in detail all moneys so received by him during the preceding month, and from what sources received, together with all expenses of his office incidental to the execution of these Regulations; and if any money has been paid out or otherwise disposed of by him during the month, an account thereof, and by what authority, to whom, or for what purpose it was so paid or disposed of, with the vouchers therefor. A duplicate of this report and account shall at the same time be transmitted to the Supervising Special Agent for the Agency in which it shall be made, and a triplicate to the Commissioner of Customs.

XLVII. Assistant Special Agents shall keep a record of all their official transactions, showing specifically and in detail every Authority given to traders, (Reg. XIV;) every Authority for the purchase of products, (XX;) every inspection of trade store, and the results thereof, (XV;) all appointments of Agency Aids on cars, vessels, and boats, and the compensation of each, (XXX;) all seizures in cases of excess or evasion of permits to blockaded ports, (XXXII;) all seizures or detentions of vessels or vehicles departing, or attempting to depart, when clearance has been refused, (XXXVI;) all cases of security required when goods found in danger of being transported to insurgents, and if security not given, the action taken by them, (XXXVII;) all fees received for affidavits, Authorities to traders, and for the purchase of products, and from whom, and for what received, (XIV, XX, XLII.) And they shall,

on the first day of every month, transmit to the proper Supervising Special Agent a transcript of such record, and all bonds or securities received by them under these Regulations, (XIV, XX, XXXVII.)

**XLVIII.** Local Special Agents shall keep a record of every Authority to trade or to purchase products presented by the holder thereof, and of all certificates given to traders, or for permits to purchase and transport products, (Reg. XIV;) of all permits for purchase and transportation of supplies from trade store, and certificates to buy supplies elsewhere than in trade district, (XVI;) of all permits granted where there is no Collector or Surveyor within five miles of trade store, (XVII;) of all certificates to persons bringing products to market and taking back supplies, (XIX;) of all excess or evasion of permits in shipments to blockaded ports, and their action thereon, (XXXII;) of all cases of bonds required of owners or holders of goods in danger of being transported to insurgents, and their action where bond not given, (XXXVII;) of all permits under Regulations XVI and XVII, showing all that is required by those Regulations and of all fees required for certificates, affidavits, and permits, (XII, XVI, XVII, XIX, XLII) And they will also, as nearly as possible on the first day of every month, transmit to the proper Supervising Special Agent a transcript of such record, and will deliver to such Agent all bonds or securities received by them under these Regulations, (XXXVII.)

**XLIX.** Supervising Special Agents shall keep a record of all their official transactions, showing fully the name and location of each Local Special Agent and Agency Aid appointed by them, and the compensation of each, (Reg. IV;) of conferences with Generals commanding Departments and designations of trade and supply districts, (IX, X;) of all Authorities given for trade stores, stating the date, name of trader, locality, and amount of goods authorized, (XIV;) of the inspection of trade stores and the results, (XV;) of all trade stores authorized in any city or town of a supply district, the date, name of trader, and amount of goods authorized, and of the discontinuance of any such store, (XVIII;) of all Authorities given for the purchase of products, to whom given, and the locality where purchases are to be made, (XX;) of all revocations of Authorities, Certificates, and Permits, (XXIII;) of all information touching any goods or transactions given to other officers of the department, (XXVII;) of all appointments of Agency Aids upon cars, vessels, and boats, (XXX;) of all seizures and detentions of vessels or vehicles departing, or attempting to depart, after clearance has been refused, (XXXVI;) of all securities required and received of owners or holders of goods in danger of being transported to insurgents, and of their action if security was not given, (XXXVII.) And on the first day of every month, as nearly as possible, they shall transmit to this Department a transcript of such record for the previous month, together with a copy of the transcripts of records and a statement of all bonds and securities received by them from Assistant and Local Special Agents.

L. These Regulations shall supersede those of March 31, 1863, and all others conflicting herewith, affecting commercial intercourse with States declared in insurrection; and all permits hereafter granted by any officer of the Treasury Department will be granted in pursuance of them and of the Local Rules authorized by them, or by virtue of authority hereafter given by the Secretary of the Treasury; but all permits granted and acts done in pursuance of former Regulations shall be valid and effectual until the 15th day of October, 1863, unless the Regulations shall have been sooner received and made known at the place of such permits or acts.

## REGULATIONS

PRESCRIBED BY THE SECRETARY OF THE TREASURY FOR THE GOVERNMENT OF THE SEVERAL SPECIAL AGENTS AND AGENCY AIDS APPOINTED IN PURSUANCE OF THE ACT OF 12TH MARCH, 1863, ENTITLED "AN ACT TO PROVIDE FOR THE COLLECTION OF ABANDONED PROPERTY, AND FOR THE PREVENTION OF FRAUDS IN INSURRECTIONARY DISTRICTS WITHIN THE UNITED STATES."

I. The territory of the United States designated as in insurrection against the lawful government of the United States by the Proclamation of the President, July 1, 1862, to which Special Agents have been assigned to receive and collect abandoned and captured property, is divided into districts called Special Agencies, numerically designated and described as follows, viz :

Territory divided into districts called Special Agencies.  
The First Special Agency comprises the district of the United States west of the Alleghany mountains, known as the Valley of the Mississippi, and extending southward so as to include so much of the States of Alabama, Mississippi, Arkansas, and Louisiana, as is or may be occupied by national forces operating from the North.

Special Agencies named and described.  
The Second Special Agency comprises the State of Virginia and so much of West Virginia as lies east of the Alleghany mountains.

The Third Special Agency comprises the State of North Carolina.

The Fourth Special Agency comprises the States of South Carolina, Georgia, and Florida.

The Fifth Special Agency comprises the States of Texas and Louisiana, and so much of the States of Arkansas, Alabama and Mississippi, as is or may be within the lines of the national forces operating from the South.

If additional Special Agencies shall be established, they will be numerically designated in the order of their establishment. And if the boundaries of agencies already established shall be changed, due notice thereof will be given.

II. Supervising Special Agents and Assistant Special Agents will be appointed by the Secretary of the Treasury, and Local Special Agents and Agency Aids will be appointed by Supervising Special Agents, or under their direction by Assistant Special Agents, subject to the approval of the Secretary, to carry into effect the said Act and these Regulations.

Designation of agents.

III. Supervising and Assistant Special Agents are authorized and directed to receive and collect all abandoned and captured property found within their respective Agencies and within the lines of military occupation by the United States forces, except such as has been used or was intended to be used for waging or carrying on war against the United States, viz: arms, ordnance, ships, steamboats or other water craft and their furniture, forage, military supplies, and munitions of war.

Agents authorized and directed to collect and receive all abandoned property.

IV. Abandoned property is of two descriptions:

Abandoned and captured property.

First; That which has been or may be deserted by the owners; and,

Second; That which has been or may be voluntarily abandoned by the owners to the civil or military authorities of the United States.

Captured property is that which has been or may be seized or taken from hostile possession by the military or naval forces of the United States.

V. Supervising and Assistant Special Agents will exercise due diligence in receiving and collecting, within the Agency to which they have been respectively assigned, all abandoned and captured property; and on taking possession of any such property, will immediately make and keep a full and correct record of all the facts or information in regard to each case or lot known or accessible to them, including, as nearly as possible,

Special Agents will collect and receive property, and make and keep a true record and account of expenses.

the following: the character and quantity of the property received or collected; where captured, or found or received as abandoned; under what circumstances; by whom owned or alleged to be owned; noting, where practicable, the name and address of one or more truthful residents of the neighborhood acquainted with the property and the owner or claimant thereof, and any statements they may make in connexion therewith; by whom such property was captured or abandoned; by whom received or collected; from whom received; all names, marks, signs, or devices, (whether distinct, indistinct, or partially erased,) upon such property; together with all other information which may in any way serve to identify or make known the history of any particular lot, or to trace the same, or the proceeds thereof, from the earliest period possible to its final disposition.

They will also charge against each lot and keep a true and detailed account in triplicate of each item of expense incurred in its collection, transportation, care and sale; or where two or more lots are treated together, a fair and just proportion against each, as well as all fees due in any way to the government thereon.

One copy of this record will be promptly transmitted to the Supervising Special Agent, to whom or to whose order the property

so received and collected will be delivered, another to the Secretary of the Treasury, and the third will be retained by the Assistant Special Agents for their files.

VI. Supervising and Assistant Special Agents will receive within

Agents will receive voluntarily abandoned property, and give receipts, and take stipulations. their respective Agencies any property from persons who offer voluntarily to abandon the same; and shall give a receipt therefor to the person so abandoning it, or to his or her agent, in the following form:

"Received of . . . . ., of the county of . . . . ., in the State of . . . . . estimated at \$ . . . . ., claimed by . . . . ., as the owner thereof and numbered as follows:

. . . . .; which, as Special Agent of the Treasury Department, at the request of . . . . . I have received as abandoned property, to be forwarded to . . . . . and disposed of in accordance with the act of Congress, approved March 12, 1863."

And shall make three copies of said receipt, of which he shall send one to the Secretary of the Treasury, one to the Supervising Special Agent, and keep one for his files; and in all cases of so receiving voluntarily abandoned property, the Agent shall require from the owner or person so abandoning it a statement and stipulation in triplicate in the following form:

". . . . ., Special Agent of the Treasury Department, has this day received from me as abandoned property . . . . . marked and numbered as follows:

which the said . . . . . has received at my request, to be transported to the Special Agent of the government in the city of . . . . ., appointed to receive and dispose of such property, subject to the deductions prescribed by the act approved March 12, 1862, and the fees designated by the XIV Regulation prescribed by the Secretary of the Treasury, September 11, 1863.

And I hereby acquit and discharge the said . . . . ., and all other officers of the government, from all personal liability on account of the said property, except such as may result from an unfaithful discharge of their duties in transporting or disposing of it.

And in case of any loss or damage to the said property in its transportation or otherwise, neither the government of the United States nor any of its Agents shall be held responsible therefor."

A record of all property so received and of the expenses incurred in connexion therewith shall be made and copies transmitted, and the property shall be disposed of, in the manner prescribed in Regulation V.

VII. Supervising and Assistant Special Agents will receive and collect abandoned property from any officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States, upon the inland waters of the United States, who may take or receive any such abandoned property, from persons in such insurrectionary districts, or have it under their control, and such Supervising or

Assistant Special Agent will, in all such cases, give a receipt therefor in the following form :

“Received . . . . . of  
. . . . .  
. . . . .  
estimated at \$ . . . . .  
taken or received and held by him as abandoned property in such insurrectionary district  
and claimed to be the property of . . . . .  
and turned over to me by said . . . . .  
which property I have received as Agent of the Treasury Department, appointed in pursuance of certain acts of Congress, approved July 13, 1861, May 20, 1862, and March 12, 1863. The said property to be transported and disposed of under the Regulations of the Secretary of the Treasury prescribed in pursuance of the authority conferred on him by said acts.”

Three copies of said receipt shall be made, one of which shall be transmitted to the Secretary of the Treasury, one to the Supervising Special Agent, and one shall be retained by the Agent giving the receipt; and a record of the property so collected and received shall be made, and copies transmitted, and the property disposed of, as directed in Regulation V.

VIII. Supervising and Assistant Special Agents will collect and receive of any officer or private, or person employed in or with the regular or volunteer forces of the United States, any property held by him which shall have been captured in any district declared to be in insurrection against the United States, except such as shall be required for military use of the United States forces;

Captured property in hands of officers or others to be turned over and receipt given.

and all property so held by them shall be received by the Agent as captured property, leaving all questions concerning the class to which it belongs for after consideration; and they shall also receive with such property the necessary invoices thereof, and all receipts, bills of lading, and other papers, documents, and vouchers, showing title to such property or the right to the possession, control, or direction thereof, and such order, indorsement, or writing as the party has power to make, to enable such Agent to take possession of such property or the proceeds thereof.

And he will give to the officer, private, or person from whom any property is so received, a receipt in the form following:

"Received of . . . . .  
estimated at \$ . . . . .  
captured by the forces of the United States, and claimed to be the property of . . . . .

which property I have received as Special Agent of the Treasury Department, appointed in pursuance of certain acts of Congress, approved July 13, 1861, May 20, 1862, and March 12, 1863. The said property to be transported and disposed of under the regulations of the Secretary of the Treasury prescribed in pursuance of the authority conferred on him by said acts."

And a record of the property so collected and received shall be made, and copies transmitted, and the property disposed of, as directed in Regulation V.

IX. When any part of the goods or property received or collected by any Supervising or Assistant Special Agent is demanded for public use, and a requisition therefor is presented, signed by the General commanding Department, or by some other officer authorized by such Commander of Department, the Special Agent having such property in charge shall select three competent and disinterested persons, to be approved by such officer, who shall make oath for the faithful discharge of their duties, and who shall appraise said goods or property, and make a certificate thereof in the following form:

"The undersigned having been appointed by . . . . . Supervising or Assistant Special Agent, to appraise certain property alleged to have been collected or received as abandoned or captured by . . . . . Supervising Special Agent or Assistant Special Agent of the Treasury Department, having each of us made oath for the faithful discharge of our duty as such appraisers, do certify that we have carefully examined and appraised the following described property, to wit:  
and that said property is worth . . . . .  
} Appraisers."

Which certificate shall be certified by the Special Agent and by the officer receiving said property; and the goods or property so appraised shall be delivered over to the officer appointed to receive it; and the Special Agent shall in all such cases require from the officer or agent receiving said goods or property a receipt in the following form:

"Received of . . . . .  
alleged to have been collected or received by him as abandoned or captured, and which has been this day appraised by . . . . .  
appraisers appointed with my approval, to be worth . . . . . dollars, which property has been delivered to me by said Agent to be appropriated to the public use, as provided in the second section of the Act of Congress, approved March 12, 1863, entitled 'An act to provide for the collection of abandoned property, and the prevention of frauds in insurrectionary districts within the United States.'"

And he shall keep a record of all expenses incurred on account of said property; and if he be an Assistant Special Agent, he shall promptly transmit a full report of such appraisal proceedings and copies of all papers in the case, as prescribed and directed in Regulation V.

X. In all cases where property of a perishable nature, whether captured or abandoned, shall be collected or received by the proper Agents of this Department, and its immediate sale is required by the interest of all concerned, such Agent shall, where practicable, forward it without delay to the nearest place designated by the Secretary or by Regulation as a place of sale within a loyal State, consigned to the proper officer of this Department, who shall forthwith cause it to be sold at auction to the highest bidder; all such shipments to be accompanied by a statement as required by Regulation V.

If, from the character of the property, it shall be impracticable so to transport it, the Agent shall cause the same to be appraised by three disinterested persons, and to be sold at public auction, and promptly transmit a full report, as prescribed by Regulation V, together with the certificate of appraisal, taken in triplicate, and the account of sales, and hold the proceeds subject to the direction of the Supervising Special Agent for that Agency.

XI. In case of furniture, family pictures, equipage, clothing, or household effects, abandoned or captured, and collected or received by Special Agents, they will cause the prescribed record thereof to be made and transmitted, and will store such property on the premises where found, whenever it can be done with safety; otherwise they will cause it to be securely stored and properly marked and numbered, and report the facts to the Supervising Special Agent, and await further directions. If left on the premises they will take a receipt therefor from the Agent, or person in possession, and transmit the same with the record. When such property cannot be safely left on the premises or stored with safety and due regard to economy, the Special Agent in charge shall cause the same to be appraised, disposed of, and reported, as provided in Regulation X, as to untransportable property. In case such property is in use at hospitals, or for any military purpose, they will cause such property to be appraised and treated as property required for public use, as directed in Regulation IX.

XII. When property is liable to be lost or destroyed in consequence of its location being unknown to the Special Agents, or from other causes, and parties propose, for compensation, to collect and deliver it into the hands of such agents at points designated by them, Supervising Special Agents may contract, on behalf of the United States, for the collection and delivery to them of such property in their respective agencies, on the best possible terms, not exceeding twenty-five per cent. of the pro-

Disposition of perishable property and such as cannot be transported.

House furniture and family effects.

Supervising Special Agents may contract for collecting and delivery of property by other parties.

ceeds of the property, which percentage must be full compensation for all expenses, of whatever character, incurred in collecting, preparing, and delivering such property at the points designated. Prior to any such contract being made, the party proposing must submit in writing a statement of the kind and amount of property proposed to be collected, the locality whence to be obtained, and all the facts and circumstances connected with it, particularly as to its ownership. And any contract made in pursuance of this regulation must be in writing, and restricted to the collection and delivery of particular lots at named localities; or, when circumstances clearly justify it, to the general collection and delivery of all abandoned property in limited districts not greater in any case than one parish or county, and not more than one district to be assigned to one contractor.

Before payment to any contractor under any contract made in pursuance of this regulation, he shall execute a bond, with penalty equal to the amount stipulated to be paid to him, and with sureties satisfactory to the Supervising Special Agent, indemnifying the United States against all claims to the property delivered on account of damages by trespass, or otherwise occasioned by the act or connivance of the contractor, and against all claims that may arise on account of expenses incurred in the collection, preparation, and transportation of said property to the points designated in said contract.

Should a case arise in the opinion of the Supervising Special Agent justifying the payment of a larger percentage than one quarter of the proceeds of the property, he will make a statement of the facts and circumstances and the reasons in his opinion justifying such additional allowance, and refer the same to the Secretary for instructions.

When larger percentage seems to be proper, agent to refer the case to the Secretary.

And for the purpose of getting possession of and transporting to market as much of the captured and abandoned property as possible within the lines of the military forces of the United States, Supervising Special Agents or Assistant Special Agents under their direction, will appoint and employ in their respective Agencies, at such per diem compensation as may be judged proper, subject to approval of the Secretary of the Treasury, such Local Special Agents and Agency Aids as may be necessary therefor, instructing them fully as to the execution of the duties respectively assigned to them.

XIII. No property collected or received as captured or abandoned under the act of March 12, 1863, shall be released by any Agent except by special authority from the Secretary of the Treasury to any persons claiming ownership of such property; nor shall any permit be given by such Agents to individuals to remove such property; nor shall any liability be incurred or assumed, or contract be made on the part the United States by such Agents, except as authorized by these Regulations. No personal favor shall in any case be extended to one individual or party rather than another.

Agents not to release property, or permit its removal, or grant personal favors, or incur liabilities not authorized by regulations.

XIV. Supervising Special Agents will pay or cause to be paid, out of the general fund arising from the sale of all property collected and received in their respective Agencies, all expenses necessarily incurred in collecting, receiving, securing, and disposing of the same, including fees, taxes, freights, storage, charges, labor, and other necessary expenses, being careful to avoid all useless or indiscreet expenditures; and will charge each particular lot or parcel with the specific or proportionate amount of all such expenses as can be made specific or proportionate charges to each lot or parcel; and will also charge and retain out of the proceeds of each lot or parcel one and one half per centum thereof for the payment of such expenses connected with the collection, transportation, and sale, or other disposition thereof, as cannot be made specific or proportionate charges against each lot or parcel, or are not otherwise provided for, such as rents, compensation to clerks, or other employés, auctioneers, printing, and advertising, a carefully stated account of which will be kept by such Agents, showing in detail all expenses paid out of this fund arising from such charge; and unless unavoidably prevented, they will take vouchers for all expenditures made under this Regulation, and transmit the same with their accounts. Of the balance, if any, of said one and one half per cent. remaining after defraying said expenses the several Supervising Special Agents may retain as compensation for extra care and responsibility a sum not exceeding one half of one per cent.; and with the remainder, if any, may reward extra services in collection and care of property, rendered by Agents and others.

XV. All property collected and received, other than such as is described in Regulations X and XI, and such as may be appropriated to public use, shall be transported to such places in the loyal States as shall be designated by the Secretary of the Treasury, as places of sale, consigned to the Supervising Special Agent of the Agency in which it is collected or received, or to such other person as shall be specially authorized by the Secretary to receive the same, and shall there be sold by such Supervising Special Agent, or other person, at public auction to the highest bidder, for United States notes, pursuant to notice previously published of the time and place of sale.

XVI. Each Supervising Special Agent or other person, as aforesaid, shall make a full record of each lot or parcel of property coming to his possession, in the manner prescribed by Regulation V, and report the same, and all sales or other disposition thereof, made by him, rendering a monthly account current of all his transactions to the Secretary, accompanying the same with receipts or other vouchers for all moneys paid out by him. All balances remaining in his hands shall be deposited in the Treasury from time to time, as directed by the Secretary.

# PROCLAMATIONS OF THE PRESIDENT.

AUGUST 16, 1861.

*By the President of the United States of America.*

## A PROCLAMATION.

Whereas, on the fifteenth day of April, eighteen hundred and sixty-one, the President of the United States, in view of an insurrection against the Laws, Constitution, and Government of the United States, which had broken out within the States of South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, and in pursuance of the provisions of the act entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for that purpose," approved February twenty-eight, seventeen hundred and ninety-five, did call forth the militia to suppress said insurrection, and to cause the laws of the Union to be duly executed, and the insurgents have failed to disperse by the time directed by the President; and whereas such insurrection has since broken out, and yet exists, within the States of Virginia, North Carolina, Tennessee, and Arkansas; and whereas the insurgents in all the said States claim to act under the authority thereof, and such claim is not disclaimed or repudiated by the persons exercising the functions of government in such State or States, or in the part or parts thereof in which such combinations exist, nor has such insurrection been suppressed by said States:

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, in pursuance of an act of Congress approved July thirteen, eighteen hundred and sixty-one, do hereby declare that the inhabitants of the said States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida, (except the inhabitants of that part of the State of Virginia lying west of the Alleghany mountains, and of such other parts of that State and the other States hereinbefore named as may maintain a loyal adhesion to the Union and the Constitution, or may be, from time to time, occupied and controlled by forces of the United States engaged in the dispersion of said insurgents,) are in a state of insurrection against the United States, and that all commercial intercourse between the same and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other States and other parts of the United States is unlawful, and will remain unlawful until such insurrection shall cease or has been suppressed; that all goods and chattels, wares and merchandise, coming from any of said States, with the exceptions aforesaid, into other parts of the United States, without the special license and permission of the President, through

the Secretary of the Treasury, or proceeding to any of said States, with the exceptions aforesaid, by land or water, together with the vessel or vehicle conveying the same, or conveying persons to or from said States, with said exceptions, will be forfeited to the United States; and that, from and after fifteen days from the issuing of this Proclamation, all ships and vessels belonging in whole or in part to any citizen or inhabitant of any of said States, with said exceptions, found at sea, or in any port of the United States, will be forfeited to the United States; and I hereby enjoin upon all district attorneys, marshals, and officers of the revenue and of the military and naval forces of the United States to be vigilant in the execution of said act, and in the enforcement of the penalties and forfeitures imposed or declared by it; leaving any party who may think himself aggrieved thereby to his application to the Secretary of the Treasury for the remission of any penalty or forfeiture, which the said Secretary is authorized by law to grant if, in his judgment, the special circumstances of any case shall require such remission.

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 sixteenth day of August, in [L. S.] the year of our Lord eighteen hundred and sixty-one, and of the Independence of the United States of America the eighty-sixth.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*

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JULY 1, 1862.

*By the President of the United States.*

A PROCLAMATION.

Whereas, in and by the second section of an act of Congress passed on the 7th day of June, A. D. 1862, entitled "An act for the collection of direct taxes in insurrectionary districts within the United States, and for other purposes," it is made the duty of the President to declare, on or before the first day of July then next following, by his proclamation, in what State and parts of States insurrection exists:

Now, therefore, be it known that I, ABRAHAM LINCOLN, President of the United States of America, do hereby declare and proclaim that the States of South Carolina, Florida, Georgia, Alabama, Louisiana, Texas, Mississippi, Arkansas, Tennessee, North Carolina, and the State of Virginia, except the following counties: Hancock, Brooke, Ohio, Marshall, Wetzel, Marion, Monongalia, Preston, Taylor, Pleasants, Tyler, Ritchie, Doddridge, Harrison, Wood, Jackson, Wirt, Roane, Calhoun, Gilmore, Barbour, Tucker, Lewis, Braxton, Upshur, Randolph, Mason, Putnam, Kanawha, Clay, Nicholas, Cabell, Wayne, Boone, Logan, Wyoming, Webster, Fayette, and Raleigh, are now in insurrection and rebellion, and by reason thereof the civil authority of the United States is obstructed so that the provisions of the

“Act to provide increased revenue from imports, to pay the interest on the public debt, and for other purposes,” approved August fifth, eighteen hundred and sixty-one, cannot be peaceably executed, and that the taxes legally chargeable upon real estate under the act last aforesaid, lying within the States and parts of States as aforesaid, together with a penalty of fifty per centum of said taxes, shall be a lien upon the tracts or lots of the same, severally charged, till paid.

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 July, in the  
 [L. S.] year of our Lord one thousand eight hundred and sixty-two,  
 and of the independence of the United States of America  
 the eighty-sixth.

ABRAHAM LINCOLN.

By the President:

F. W. SEWARD, *Acting Secretary of State.*

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MARCH 31, 1863.

*By the President of the United States of America.*

A PROCLAMATION.

Whereas, in pursuance of the act of Congress approved July 13, 1861, I did, by proclamation, dated August 16, 1861, declare that the inhabitants of the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida (except the inhabitants of that part of Virginia lying west of the Alleghany mountains, and of such other parts of that State, and the other States hereinbefore named as might maintain a loyal adhesion to the Union and the Constitution, or might be from time to time occupied and controlled by forces of the United States engaged in the dispersion of said insurgents) were in a state of insurrection against the United States, and that all commercial intercourse between the same and the inhabitants thereof, with the exceptions aforesaid, and the citizens of other States and other parts of the United States, was unlawful, and would remain unlawful until such insurrection should cease or be suppressed, and that all goods and chattels, wares, and merchandise coming from any of said States, with the exceptions aforesaid, into other parts of the United States, without the license and permission of the President, through the Secretary of the Treasury, or proceeding to any of said States, with the exceptions aforesaid, by land or water, together with the vessel or vehicle conveying the same to or from said States, with the exceptions aforesaid, would be forfeited to the United States.

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

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

In witness whereof I have hereunto set my hand and caused the [L. S.] seal of the United States to be affixed. Done at the city of Washington, this thirty-first day of March, A. D. 1863, and of the independence of the United States of America the eighty-seventh.

ABRAHAM LINCOLN.

By the President :

WILLIAM H. SEWARD,  
*Secretary of State.*

## LICENSE OF TRADE BY THE PRESIDENT.

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WASHINGTON, EXECUTIVE MANSION,  
*March 31, 1863.*

Whereas, by the act of Congress approved July 13, 1861, entitled "An act to provide for the collection of duties on imports, and for other purposes," all commercial intercourse between the inhabitants of such States as should by proclamation be declared in insurrection against the United States and the citizens of the rest of the United States was prohibited so long as such condition of hostility should continue, except as the same shall be licensed and permitted by the President to be conducted and carried on only in pursuance of rules and regulations prescribed by the Secretary of the Treasury; and whereas it appears that a partial restoration of such intercourse between the inhabitants of sundry places and sections heretofore declared in insurrection in pursuance of said act and the citizens of the rest of the United States will favorably affect the public interests:

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, exercising the authority and discretion confided to me by the said act of Congress, do hereby license and permit such commercial intercourse between the citizens of loyal States and the inhabitants of such insurrectionary States in the cases and under the restrictions described and expressed in the regulations prescribed by the Secretary of the Treasury, bearing even date with these presents, or in such other regulations as he may hereafter, with my approval, prescribe.

ABRAHAM LINCOLN.

# ACTS OF CONGRESS.

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## AN ACT

Further to provide for the collection of duties on imports, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever it shall, in the judgment of the President, by reason of unlawful combinations of persons in opposition to the laws of the United States, become impracticable to execute the revenue laws and collect the duties on imports by ordinary means, in the ordinary way, at any port of entry in any collection district, he is authorized to cause such duties to be collected at any port of delivery in said district until such obstruction shall cease; and in such case the surveyors at said ports of delivery shall be clothed with all the powers and be subject to all the obligations of collectors at ports of entry; and the Secretary of the Treasury, with the approbation of the President, shall appoint such number of weighers, gaugers, measurers, inspectors, appraisers, and clerks, as may be necessary, in his judgment, for the faithful execution of the revenue laws at said ports of delivery, and shall fix and establish the limits within which such ports of delivery are constituted ports of entry, as aforesaid; and all the provisions of law regulating the issue of marine papers, the coasting trade, the warehousing of imports, and collection of duties, shall apply to the ports of entry so constituted in the same manner as they do to ports of entry established by the laws now in force.

SEC. 2. *And be it further enacted,* That if, from the cause mentioned in the foregoing section, in the judgment of the President, the revenue from duties on imports cannot be effectually collected at any port of entry in any collection district, in the ordinary way and by the ordinary means, or by the course provided in the foregoing section, then and in that case he may direct that the custom-house for the district be established in any secure place within said district, either on land or on board any vessel in said district or at sea near the coast; and in such case the collector shall reside at such place, or on shipboard, as the case may be, and there detain all vessels and cargoes arriving within or approaching said district, until the duties imposed by law on said vessels and their cargoes are paid in cash: *Provided,* That if the owner or consignee of the cargo on board any vessel detained as aforesaid, or the master of said vessel, shall desire to enter a port of entry in any other district of the United States where no such obstructions to the execution of the laws exist, the

master of such vessel may be permitted so to change the destination of the vessel and cargo in his manifest, whereupon the collector shall deliver him a written permit to proceed to the port so designated : *And provided, further,* That the Secretary of the Treasury shall, with the approbation of the President, make proper regulations for the enforcement on shipboard of such provisions of the laws regulating the assessment and collection of duties as in his judgment may be necessary and practicable.

SEC. 3. *And be it further enacted,* That it shall be unlawful to take any vessel or cargo detained as aforesaid from the custody of the proper officers of the customs unless by process of some court of the United States ; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons, too great to be overcome by the officers of the customs, it shall and may be lawful for the President, or such person or persons as he shall have empowered for that purpose, to employ such part of the army or navy or militia of the United States, or such force of citizen volunteers as may be deemed necessary, for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

SEC. 4. *And be it further enacted,* That if, in the judgment of the President, from the cause mentioned in the first section of this act, the duties upon imports in any collection district cannot be effectually collected by the ordinary means and in the ordinary way, or in the mode and manner provided in the foregoing section of this act, then and in that case the President is hereby empowered to close the port or ports of entry in said district, and in such case give notice thereof by proclamation ; and thereupon all right of importation, warehousing, and other privileges incident to ports of entry, shall cease and be discontinued at such port so closed, until opened by the order of the President on the cessation of such obstructions ; and if, while said ports are so closed, any ship or vessel from beyond the United States, or having on board any articles subject to duties, shall enter or attempt to enter any such port, the same, together with its tackle, apparel, furniture, and cargo, shall be forfeited to the United States.

SEC. 5. *And be it further enacted,* That whenever the President, in pursuance of the provisions of the second section of the act entitled "An act to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions, and to repeal the act now in force for that purpose," approved February twenty-eight, seventeen hundred and ninety-five, shall have called forth the militia to suppress combinations against the laws of the United States, and to cause the laws to be duly executed, and the insurgents shall have failed to disperse by the time directed by the President, and when said insurgents claim to act under the authority of any State or States, and such claim is not disclaimed or repudiated by the persons exercising the functions of government in such State or States, or in the part or parts thereof in which said combination exists, nor such insurrection suppressed by said State or States, then and in such case it may and shall be lawful for the President, by proclama-

tion, to declare that the inhabitants of such State, or any section or part thereof, where such insurrection exists, are in a state of insurrection against the United States; and thereupon all commercial intercourse by and between the same and the citizens thereof and the citizens of the rest of the United States shall cease and be unlawful so long as such condition of hostility shall continue; and all goods and chattels, wares and merchandise, coming from said State or section into the other parts of the United States, and all proceeding to such State or section by land or water, shall, together with the vessel or vehicle conveying the same, or conveying persons to or from such State or section, be forfeited to the United States: *Provided, however,* That the President may, in his discretion, license and permit commercial intercourse with any such part of said State or section, the inhabitants of which are so declared in a state of insurrection, in such articles, and for such time, and by such persons, as he, in his discretion, may think most conducive to the public interest; and such intercourse, so far as by him licensed, shall be conducted and carried on only in pursuance of rules and regulations prescribed by the Secretary of the Treasury. And the Secretary of the Treasury may appoint such officers, at places where officers of the customs are not now authorized by law, as may be needed to carry into effect such licenses, rules, and regulations; and officers of the customs and other officers shall receive for services under this section, and under said rules and regulations, such fees and compensation as are now allowed for similar service under other provisions of law.

SEC. 6. *And be it further enacted,* That from and after fifteen days after the issuing of the said proclamation, as provided in the last foregoing section of this act, any ship or vessel belonging in whole or in part to any citizen or inhabitant of said State or part of a State whose inhabitants are so declared in a state of insurrection, found at sea, or in any port of the rest of the United States, shall be forfeited to the United States.

SEC. 7. *And be it further enacted,* That, in the execution of the provisions of this act, and of the other laws of the United States providing for the collection of duties on imports and tonnage, it may and shall be lawful for the President, in addition to the revenue cutters in service, to employ in aid thereof such other suitable vessels as may, in his judgment, be required.

SEC. 8. *And be it further enacted,* That the forfeitures and penalties incurred by virtue of this act may be mitigated or remitted, in pursuance of the authority vested in the Secretary of the Treasury by the act entitled "An act providing for mitigating or remitting the forfeitures, penalties, and disabilities accruing in certain cases therein mentioned," approved March third, seventeen hundred and ninety-seven, or in cases where special circumstances may seem to require it, according to regulations to be prescribed by the Secretary of the Treasury.

SEC. 9. *And be it further enacted,* That proceedings on seizures for forfeitures under this act may be pursued in the courts of the United States in any district into which the property so seized may be taken

and proceedings instituted ; and such courts shall have and entertain as full jurisdiction over the same as if the seizure was made in that district.

Approved July 13, 1861.

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## AN ACT

Supplementary to an act approved on the thirteenth July, eighteen hundred and sixty-one, entitled "An act to provide for the collection of duties on imports, and for other purposes."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury, in addition to the powers conferred upon him by the act of the thirteenth July, eighteen hundred and sixty-one, be, and he is hereby, authorized to refuse a clearance to any vessel or other vehicle laden with goods, wares, or merchandise, destined for a foreign or domestic port, whenever he shall have satisfactory reason to believe that such goods, wares, or merchandise, or any part thereof, whatever may be their ostensible destination, are intended for ports or places in possession or under control of insurgents against the United States ; and if any vessel or other vehicle for which a clearance or permit shall have been refused by the Secretary of the Treasury, or by his order, as aforesaid, shall depart or attempt to depart for a foreign or domestic port without being duly cleared or permitted, such vessel or other vehicle, with her tackle, apparel, furniture, and cargo, shall be forfeited to the United States.

SEC. 2. *And be it further enacted,* That whenever a permit or clearance is granted for either a foreign or domestic port, it shall be lawful for the collector of the customs granting the same, if he shall deem it necessary, under the circumstances of the case, to require a bond to be executed by the master or the owner of the vessel, in a penalty equal to the value of the cargo, and with sureties to the satisfaction of such collector, that the said cargo shall be delivered at the destination for which it is cleared or permitted, and that no part thereof shall be used in affording aid or comfort to any person or parties in insurrection against the authority of the United States.

SEC. 3. *And be it further enacted,* That the Secretary of the Treasury be, and he is hereby, further empowered to prohibit and prevent the transportation in any vessel or upon any railroad, turnpike, or other road or means of transportation within the United States, of any goods, wares, or merchandise, of whatever character, and whatever may be the ostensible destination of the same, in all cases where there shall be satisfactory reasons to believe that such goods, wares, or merchandise are intended for any place in the possession or under the control of insurgents against the United States ; or that there is imminent danger that such goods, wares, or merchandise will fall into the possession or under the control of such insurgents ; and he is further authorized, in all cases where he shall deem it expedient

so to do, to require reasonable security to be given that goods, wares, or merchandise shall not be transported to any place under insurrectionary control, and shall not, in any way, be used to give aid or comfort to such insurgents; and he may establish all such general or special regulations as may be necessary or proper to carry into effect the purposes of this act; and if any goods, wares, or merchandise shall be transported in violation of this act, or of any regulation of the Secretary of the Treasury, established in pursuance thereof, or if any attempt shall be made so to transport them, all goods, wares, or merchandise so transported or attempted to be transported shall be forfeited to the United States.

SEC. 4. *And be it further enacted*, That the proceedings for the penalties and forfeitures accruing under this act may be pursued, and the same may be mitigated or remitted by the Secretary of the Treasury in the modes prescribed by the eighth and ninth sections of the act of July thirteenth, eighteen hundred and sixty-one, to which this act is supplementary.

SEC. 5. *And be it further enacted*, That the proceeds of all penalties and forfeitures incurred under this act, or the act to which this is supplementary, shall be distributed in the manner provided by the ninety-first section of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage."

Approved May 20, 1862.

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## AN ACT

To provide for the collection of abandoned property and for the prevention of frauds in insurrectionary districts within the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the Secretary of the Treasury, from and after the passage of this act, as he shall from time to time see fit, to appoint a special agent or agents to receive and collect all abandoned or captured property in any State or Territory, or any portion of any State or Territory of the United States, designated as in insurrection against the lawful government of the United States by the proclamation of the President of July first, eighteen hundred and sixty-two: *Provided*, That such property shall not include any kind or description which has been used, or which was intended to be used, for waging or carrying on war against the United States, such as arms, ordnance, ships, steamboats, or other water craft, and the furniture, forage, military supplies, or munitions of war.

SEC. 2. *And be it further enacted*, That any part of the goods or property received or collected by such agent or agents may be appropriated to public use on due appraisement and certificate thereof, or forwarded to any place of sale within the loyal States, as the public

interests may require ; and all sales of such property shall be at auction to the highest bidder, and the proceeds thereof shall be paid into the treasury of the United States.

SEC. 3. *And be it further enacted*, That the Secretary of the treasury may require the special agents appointed under this act to give a bond with such securities and in such amount as he shall deem necessary, and to require the increase of said amounts, and the strengthening of said security, as circumstances may demand ; and he shall also cause a book or books of account to be kept, showing from whom such property was received, the cost of transportation, and proceeds of the sale thereof. And any person claiming to have been the owner of any such abandoned or captured property may, at any time within two years after the suppression of the rebellion, prefer his claim to the proceeds thereof in the Court of Claims ; and on proof to the satisfaction of said court of his ownership of said property, of his right to the proceeds thereof, and that he has never given any aid or comfort to the present rebellion, to receive the residue of such proceeds, after the deduction of any purchase money which may have been paid, together with the expense of transportation and sale of said property, and any other lawful expenses attending the disposition thereof.

SEC. 4. *And be it further enacted*, That all property coming into any of the United States not declared in insurrection as aforesaid, from within any of the States declared in insurrection, through or by any other person than any agent duly appointed under the provisions of this act, or under a lawful clearance by the proper officer of the Treasury Department, shall be confiscated to the use of the government of the United States. And the proceedings for the condemnation and sale of any such property shall be instituted and conducted under the direction of the Secretary of the Treasury, in the mode prescribed by the eighty-ninth and ninetieth sections of the act of March second, seventeen hundred and ninety-nine, entitled "An act to regulate the collection of duties on imports and tonnage." And any agent or agents, person or persons, by or through whom such property shall come within the lines of the United States unlawfully, as aforesaid, shall be judged guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding one thousand dollars, or imprisonment for any time not exceeding one year, or both, at the discretion of the court. And the fines, penalties, and forfeitures accruing under this act may be mitigated or remitted in the mode prescribed by the act of March three, seventeen hundred and ninety-seven, or in such manner, in special cases, as the Secretary of the Treasury may prescribe.

SEC. 5. *And be it further enacted*, That the fifth section of the "Act to further provide for the collection of the revenue upon the northern, northeastern, and northwestern frontier, and for other purposes," approved July fourteen, eighteen hundred and sixty-two, shall be so construed as to allow the temporary officers which had been or may be appointed at ports which have been or may be opened or established in States declared to be in insurrection by the proclamation of the

President on the first of July, eighteen hundred and sixty-two, the same compensation which by law is allowed to permanent officers of the same position, or the ordinary compensation of special agents, as the Secretary of the Treasury may determine.

SEC. 6. *And be it further enacted*, That it shall be the duty of every officer or private of the regular or volunteer forces of the United States, or any officer, sailor, or marine in the naval service of the United States upon the inland waters of the United States, who may take or receive any such abandoned property, or cotton, sugar, rice, or tobacco, from persons in such insurrectionary districts, or have it under his control, to turn the same over to an agent appointed as aforesaid, who shall give a receipt therefor; and in case he shall refuse or neglect so to do, he shall be tried by a court-martial and shall be dismissed from the service, or, if an officer, reduced to the ranks, or suffer such other punishment as said court shall order, with the approval of the President of the United States.

SEC. 7. *And be it further enacted*, That none of the provisions of this act shall apply to any lawful maritime prize by the naval forces of the United States.

Approved March 12, 1863.

O R D E R  
OF THE  
S E C R E T A R Y O F W A R .

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General Orders No. 88.]

WAR DEPARTMENT,  
*Washington, March 31, 1863.*

For the purpose of more effectually preventing all commercial intercourse with insurrectionary States, except such as shall be authorized in pursuance of law, and of securing consistent, uniform, and efficient action in conducting such intercourse as shall be so authorized, and for the purpose of carrying out the provisions of an act of Congress entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary States," approved March 12, 1863, it is hereby ordered—

I.

That no officer of the army of the United States, nor other person connected therewith, shall authorize or have any interest in the transportation of any goods, wares, or merchandise (except supplies belonging to or contracted for by the United States, designed for the military or naval forces thereof, and moving under military or naval orders, and except, also, sutlers' supplies and other things necessary for the use and comfort of the troops of the United States, and moving under permits of the authorized officers of the Treasury Department) into any State declared by the President to be in insurrection; nor authorize nor have any interest in the purchase or sale therein of any goods or chattels wares or merchandise, cotton, tobacco, or other product of the soil thereof; nor the transportation of the same, except as aforesaid, therefrom or therein; nor shall any such officer or person authorize, prohibit, or in any manner interfere with any such purchase or sale or transportation, which shall be conducted under the regulations of the Secretary of the Treasury, unless under some imperative military necessity, in the place or section where the same shall be conducted, or unless requested by an agent or some other authorized officer of the Treasury Department, in which case all commanders of military departments, districts, and posts, will render such aid in carrying out the provisions of the said act, and in enforcing due observance of the said regulations of the Secretary of the Treasury, as can be given without manifest injury to the public service.

## II.

It is further ordered that every officer or private, or person employed in or with the regular or volunteer forces of the United States, who may receive or have under his control any property which shall have been abandoned by the owner or owners, or captured in any district declared to be in insurrection against the United States, including all property seized under military orders, excepting only such as shall be required for military use of the United States forces, shall promptly turn over all such property to the agent appointed by the Secretary of the Treasury to receive the same, who shall give duplicate receipts therefor.

And every such officer or private, or person employed in or with the regular or volunteer forces of the United States, shall also promptly turn over to such agent, in like manner, all receipts, bills of lading, and other papers, documents, and vouchers showing title to such property, or the right to the possession, control, or direction thereof; and he shall make such order, indorsement, or writing as he has power to make, to enable such agent to take possession of such property or the proceeds thereof. Arms, munitions of war, forage, horses, mules, wagons, beef cattle, and supplies which are necessary in military operations, shall be turned over to the proper officers of the ordnance, or of the quartermaster, or of the commissary departments, respectively, for the use of the army. All other property abandoned or captured or seized, as aforesaid, shall be delivered to the agent appointed by the Secretary of the Treasury.

The officer receiving or turning over such property shall give the usual and necessary invoices, receipts, or vouchers therefor, and shall make regular returns thereof, as prescribed by the army regulations. The receipts of the agents of the Treasury Department shall be vouchers for all property delivered to them, and whenever called upon by the agent of the Treasury Department authorized to receive such abandoned or captured or seized property, as aforesaid, or the proceeds thereof, all persons employed in the military service will give him full information in regard thereto; and if requested by him so to do, they shall give him duplicates or copies of the reports and returns thereof, and of the receipts, invoices, and vouchers therefor.

And every officer of the army of the United States, hereafter receiving abandoned or captured or seized property, or the proceeds thereof, or under whose order it may be applied to the use of the military forces, as aforesaid, shall, upon request of a duly authorized agent of the Treasury Department, render a written report, with invoices thereof, to said agent, in which he will specify the arms, supplies, or other munitions of war, retained for the use of the military forces, as aforesaid, and also, separately, the property turned over to said agent, or which may have been sold or otherwise disposed of.

And in case a sale of any such property shall be made under his authority, or under the authority of any one subject to his order, he will so state, and will describe the property so sold, and will state

when and where and by and to whom sold, and the amount received therefor, and what disposition was made of the proceeds.

And all officers of the army of the United States will at all times render to the agents appointed by the Secretary of the Treasury all such aid as may be necessary to enable them to take possession of and transport all such property, so far as can be done without manifest injury to the public service.

### III.

All commanders of military departments, districts, and posts, will, upon receipt of this order, revoke all existing orders within their respective commands conflicting or inconsistent herewith, or which permit or prohibit or in any manner interfere with any trade or transportation conducted under the regulations of the Secretary of the Treasury; and their attention is particularly directed to said regulations, prescribed March 31, 1863, and they will respectively make such orders as will insure strict observance of this order throughout their respective commands.

All expenses of transporting property herein referred to will be reported by the officers of the quartermaster's department, who furnish such transportation, to the agents of the Treasury Department, and also, through the ordinary channels, to the quartermaster general at Washington, in order that the said expenses may be reimbursed from the proceeds of sales of such transported property.

EDWIN M. STANTON,  
*Secretary of War.*

WAR DEPARTMENT,  
*September 11, 1863.*

The attention of all officers and soldiers of the Army of the United States, whether volunteer or regular, is specially directed to the Revised Regulations of the Secretary of the Treasury, approved by the President, dated September 11, 1863, and superseding the Regulations of March 31, 1863; and they will in all respects observe General Order of this Department, numbered eighty-eight, and dated March 31, 1863, in regard to said Revised Regulations, as if the same had been originally framed and promulgated with reference to them.

EDWIN M. STANTON,  
*Secretary of War.*

O R D E R  
OF THE  
SECRETARY OF THE NAVY.

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NAVY DEPARTMENT,  
*Washington, March 31, 1863.*

For the purpose of more effectually preventing all commercial intercourse with insurrectionary States, except such as shall be authorized in pursuance of law, and of securing consistent, uniform, and efficient action in conducting such intercourse as shall be so authorized, and for the purpose of carrying out the provisions of an act of Congress entitled "An act to provide for the collection of abandoned property and for the prevention of frauds in insurrectionary States," approved March 12, 1863, it is hereby ordered—

I.

That no officer of the navy of the United States, nor other person connected therewith, shall authorize or have any interest in the transportation of any goods, wares, or merchandise (except supplies belonging to or contracted for by the United States, designed for the military or naval forces thereof, and moving under military or naval orders, and except also sutlers' supplies and other things necessary for the use and comfort of the naval forces of the United States, and moving under permits of the authorized officers of the Treasury Department) into any State declared by the President to be in insurrection; nor authorize nor have any interest in the purchase or sale therein of any goods or chattels, wares or merchandise, cotton, tobacco, or other products of the soil thereof; nor the transportation of the same, except as aforesaid, therefrom or therein; nor shall any such officer or person authorize, prohibit, or in any manner interfere with any such purchase or sale or transportation which shall be conducted under the regulations of the Secretary of the Treasury, unless under some imperative military necessity in the place or section where the same shall be conducted, or unless requested by an agent or some other authorized officer of the Treasury Department, in which case all officers of the navy of the United States and other persons connected therewith will render such aid in carrying out the provisions of the said act and of the law, and in enforcing due observance of the said regulations of the Secretary of the Treasury as can be given without manifest injury to the public service.

## II.

It is further ordered that every officer, sailor, or marine in the naval service of the United States who shall receive or have under his control any property which shall have been abandoned by the owner or owners, or captured in any district declared to be in insurrection against the United States, including all property seized in any such district, under naval orders, excepting only such as shall be required for the use of the naval forces of the United States, and as is excluded by the act of March 12, 1863, shall promptly turn over all such property to the agent appointed by the Secretary of the Treasury to receive the same, who shall give receipts therefor, if desired.

And every such officer, sailor, or marine shall also turn over to such agent in like manner all receipts, bills of lading, and other papers, documents, and vouchers showing title to such property, or the right to the possession, control, or direction thereof; and he shall make such order, indorsement, or writing as he has power to make to enable such agent to take possession of such property, or the proceeds thereof. Arms, munitions of war, forage, horses, mules, wagons, beef cattle, and supplies which are necessary in naval operations, shall be turned over to the proper officers for the use of the navy. All other property abandoned, captured, or seized, as aforesaid, shall be delivered to the said agent of the Treasury Department.

The officer receiving or turning over such property shall give the usual and necessary invoices, receipts or vouchers therefor, and shall make regular returns thereof as prescribed by the navy regulations. The receipts of the agents of the Treasury Department shall be vouchers for all property delivered to them. And whenever called upon by the said agent of the Treasury Department authorized to receive such abandoned, or captured, or seized property, as aforesaid, or the proceeds thereof, all persons employed in the naval service of the United States will give him full information in regard thereto, and if requested by him so to do, they shall give him duplicates or copies of the reports and returns thereof, and of the receipts, invoices, and vouchers therefor.

And every officer of the navy of the United States hereafter receiving abandoned, or captured, or seized property in any insurrectionary State as aforesaid, or the proceeds thereof, or under whose order it may be applied to the use of the naval forces as aforesaid, shall, upon request of an agent appointed by the Secretary of the Treasury as aforesaid, render a written report, with invoices thereof, to said agent, in which he will specify the arms, supplies, or other munitions of war retained for use of the naval forces, as aforesaid, and also, separately, the property turned over to said agent, or which may have been sold or otherwise disposed of. And in case a sale of any such property shall be made under his authority, or under the authority of any one subject to his order, he will so state, and will describe the property so sold, and will state when and where, and by and to whom sold, and the amount received therefor, and what disposition was made of the proceeds.

And all officers of the navy of the United States will, at all times, render to the agents appointed by the Secretary of the Treasury all such aid as may be necessary to enable them to take possession of any abandoned, or captured, or seized property aforesaid, and in transporting the same, so far as can be done without manifest injury to the public service.

All expenses of transporting property herein referred to will be reported by the officers who furnish the transportation to the agent of the Treasury Department, and also, through the proper channels, to the Navy Department at Washington, in order that the expenses may be reimbursed from the proceeds of sales of such transported property.

### III.

All naval officers in command of squadrons, vessels, or stations will, upon receipt of this order, revoke all existing orders throughout their respective commands conflicting or inconsistent herewith, or which permit, or prohibit, or in any manner interfere with any trade or transportation conducted under the regulations of the Secretary of the Treasury not understood as applying to any lawful maritime prize by the naval forces of the United States; and their attention is particularly directed to said regulations, prescribed March 31, 1863, and they will respectively make such orders as will insure strict observance of this order throughout their respective commands.

GIDEON WELLES,  
*Secretary of the Navy.*

NAVY DEPARTMENT,  
*September 11, 1863.*

The attention of all officers, sailors and marines of the Navy of the United States, is especially directed to the Revised Regulations of the Secretary of the Treasury, approved by the President, dated September 11, 1863, and superseding the Regulation of March 31, 1863; and they will in all respects observe the order of this Department, dated March 31, 1863, with regard to said Revised Regulations, as if the same had been originally promulgated with reference to them.

GIDEON WELLES,  
*Secretary of the Navy.*