

*The Laws of War in
American History*

LINCOLN'S CODE

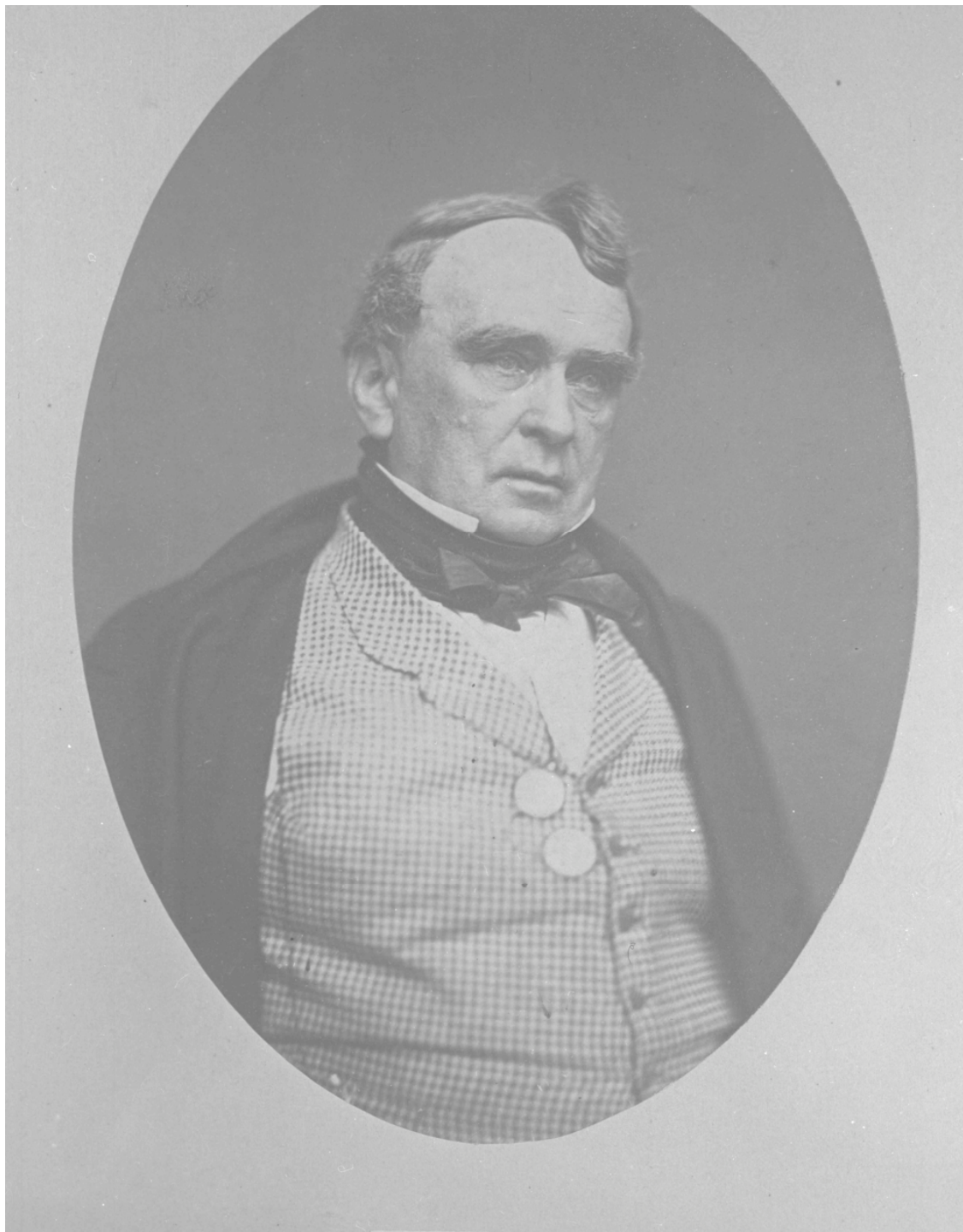
JOHN FABIAN WITT



Richmond 1865







Columbia U Archives
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By his Excellency the Right Honourable JOHN Earl of DUNMORE, his Majesty's Lieutenant and Governour-General of the Colony and Dominion of Virginia, and Vice-Admiral of the same:

A P R O C L A M A T I O N.

AS I have ever entertained Hopes that an Accommodation might have taken Place between *Great Britain* and this Colony, without being compelled, by my Duty, to this most disagreeable, but now absolutely necessary Step, rendered so by a Body of armed Men, unlawfully assembled, firing on his Majesty's Tenders, and the Formation of an Army, and that Army now on their March to attack his Majesty's Troops, and destroy the well-disposed Subjects of this Colony: To defeat such treasonable Purposes, and that all such Traitors, and their Abettors, may be brought to Justice, and that the Peace and good Order of this Colony may be again restored, which the ordinary Course of the civil Law is unable to effect, I have thought fit to issue this my Proclamation, hereby declaring, that until the aforesaid good Purposes can be obtained, I do, in Virtue of the Power and Authority to me given, by his Majesty, determine to execute martial Law, and cause the same to be executed throughout this Colony; and to the End that Peace and good Order may the sooner be restored, I do require every Person capable of bearing Arms to resort to his Majesty's S T A N-DARD, or be looked upon as Traitors to his Majesty's Crown and Government, and thereby become liable to the Penalty the Law inflicts upon such Offences, such as Forfeiture of Life, Confiscation of Lands, &c. &c. And I do hereby farther declare all indentured Servants, Negroes, or others (appertaining to Rebels) free, that are able and willing to bear Arms, they joining his Majesty's Troops, as soon as may be, for the more speedily reducing this Colony to a proper Sense of their Duty, to his Majesty's Crown and Dignity. I do farther order, and require, all his Majesty's liege Subjects to retain their Quitrents, or any other Taxes due, or that may become due, in their own Custody, till such Time as Peace may be again restored to this at present most unhappy Country, or demanded of them for their former salutary Purposes, by Officers properly authorised to receive the same.

GIVEN under my Hand, on Board the Ship William, off Norfolk,

the 7th Day of November, in the 16th Year of his Majesty's Reign.

D U N M O R E.

G O D S A V E T H E K I N G.

(Evans Early American
Historical Imprints)



*Revenge taken by the Black Army for the Cruelties practised
on them by the French.*

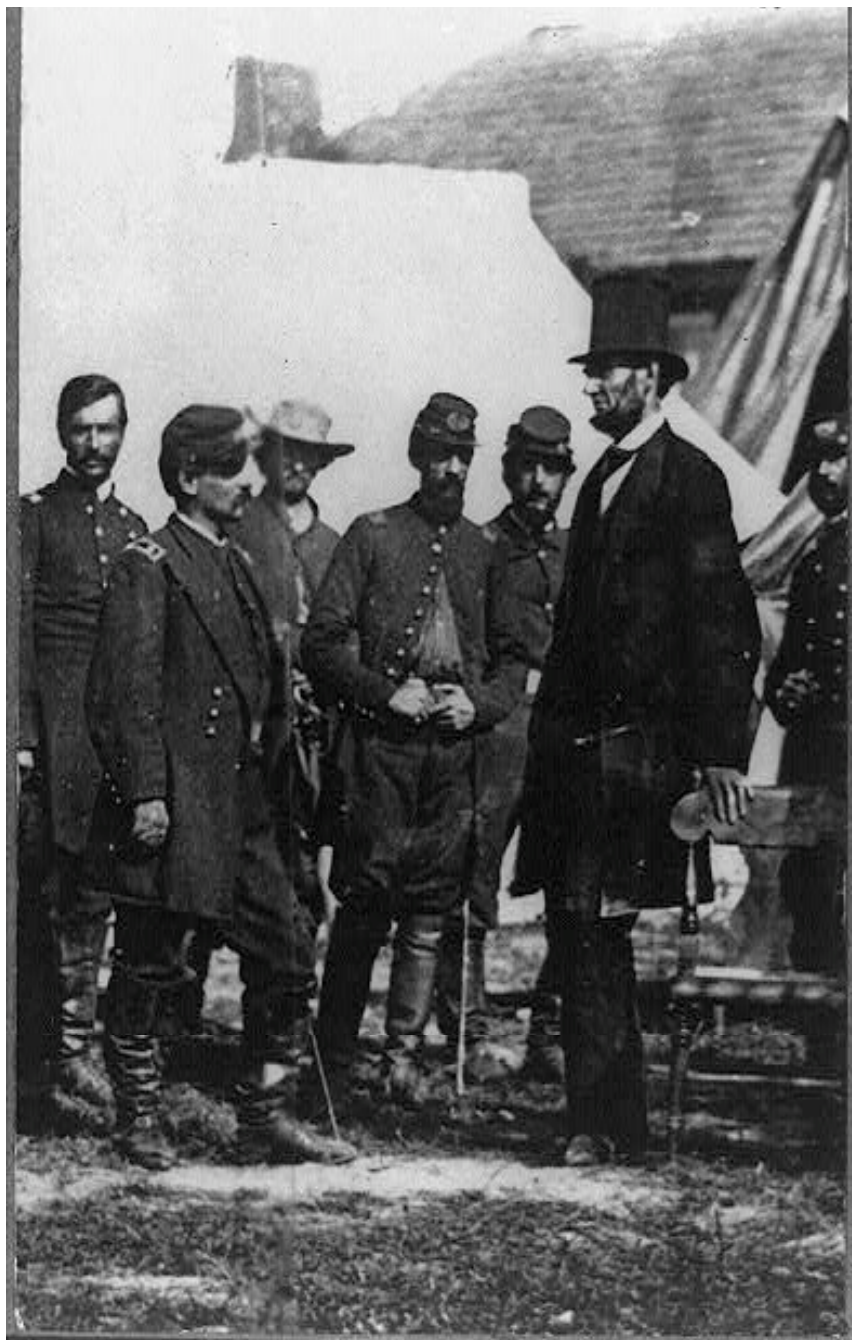
The terrors of Haiti
Library of Congress



Courtesy of the Atwater Kent Museum, Philadelphia, and the Historical Society of Pennsylvania



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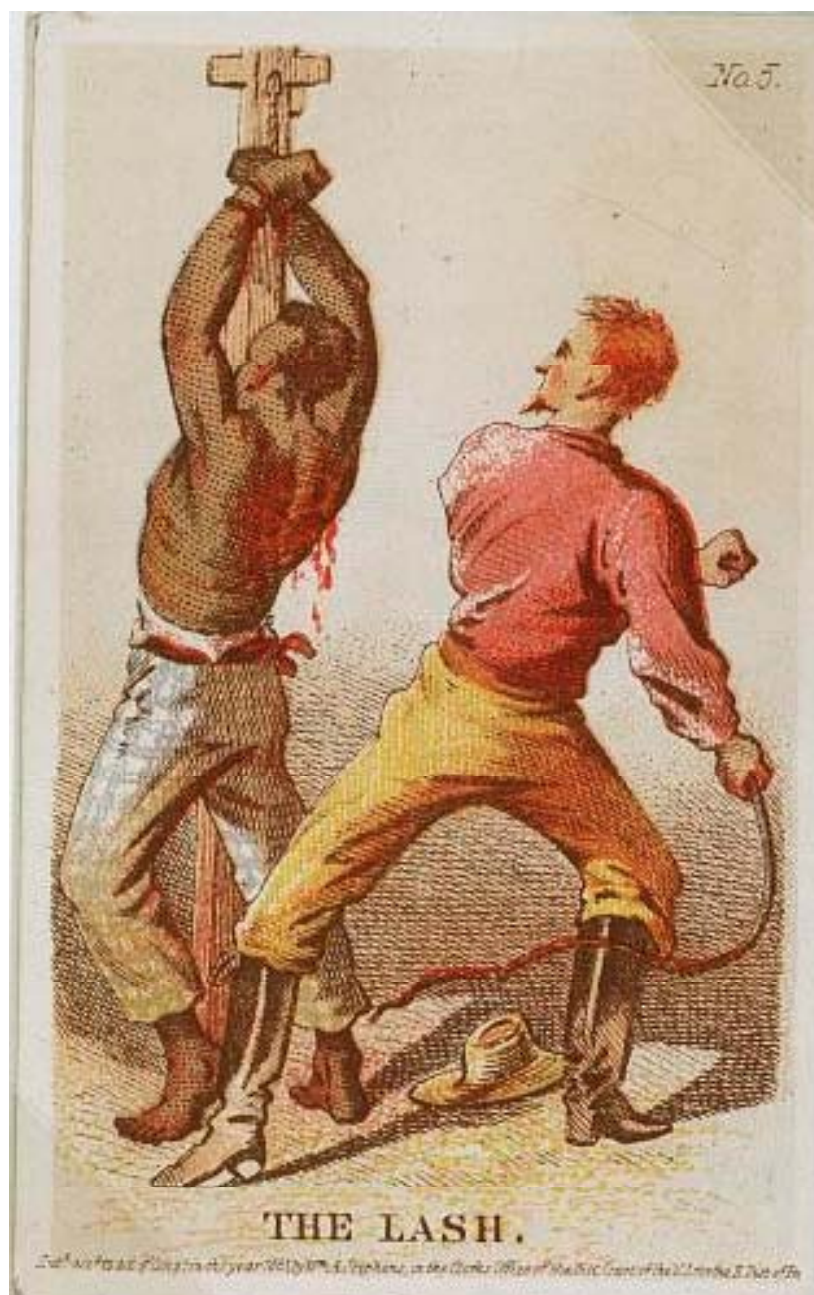


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Courtesy of the Maryland Historical Society





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GENERAL ORDERS, }
No. 100.

WAR DEPARTMENT,
ADJUTANT GENERAL'S OFFICE,
Washington, April 24, 1863.

The following "Instructions for the Government of Armies of the United States in the Field," prepared by FRANCIS LAMBER, LL.D., and revised by a Board of Officers, of which Major General E. A. HITCHCOCK is president, having been approved by the President of the United States, he commands that they be published for the information of all concerned. *ic*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,
Assistant Adjutant General.

INSTRUCTIONS FOR THE GOVERNMENT OF ARMIES OF THE
UNITED STATES IN THE FIELD.

SECTION I.

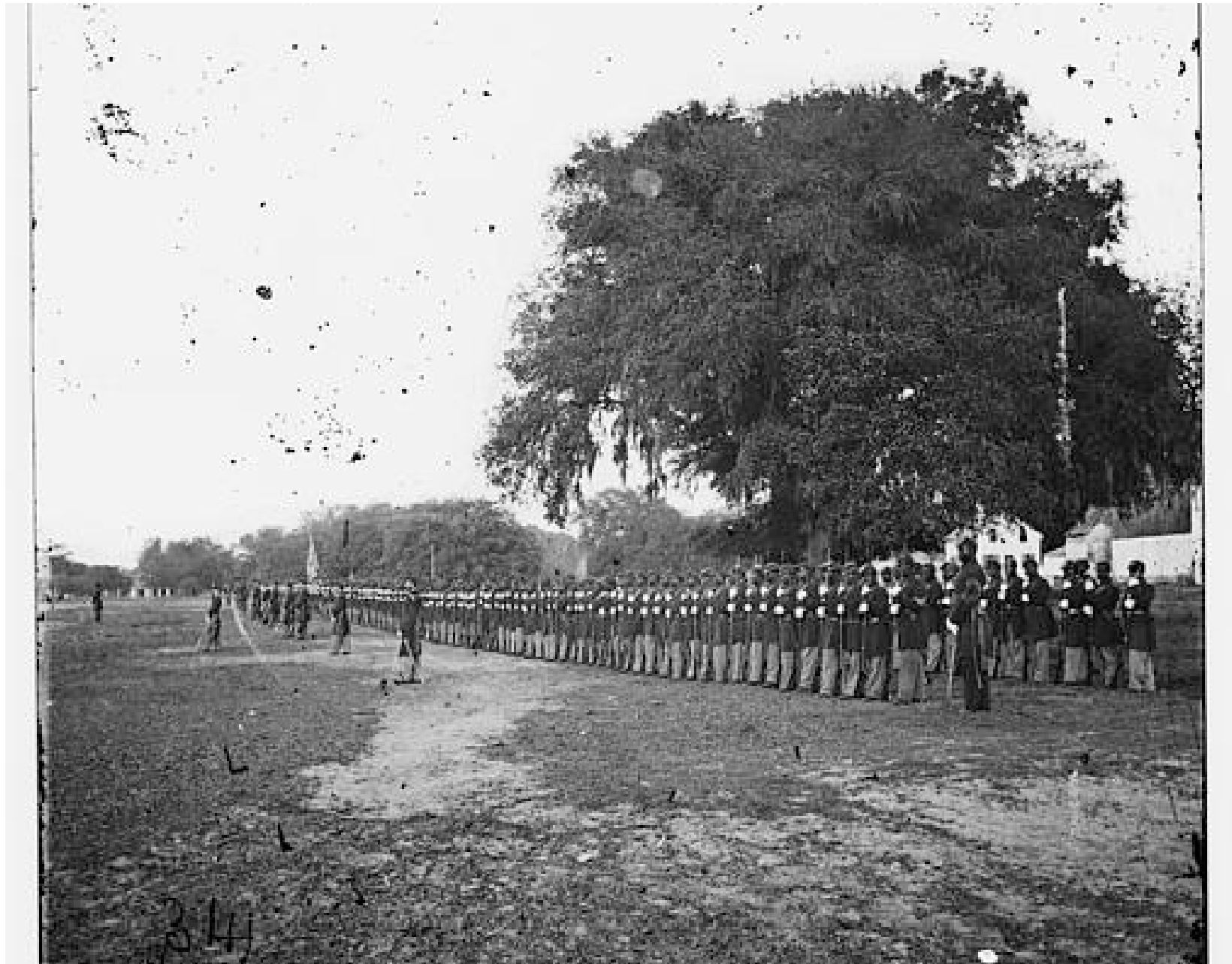
Martial law—Military jurisdiction—Military necessity—Retaliation.

1. A place, district, or country occupied by an enemy stands, in consequence of the occupation, under the Martial Law of the invading or occupying army, whether any proclamation declaring Martial Law, or any public warning to the inhabitants, has been issued or not. Martial Law is the immediate and direct effect and consequence of occupation or conquest.

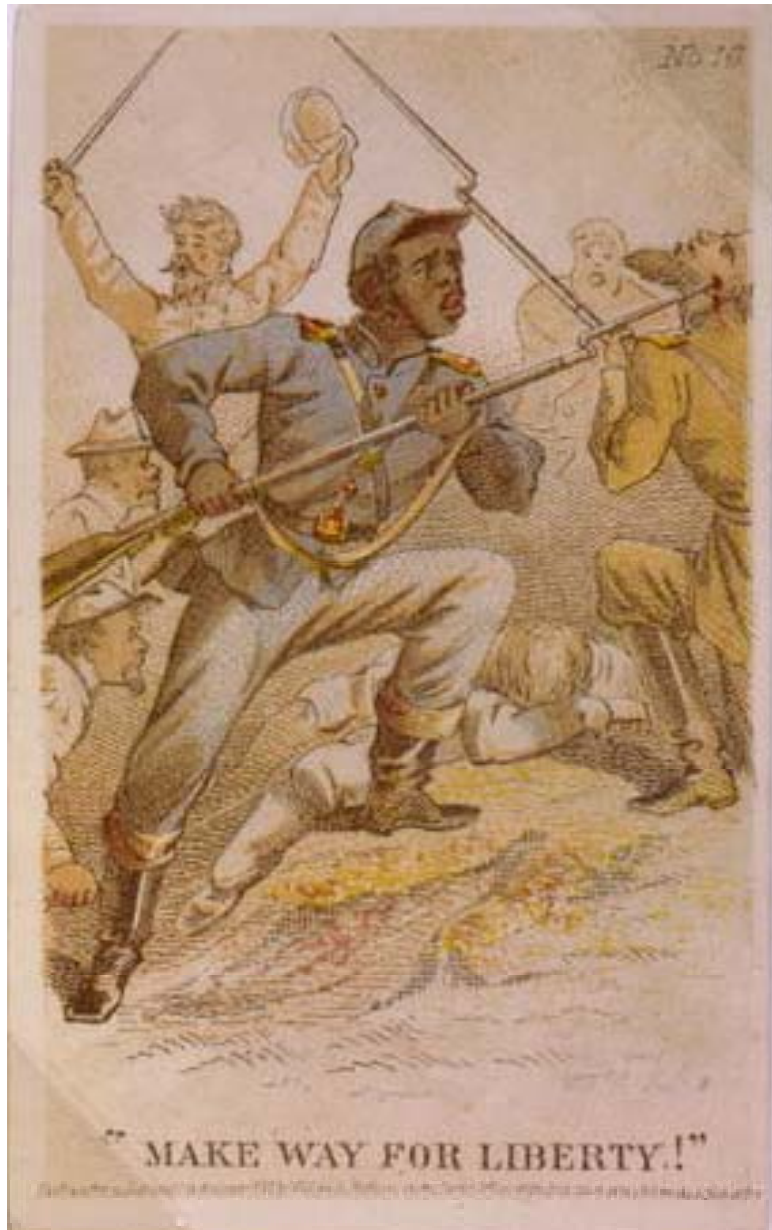
The presence of a hostile army proclaims its Martial Law.

2. Martial Law does not cease during the hostile occupation, except by special proclamation, ordered by the commander-in-chief; or by special mention in the treaty of peace concluding the war, when the occupation of a place or territory continues beyond the conclusion of peace as one of the conditions of the same.

3. Martial Law in a hostile country consists in the suspension, by the occupying military authority, of the criminal and civil law, and of the domestic administration and government in the occupied place or territory, and in the substitution of military rule and force for the same, as well as in the dictation of general laws, as far as military necessity requires this suspension, substitution, or dictation.

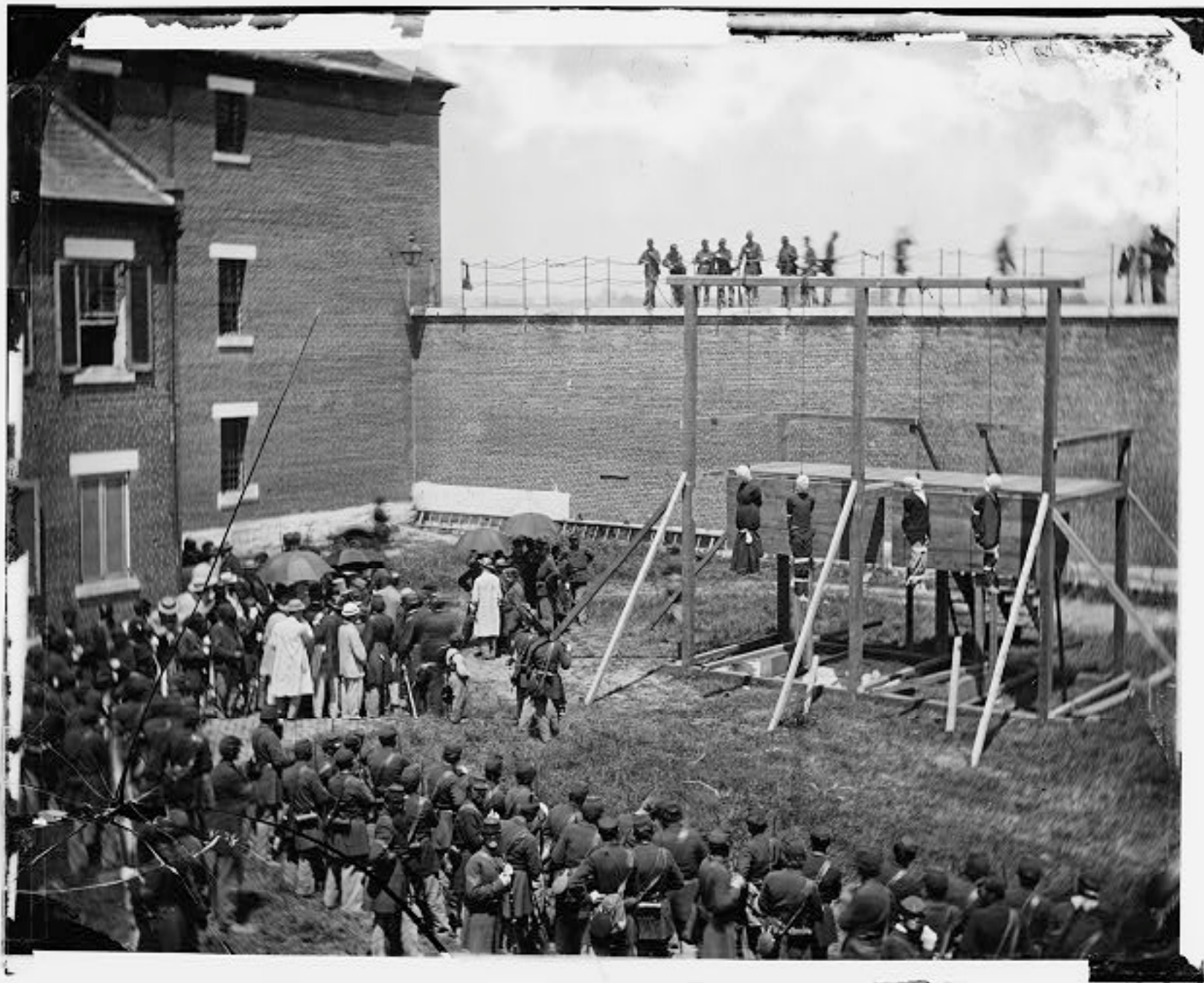


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Harpers' Weekly, courtesy Beinecke Library







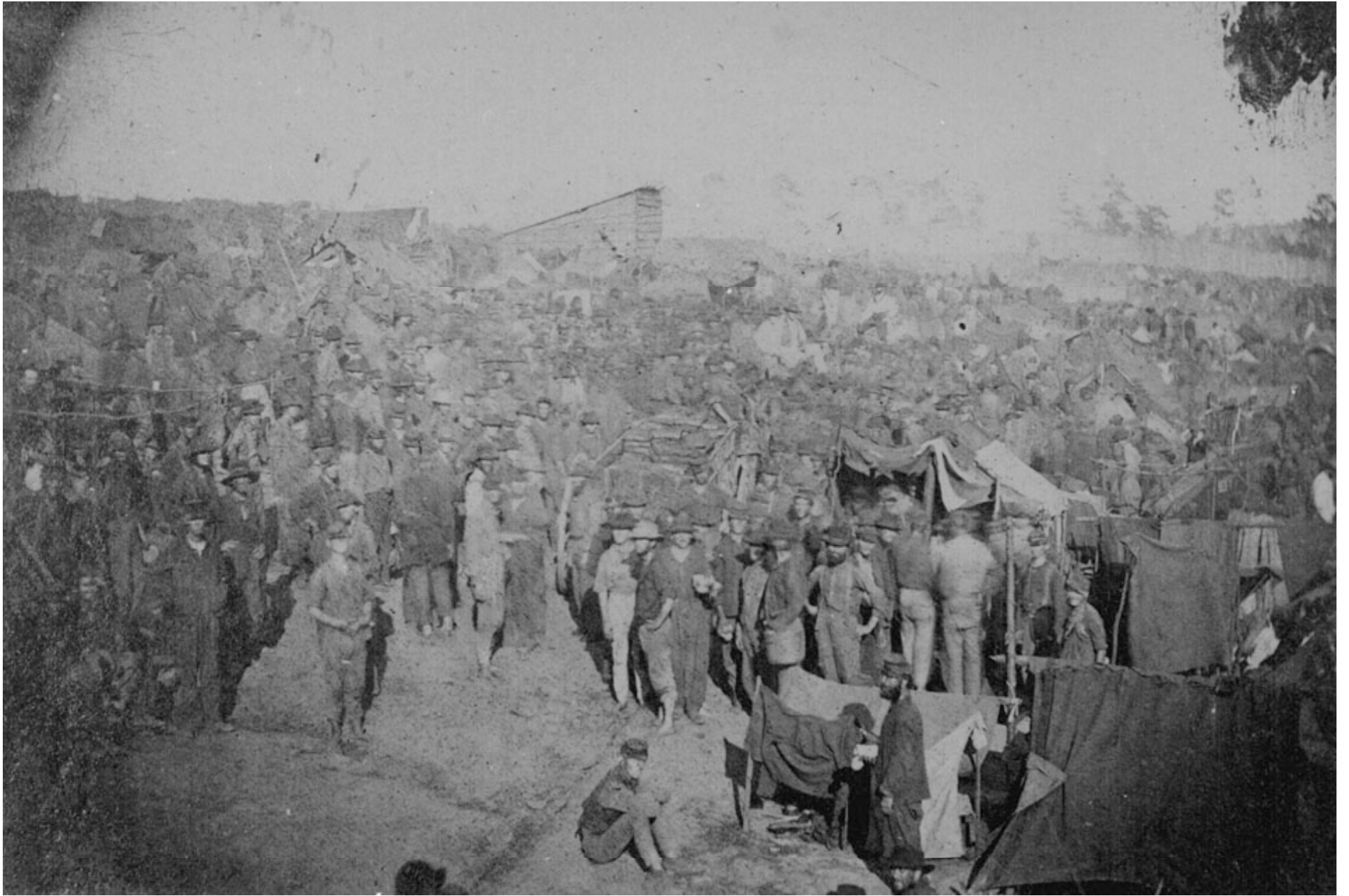
Bentley Historical Library, University of Michigan

Union Soldiers at Andersonville Prison / Jefferson Davis at Fortress Monroe









National Archives and Records Administration

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