

[SENATE BILL, No. 129.]

SENATE, Dec. 6, 1864.—Read first and second times, and placed on the calendar. December 12, 1864.—Amended, read a third time, and passed. December 13, 1864.—Reconsidered, amended, engrossed, read a third time, and passed.

JAMES H. NASH, *Secretary*.

HOUSE OF REPRESENTATIVES, Dec. 15, 1864.—Read first and second times, referred to the Committee on Military affairs, and ordered to be printed.

A BILL

To provide for the employment of free negroes and slaves to work upon fortifications and perform other labor connected with the defences of the country.

1 SECTION 1. *Whereas*, The efficiency of the army is at times
2 greatly diminished by the withdrawal from the ranks of soldiers
3 to perform labor and duties which can as well be done by free
4 negroes and slaves—

1 *The Congress of the Confederate States of America do enact*,
2 That all free male negroes, between the ages of eighteen and fifty
3 years, shall be held liable to perform any labor or discharge any
4 duties with the army, or in connection with the military defences
5 of the country, such as working upon fortifications, producing and
6 preparing materials of war, building and repairing roads and

7 bridges, and doing other work usually done by engineer troops
8 and pontoniers, acting as cooks, teamsters, stewards and waiters
9 in military hospitals, or other like labor, or similar duties which
10 may be required or prescribed by the Secretary of War or the
11 or the general commanding the Trans-Mississippi department,
12 from time to time. And said free negroes, whilst thus engaged,
13 shall receive rations and clothing, under such regulations as the
14 Secretary of War may prescribe, and shall receive pay at the
15 rate of eighteen dollars per month.

1 **SEC. 2.** That the Secretary of War and the general com-
2 manding the Trans-Mississippi department are each authorized
3 to employ, for duties like those named in the first section of this
4 act, as many male negro slaves, between the ages of eighteen
5 and forty-five years, not to exceed thirty thousand in the States
6 east of the Mississippi river, and ten thousand in the States west
7 of the Mississippi river, as the wants of the service may require.
8 And the said slaves, whilst so employed, shall be furnished ra-
9 tions and clothing as provided in the preceding section, and the
10 owners paid such hire for their services as may be agreed upon;
11 and in the event of the loss of any slaves whilst so em-
12 ployed, by the act of the enemy or by escape to the enemy, or by
13 wounds or death inflicted by the enemy, or by disease contracted

14 whilst in any service required of said slaves, and by reason of
15 said service, then the owners thereof, respectively, shall be enti-
16 tled to receive the full value of such slaves, to be ascertained and
17 fixed by agreement at the time said slaves are so hired, under
18 rules to be prescribed by the Secretary of War.

1 SEC. 3. That whenever the Secretary of War or the general
2 commanding the Trans-Mississippi department shall be unable to
3 procure the services of slaves by hiring them, as above provided,
4 in sufficient numbers, then it shall be lawful for the said Secre-
5 tary or General to order the impressment, and to impress as many
6 male slaves, within the ages named in the second section of this
7 act, and for the purposes and uses above stated, not at any time
8 to exceed thirty thousand in the States east of the Mississippi
9 river, and ten thousand in the States west of the Mississippi
10 river, as may be necessary: *Provided*, That slaves so impressed
11 shall, whilst in the government employment, receive the same
12 clothing and rations allowed to slaves hired from their owners,
13 and in the event of their loss or death in the manner or from the
14 causes above stated, their value shall be estimated and fixed as
15 provided by the law regulating impressments, and paid as in
16 the case of slaves hired from their owners, and the value of the
17 hire of said slaves shall be fixed in like manner.

1 Sec. 4. That the Secretary of War and the general comman-
2 ding the trans-Mississippi department shall, in ordering the im-
3 pressment of slaves, regulate the same, as far as practicable, so
4 that slaves shall be taken from each State in proportion to the
5 number liable to impressment therein under this act, but not
6 more than one in every five male slaves, within the said ages of
7 eighteen and forty-five years, shall be taken from any one owner
8 if said slaves are employed by said owner or his lessee uniformly
9 in agriculture or in mechanical pursuits, nor, where an owner has
10 but one male slave within said ages, shall said slave be im-
11 pressed, and all impressments under this act shall, as far as prac-
12 ticable, be taken in equal ratio from all owners in the same lo-
13 cality, city, county, or district; but when the slaves in any
14 locality or of any person or persons have been or shall be
15 exempted by the laws or regulations of any State from impress-
16 ment to labor on the fortifications or other public works of the
17 Confederate States, then the said slaves shall not be impressed
18 for any purpose whatever by the authorities of the Confederate
19 States: *Provided*, however, That nothing herein contained shall
20 be so construed as to exempt any State from furnishing its fair
21 quota of slaves for the purposes herein specified and according
22 to the provisions of this act: *Provided*, further, That in each
23 case care be taken to allow each owner a credit for all male

24 slaves between the ages aforesaid heretofore impressed, or im-
25 pressed under this act, or hired to the government, who are still
26 in service, or who may have died or been lost while in service :
27 *Provided*, further, That, if the Governor of any State shall cer-
28 tify to the Secretary of War or the Commanding General of the
29 trans-Mississippi department, that slaves cannot be impressed in
30 any locality, county, district, parish, or city, in such State with-
31 out great detriment to such locality, county, district, parish or
32 city. then the quota of said locality, county, district, parish or
33 city shall be impressed from other portions of such State.

1 SEC 5. Duplicate rolls shall be prepared of all the slaves
2 hired or impressed under this act, which shall contain a descrip-
3 tion of the slaves, the names and residences of the owners; and
4 a statement of the value and rate of hire of the slaves at the
5 date they are hired or impressed, one of which rolls shall, in the
6 States east of the Mississippi river, be forwarded to the Secre-
7 tary of War, and in those west of the Mississippi river, to the
8 head-quarters of the general commanding that department, and
9 the other roll shall be sent to the general commanding the army
10 where said slaves may be employed; and the officer having charge
11 of said slaves, or of the work upon which they may be engaged,
12 shall have a copy of said roll, and shall regularly enter thereon

13 the nature of the labor or duties in which said slaves are en-
14 gaged, and any changes which may be made therein, and of the
15 absence, sickness, or death of any of said slaves, and make
16 monthly returns thereof to the general commanding the army
17 where said slaves are employed, who shall transmit the same to
18 the Secretary of War or to the Commanding General in the
19 trans-Mississippi department, as the case may be.

1 SEC. 6. That all laws or parts of laws providing for the hir-
2 ing or impressment of slaves be, and the same are hereby re-
3 pealed, except so far as they may provide for regulating and
4 fixing, in case of impressment, the value of said slaves, or the
5 value of their services.

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