

## Abraham Lincoln papers

Abraham Lincoln, Emancipation Proclamation — Earliest Draft<sup>1</sup>, [July 22, 1862]

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<sup>1</sup> This proposed proclamation was apparently prompted by the provision of the recently passed Second Confiscation Act which authorized the seizure of property, including slaves, belonging to persons in rebellion against the United States. Lincoln read the text of this document, the earliest version of the Emancipation Proclamation, to a surprised cabinet on July 22, 1862, shortly after Congress acted. In his proclamation, Lincoln proposed to go beyond the aims of Congress in the Confiscation Act, which was to seize slaves from known rebels through regular judicial proceedings. Lincoln now proposed to give notice that, in addition to recommending to Congress a plan for compensated emancipation, he would, on January 1, 1863, free slaves held by rebels as “a fit and necessary military measure.” The cabinet's reaction was mixed, with some favoring a proclamation of emancipation and some opposed. Lincoln was apparently persuaded by the argument of Secretary of State William H. Seward that such a proclamation would send the wrong signal as long as the Confederates were dominating the military scene and thus should not be announced until the Union forces achieved a major victory.

Lincoln had been urging compensated emancipation, with the federal government providing the funds to the individual states. See Message to Congress, [February or March, 1862], [Draft] and Address to Border State Representatives, [July 12, 1862]. The present document marks Lincoln's first written indication of his willingness go beyond compensated emancipation and to use his power as Commander-in-Chief to free slaves as a military measure.

Only the second paragraph of this brief document pertains to the proposed emancipation proclamation, consisting of just two sentences declaring the president's intention. When the Preliminary Emancipation Proclamation (*q. v.*) was made public following the Battle of Antietam, on September 22, 1862, it was considerably longer and more detailed. For a discussion of the document related to the process that resulted in the January 1, 1863 proclamation, see the headnote for Final Emancipation Proclamation — Final Draft.

In pursuance of the sixth section of the act of congress entitled “An act to suppress insurrection and to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes” Approved July 17. 1862, and which act, and the Joint Resolution explanatory thereof, are herewith published, I, Abraham Lincoln, President of the United States, do hereby proclaim to, and warn all persons within the contemplation of said sixth section to cease participating in, aiding, countenancing, or abetting the existing rebellion, or any rebellion against the government of the

United States, and to return to their proper allegiance to the United States, on pain of the forfeitures and seizures, as within and by said sixth section provided—

And I hereby make known that it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure for tendering pecuniary aid to the free choice or rejection, of any and all States which may then be recognizing and practically sustaining the authority of the United States, and which may then have voluntarily adopted, or thereafter may voluntarily adopt, gradual adoption<sup>2</sup> abolitionment of slavery within such State or States — that the object is to practically restore, thenceforward to be maintain,<sup>3</sup> the constitutional relation between the general government, and each, and all the states, wherein that relation is now suspended, or disturbed; and that, for this object, the war, as it has been, will be, prosecuted. And, as a fit and necessary military measure for effecting this object, I, as Commander-in-Chief of the Army and Navy of the United States, do order and declare that on the first day of January in the year of our Lord one thousand, eight hundred and sixtythree, all persons held as slaves within any state or states, wherein the constitutional authority of the United States shall not then be practically recognized, submitted to, and maintained, shall then, thenceforward, and forever, be free.

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<sup>2</sup> Lincoln first wrote “adoption,” then struck this word and wrote over it “abolishment”.

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<sup>3</sup> In revising this sentence, Lincoln inserted the word “be” but neglected to change “maintain” to “maintained”.

[Endorsed by Lincoln:]

Emancipation Proclamation as first sketched and shown to the Cabinet in July 1862.