

The American Presidency Project

(<https://www.presidency.ucsb.edu/>)



ABRAHAM LINCOLN (/PEOPLE/PRESIDENT/ABRAHAM-LINCOLN)

Proclamation 94— Suspending the Writ of Habeas Corpus

September 24, 1862

By the President of the United States of America

A Proclamation

Whereas it has become necessary to call into service not only volunteers, but also portions of the militia of the States by draft in order to suppress the insurrection existing in the United States, and disloyal persons are not adequately restrained by the ordinary processes of law from hindering this measure and from giving aid and comfort in various ways to the insurrection:

Now, therefore, be it ordered, first, that during the existing insurrection, and as a necessary measure for suppressing the same, all rebels and insurgents, their aiders and abettors, within the United States, and all persons discouraging volunteer enlistments, resisting militia draft or guilty of any disloyal practice affording aid and comfort to rebels against the authority of the United States, shall be subject to martial law and liable to trial and punishment by courts-martial or military commissions; second, that the writ of *habeas corpus* is suspended in respect to all persons arrested, or who are now or hereafter during the rebellion shall be

imprisoned in any fort, camp, arsenal, military prison, or other place of confinement by any military authority or by the sentence of any court-martial or military commission.

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 24th day of September, A.D. 1862, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN

By the President:

WILLIAM H. SEWARD,

Secretary of State.

Abraham Lincoln, Proclamation 94—Suspending the Writ of Habeas Corpus Online by Gerhard Peters and John T. Woolley, The American Presidency Project <https://www.presidency.ucsb.edu/node/202408>