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#### May 21, 2015



# Restoring the Brotherhood of Union: Confederate Pardon and Amnesty Records, 1865–1877

#### John P. Deeben

Archives specialist John P. Deeben provides a brief legislative history of amnesty activity during and after the Civil War by examining the application process and resulting records of presidential pardons and congressional amnesty offered to former Confederates.



#### Restoring the Brotherhood of Union: Confederate Pardon and Amnesty Records, 1865–1877





John P. Deeben
Archives Specialist
National Archives
Washington, DC

John P. Deeben is an archives specialist with the Reference Section of Research Services at the National Archives and Records Administration in Washington, DC. John provides Old Army and genealogy reference assistance, orientations to research, and frequently lectures and writes about Federal records of genealogical interest. He holds B.A. and M.A. degrees in American History from Gettysburg College (1987) and The Pennsylvania State University (1990).

# Restoring the Brotherhood of Union

Confederate Pardon and Amnesty Records, 1865–1877

Lecture by
John P. Deeben
National Archives & Records Administration

# Legislative Background

Lincoln's View of Amnesty

- Act of July 31, 1861 (12 Stat. 284)
- Act of July 17, 1862 (12 Stat. 589)
- Both laws used in tandem with Constitutional authority to grant pardons (Art. II, Sec. 2)

# Legislative Background

# Amnesty Proclamation December 8, 1863

- Offered general amnesty and restoration of property (except slaves)
- Swear an oath to uphold the Constitution, the Union, and the abolition of slavery
- Certain persons excluded from general amnesty
- Established the 1/10th rule for states to be readmitted to the Union
- Proclamation of March 26, 1864

# Legislative Background

#### Amnesty under Andrew Johnson

- Continued Lincoln's policy of leniency under several presidential proclamations:
  - Proclamation of May 29, 1865
  - Proclamation of September 7, 1867
  - Proclamation of July 4, 1868
  - Proclamation of December 25, 1868

# Presidential Pardons

#### General Information

- Administrative role of Secretary of State and Attorney General
  - Secretary of State:
    - Common pardons (not requiring special appeal to the President)
    - Amnesty oaths
  - Attorney General:
    - Special pardons requiring direct application to the President (Proclamation of May 29, 1865)
- Location of the records (RG 59 vs. RG 94)

# Record Group 59 General Records of the Department of State

#### Pardon Records

- "Index to Pardons Under Amnesty Proclamations, 1865–1866" (Entry 1004)
- "Pardons Under Amnesty Proclamations, 1865–1866"
   (Entry 1005)
- "Requisitions for Amnesty Pardons, 1865–1867" (Entry 1006)
- "Record of the Disposition of Amnesty Pardons, 1865–1867"
   (Entry 1007)

# Record Group 59 General Records of the Department of State

#### Amnesty Oaths

- "Index to Amnesty Oaths Under the Proclamation of May 29, 1865" (Entry 998)
- "Amnesty Oaths, 1864–1866" (Entry 1001)
- "Multisignature Amnesty Oaths, 1864–1866" (Entry 1002)

### Office of Notary Public

Rockbridge County, Va., October 2nd 1865.

#### AMNESTY OATH.

I Reflect to Lee of Lexington Vinginia do solemnly swear, in the presence of Almighty God, that I will henceforth faithfully support, protect and defend the Constitution of the United States, and the Union of the States thereunder, and that I will, in like manner, abide by and faithfully support all laws and proclamations which have been made during the existing rebeliion with reference to the emancipation of slaves, so help me God.

Sworn to and subscribed before me, this 2 day of October 1865.

Chas A. Dandson NOTARY PUBLIC.

# Record Group 94 Records of the Adjutant General's Office

Records Relating to the Civil War

- "Amnesty Papers, 1865" (Entry 180)
  - Applications for pardon
  - Oaths of allegiance
  - Supporting documents
- M1003, Case Files of Applications from Former Confederates for Presidential Pardons ("Amnesty Papers"), 1865–1867
- Available digitally on Fold3.com and Ancestry.com

# Example: Thomas C. M. Alderson, Lebanon, Virginia

Thos. C. M. alderson, Lebanon, Rebellion. (and officer) (Recembed by Gov. Perpoint.) Pardoned July 21, 1865. Post marker

To Dis Coccellency Andrew Johnson to your Excellency for Special forder president of the United States of America pledying his entire and ungilding suffered to the Constitution, of the United States, the loves The Pelition of Thomas & medluson ordinances profeed in frammance There of of Mufree County Virginia would respectfully Ho therefore cornerly oshes the interposition set forthe that he is now in his forty eight of Executive cluming in his behalf geor of age. That he supposes that he comes Thos. le. Middleson within the exceptions, of those excluded from the benefit of annesty and Pordon so gener Houngdon Washington Co. Vo Jan 24 - 1865 andy excluded to the people of Rebel Stoles I am a native of Russell County Virginia out am in Bour Cocallines 5 proclomation of may 23 4 shlemately acquainted with petitioner is somoved to your Pelilioner accepted the position of fort This county in June 1863. both before and seven my with petitories around south petitories about moster in the town of Selveron Prufaces County Sometime in the Month of Hebring 1864 The was and do not hesetate to say that the from the Rubel Authorities. At the time he Statements contained in the within petition are Accepted the position the Conscript low known From and that petitioner is a proper object for here as act of Felowing 14 "1864 how withen Special pardon The avalled myself become a low or was about to become of the annesty sath .. onegit contraced all male citizens between. Very Mush etfoly the ore of 17430 years of age. your Pelitiones accepted the position of Post morter in order to a void military duty. This is about the Cutine exelent of his rolunting Connection with the Mebellion Pelilioner toos homestly and bitterly opposed to the dogues of Secession, he denounced it as a wiehed political herry and still adheres to He avoiled himself of the first sofe apportunity that presented iffully to take the Coth prescribed by President hisealer in his Proclaimation of Heen 3th 1863. and has a conlificale of that fact from Jos He Grent, Coft & aft provost mushall Lynchburgh Va. Being within the excepted clopes he Opplies whom the foregoing statement of forts

To his Texelenor Andrew Johnson President of Emory Henry College, Va. June 21, 1865. the United States. The undersigned citizens of thefall learn To His Excellency Andrew Johnson, President of the United to in the state of virginia would most respectfully represent, that we are and have been well acquelin I have carefully informed myself respecting ted with Thus. l. M. Alderson, that said Thus. l. M. Alderson the statements within given, and find them to be facts. was opposed to seespion private the time that Vinginia Severatof the signers I know personally to be just and pared the ordinance of respins that after south lear honorable mere, loyal to the national authority. I am deina withdrew from the Union, there was a large meet confident that the convictions, wishes and purposes sing of the Citizen's of his County, and amajorty of whom of Mr. Thos. 6. M. Alderson are loyally with the Fedwere offered to secession, at which said Alderson presen enal Government, and that his social and political sted and advocated resolutions of a Conservative character A freed from the taint of constructive or active tresson that he has at all times been infavor of an adjustment are needed in the reorganization of loyal society of our difficulties whom Conservative firmaples, That he and government in his country of Rufsell. I hope did act for some months as Postmaster at rebareon, the it may accord with the views of your Excellency. County sent of said County the former Post master having to growt him invicediste pardon, resigned and left the place, that he accepted the position of With high respect and consideration, your oft sort, Edmund Longley the request of many citizens of the Lound vacinity who pet to take the Office and he only took it for the accommendation of the people & that Past march he resigned the affice. We hope and respectfully ask that said Alderson may be released from any penalties he may have incurred by holding the socie portions I Stullerin samuel M. Aslen 10 Desguera 9 S. Breece John & Davis To, D. Fulkers on 6. DReman D. J. Ayres Aaron Hendricks I I'm Elhenowey V. L. Juckerson Mylynay of the state of the what leavell

### Alderson's Amnesty Oath — Front

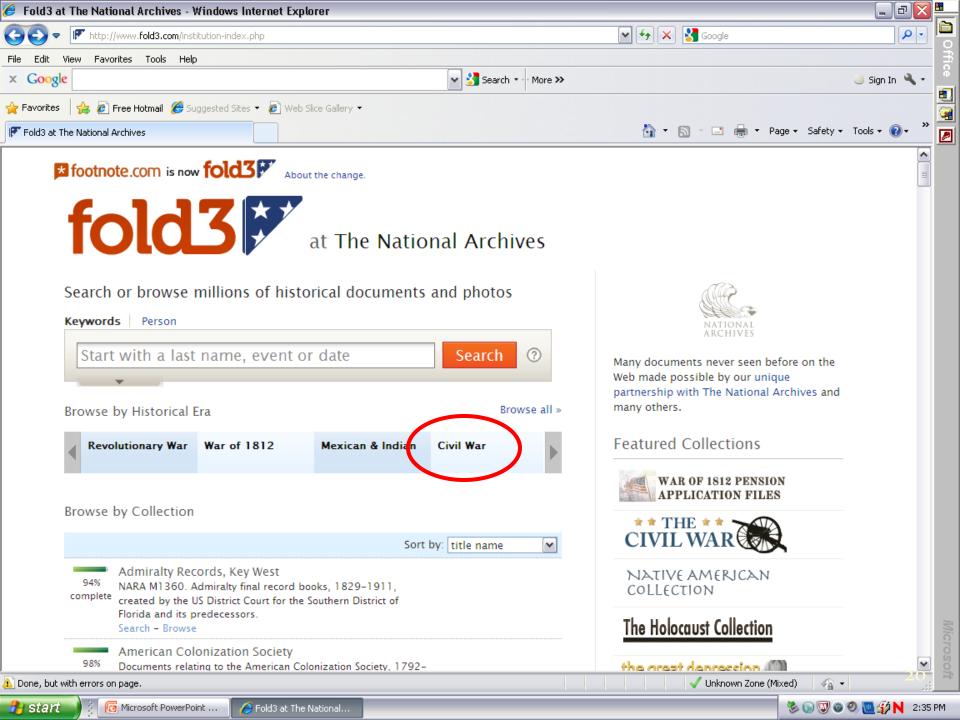
#### Oath of Amnesty.

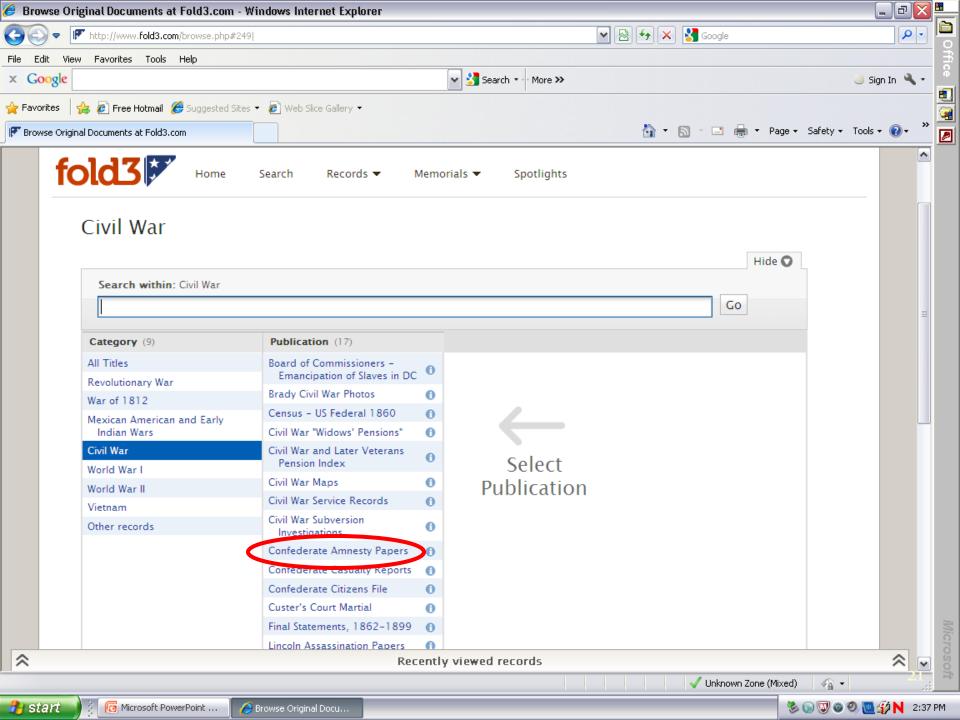
I, Alderson, do solemnly swear, in presence of Almighty God, that I will henceforth faithfully support, protect and defend the Constitution of the United States, and the union of the States thereunder; and that I will in like manner abide by and faithfully support all acts of Congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress or by decision of the Supreme Court; and that I will, in like manner, abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court. So HELP ME God.

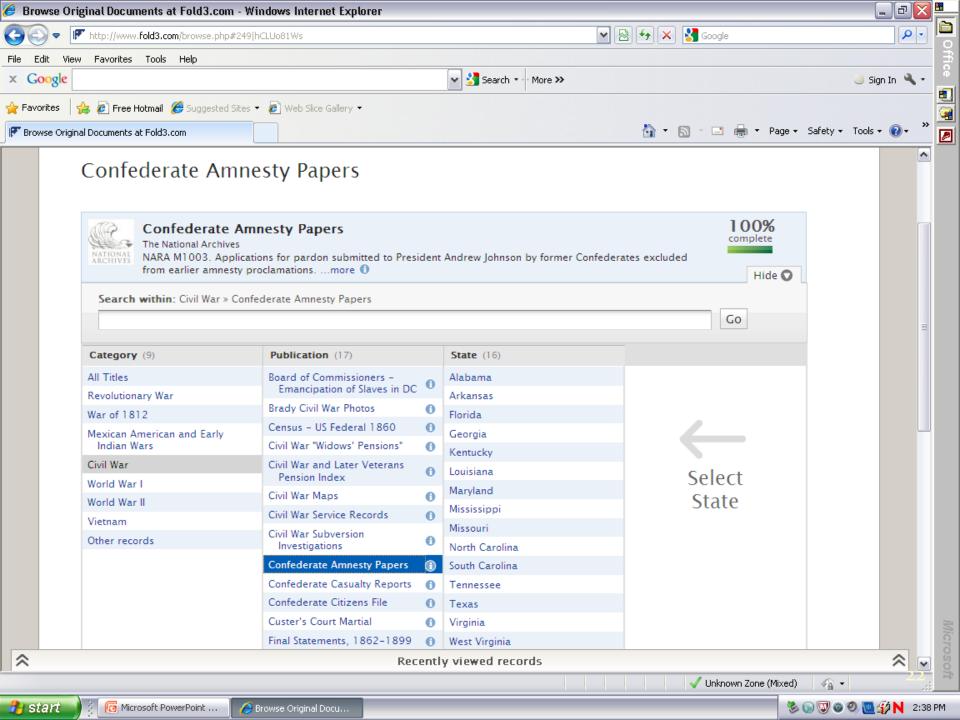
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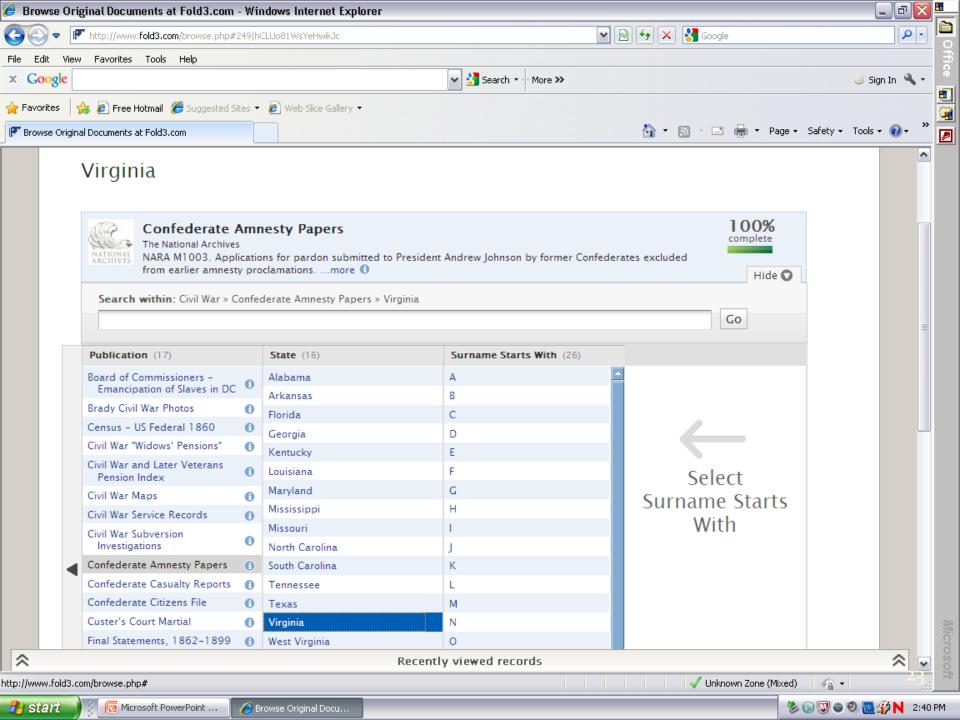
# Alderson's Amnesty Oath — Back

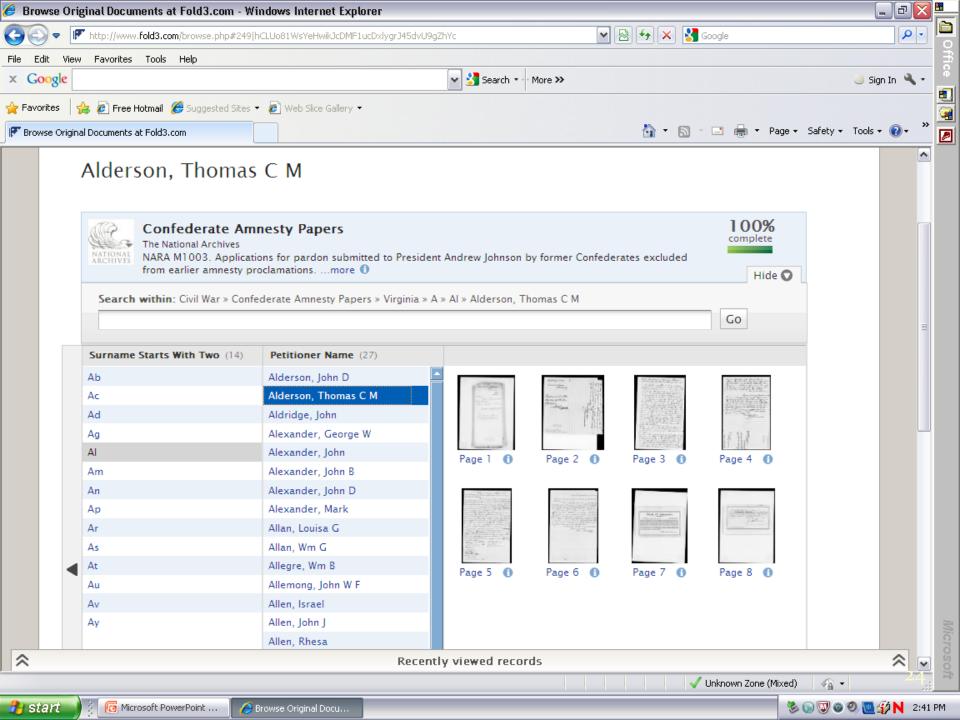
I do hereby Certify, That on the 3" day of
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President of the United States, in his proclamation of Dec'r 8th, 1863,
was duly taken, subscribed and made matter of record by . (16
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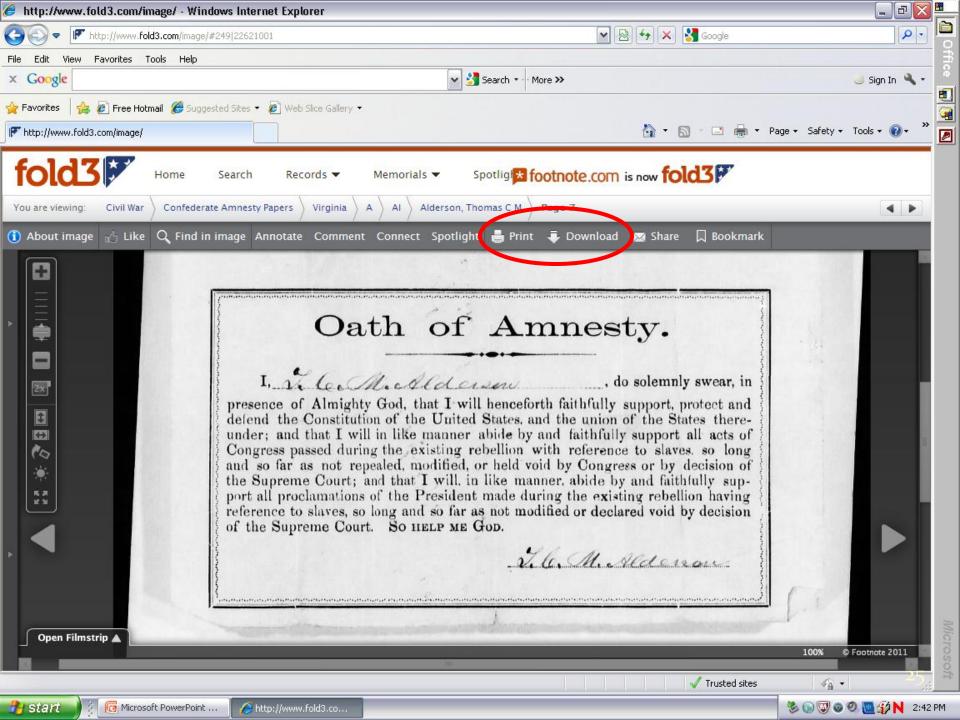












# **Congressional Amnesty**

#### General Information

- Congress (Radical Republicans) desired more restrictive conditions for amnesty
- 14th Amendment, July 9, 1868
  - Section 3—barred former public officials from holding state or federal office
  - Personal application to Congress; 2/3 vote
- General Amnesty Act, May 22, 1872 (17 Stat. 142)

# **Congressional Amnesty**

- U.S. House of Representatives:
   Select Committee on Reconstruction, 1867–73
- U.S. Senate: Select Committee on the Removal of Political Disabilities, 1869–72
- Committee on the Judiciary (both chambers)

# Record Group 233 Records of the U.S. House of Representatives

#### **Amnesty Petitions**

- "Petitions and Memorials, Resolutions of State Legislatures, and Related Documents Referred to Committees," 40th-41st Congresses (Entries 506 and 520)
  - Petitions submitted to the Select Committee on Reconstruction
  - Alphabetical by state, then numerical by petition number
- "Accompanying Papers File," 39th-44th Congresses, 1865-1877
   (Entries 489, 502, 516, 530, 544, and 556)

Maj. Gen. George E. Pickett's amnesty petition, seeking removal of political disabilities.

Accompanying Papers File, 43rd Congress, April 29, 1874



The Hashington lite Ing. Company.

As Job Sho Store. The Senate, & The Stores of Representations of the winter States.

I have the honor respectfully to request that my positive dis abilities may be removed

Bry Rope of fully

# Record Group 46 Records of the U.S. Senate

#### **Amnesty Petitions**

- M1546, Petitions Submitted to the U.S. Senate Requesting the Removal of Political Disabilities of Former Confederate Officeholders, 1869–1877 (14 rolls)
  - 41st Congress, arranged alphabetically by state, then by surname
  - 42nd-43rd Congresses, arranged chronologically by date of committee referral
  - 44th Congress, arranged alphabetically by name

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Petition to remove his
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Petition of Orran C. Horne July 11, 1870

RG 46, Select Committee on the Removal of Political Disabilities

To the Senate & Hause of Reprosentatives of the United Hate of America The underrigned, Orran & Home of the State of Georgia & leaunty of Palacki, and town of Hawkins ville: Humbly patition The Congress of the United State for as full paid new removal of all his holitical disabelities, incurred by a participation in the late rebelion afainst the Government. Hor, the Said petitioner begg to Confess; and acknowledge that he did take Hubscribe to an oath to happortthe Constitution of the United Hate at clien and builty times; to wit: in the year 1846, as a Friest Such of the 1st Georgie Regt. of Volunteens, in the thuted States levuise in the Mofician war, and at divers other times, as a schuty Past master as a Justice of the Peace and as a bolowel of Melitia of Said Hate. And Subsequently to the taking :

to Sand Oath to Support of the M. S. your that hant in the Rebelion the atmost of this power ebelion, by accepting of a Company of Volunteres actively engaged, in Cause of the belligorent Six mintes, and until Commis seon from the governm Drigadier General of the. which last appointment the class of the War. Called into active Said Commission as a w your petitioner begg

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Hon: Im Jorague

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M Zulaski Manufacturing Company,

The undersigned respectfully showeth to the Congress of the United States that he is laboring under political disabilities imposed by Acts of Congress, and by the Amendments to the Constitution, and therefore prays that such disabilities may be promptly removed by a vote of two-thirds of each House of Congress.

Ofour petitioner further states that he regards the Amendments to the Constitution, known as Articles Thirteen, Fourteen and Fifteen, as valid, and that he will uphold and maintain the same, and will support the government established in this and other Southern States under the Acts of Congress known as the Reconstruction Acts.

William & Hudson

Harris County,
Georgia

Hamittow 4a
Silvering 17 th 1871

Example pre-printed petition:

William J. Hudson, Harris County, GA February 17, 1871

#### Example pre-printed petition:

William Kiddoo, Randolph County, GA January 9, 1872

STATE OF GEORGIA.	***	
County of Cloundolph	Min fer	
TO THE CONGRESS OF THE	UNITED STATES:	

THE UNDERSIGNED begs leave to state that he held the office of Justice of the Bose of the Y18" Fisher the bengin Militia

anterior to the late war; that during said war he adhered to the so-called Confederate States, and aided and abetted the same; that since the your he has renewed his allegiance to the Government of the United States, and is honestly attached thereto; wherefore he prays relief from the disabilities created by the Third Section of the Fourteenth Amendment to the Constitution of the United States.

This 9th day of January , 1872

Recommended,

When signed, return it addressed to RICHARD H. WHITELY, M. C., Washington, D. C.

#### Record Group 393

Records of U.S. Army Continental Commands, 1821–1920

- Provost marshals received applications for pardon and administered loyalty oaths
  - Registers of applications for pardon
  - Lists of oath takers
- Military districts, sub-districts, and individual posts
  - Sub-District of Appomattox (1865)
  - Fort Union, NM (1863–64)
  - Fort Smith, AR (February–May, 1865)
  - Post at Raleigh, NC (April-December, 1865)

#### Record Group 109

War Department Collection of Confederate Records

- Records relating to Southern civilians and captured military personnel who took the oath of allegiance, compiled by the Commissary General of Prisoners
  - "Register of Confederate Prisoners and Deserters Released on Taking the Oath of Allegiance to the United States, 1863 –1865" (Entry 204)
  - "Lists of Civilians Taking the Oath of Allegiance or Giving Bond, 1862–1864" (Entry 213)

#### Record Group 109

War Department Collection of Confederate Records

- M598, Selected Records of the War Department Relating to Confederate Prisoners of War, 1861–1865
  - Johnson's Island, OH
    - Register of amnesty oaths (Entry 327)
  - Point Lookout, MD
    - Register of prisoners released after swearing allegiance (Entry 398)
    - Record of oaths of allegiance (Entry 399)
    - Register of prisoners paroled after taking the oath of allegiance (Entry 400)
  - Richmond, VA
    - Register of paroles and oaths administered (Entry 414)

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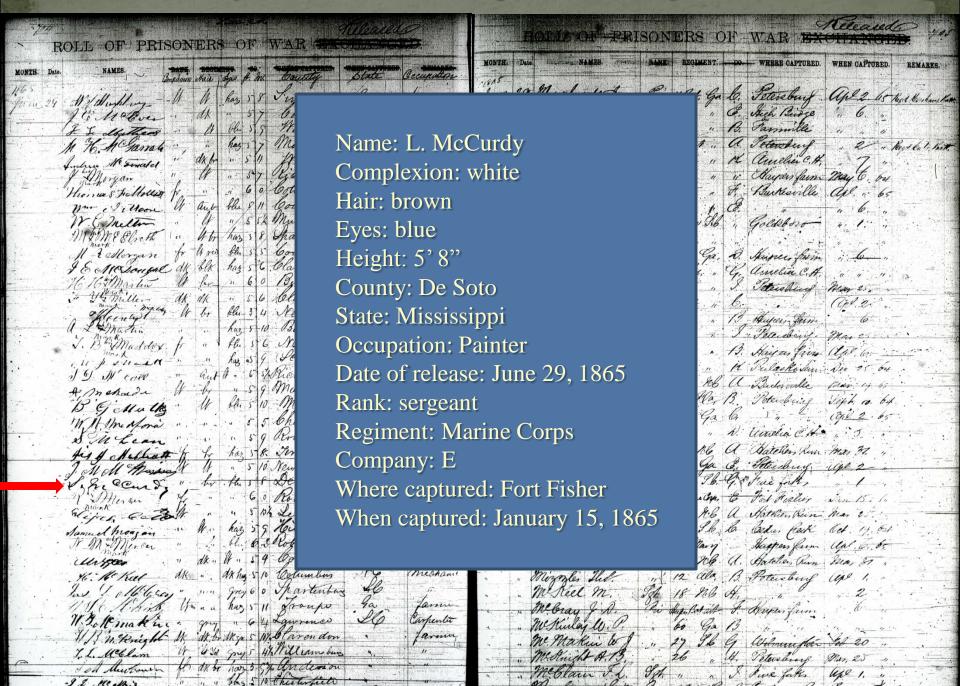
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#### Point Lookout, Maryland

Register of Oaths of Allegiance Taken, January 1864 – June 1865

#### Descriptive List of Soldiers Taking the Oath of Allegiance, 1865



#### Record Group 105

Records of the Bureau of Refugees, Freedmen, and Abandoned Lands (Freedmen's Bureau)

- Oaths of allegiance also collected by the Freedmen's Bureau
- Proof of loyalty to the Union required for the return of abandoned or confiscated property
- Assistant state commissioners/field offices processed applications for the restoration of property

#### AFFIDAVIT.

No. 834

of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States, and all laws made in pursuance thereto.

and Subscribed to before me, this I have day 1865.

Local Special Agent, Treasury Department,

Second Agency.

United States of america United States of Consider State of Timessee Que County Bence D mays has this day swown William Moore has This day Puron lor and 1 31 The and Subscribed to the Cast of Comes Vo Subscribed to The Cath of Commasty in Que For before MB Vitte Lutter en due form before MB Poplan Justice Peace Leace for Dyer County Semelice this ! of September 1865 Phinited States of Comerica United States of america 040 31 Q le Frollies has This day Sworn to 31 John 6 Murray, has This day prevente and Panto Subscribed to the Cath of annasty Subscribed to the outh of Commanty in Me due form before MB Sister Justice. Peace for Dyer County Famores This, the 4 day September 1865 Que form before Prostoto distine of Jeace for Syer County dennesse This 15th Dept 15-65 limited thater of america United States of amusic 4.0 34 A Pierce has this day sworn to and Subscribed The Oaths of annasty in Din form before WB Typton fratice Sauce Samuel Kindrick has This day Swownto for Eger County Jennessee This 7th day and Subscribed to the Oath of annasty in of defit 156 Due form before me mrs Tiplou fartice of Seace for Dyer Carrely Tennifee This Vefot 19th day of Slipt 184 United States of Cornerica No 35 Mm M. Butter has this day sworn to and united States of america Subscriber The Oath of Auditity in Due form before of By or Bounty. Jahmed dlantgomery has the day Just to and dubscribed to the not of function demupathis 7 holay of Sept 1865-Justice of Proce in Dye Conty Frances

# Restoring the Brotherhood of Union

Confederate Pardon and Amnesty Records, 1865–1877

Questions





# Thank you for attending!

Today's video recording and materials will remain available at www.archives.gov/calendar/know-your-records

