

No. 3.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA: Sept. 7, 1867.

A PROCLAMATION.

WHEREAS, in the month of July, anno Domini one thousand eight hundred and sixty-one, the two Houses of Congress, with extraordinary unanimity, solemnly declared that the war then existing was not waged on the part of the Government in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of the States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired, and that as soon as these objects should be accomplished the war ought to cease;

Preamble.

And whereas the President of the United States, on the eighth day of December, anno Domini one thousand eight hundred and sixty-three, and on the twenty-sixth day of March, anno Domini one thousand eight hundred and sixty-four, did, with the objects of suppressing the then existing rebellion, of inducing all persons to return to their loyalty, and of restoring the authority of the United States, issue proclamations offering amnesty and pardon to all persons who had directly or indirectly participated in the then existing rebellion, except as in those proclamations was specified and reserved;

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And whereas the President of the United States did, on the twenty-ninth day of May, anno Domini one thousand eight hundred and sixty-five, issue a further proclamation with the same objects before mentioned, and to the end that the authority of the Government of the United States might be restored, and that peace, order, and freedom might be established, and the President did, by the said last-mentioned proclamation, proclaim and declare that he thereby granted to all persons who had directly or indirectly participated in the then existing rebellion, except as therein excepted, amnesty and pardon, with restoration of all rights of property, except as to slaves, and except in certain cases where legal proceedings had been instituted, but upon condition that such persons should take and subscribe an oath therein prescribed, which oath should be registered for permanent preservation;

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And whereas, in and by the said last-mentioned proclamation of the twenty-ninth day of May, anno Domini one thousand eight hundred and sixty-five, fourteen extensive classes of persons, therein specially described, were altogether excepted and excluded from the benefits thereof;

And whereas the President of the United States did, on the second day of April, anno Domini one thousand eight hundred and sixty-six, issue a proclamation declaring that the insurrection was at an end, and was thenceforth to be so regarded;

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And whereas there now exists no organized armed resistance of misguided citizens or others to the authority of the United States in the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Arkansas, Mississippi, Florida, and Texas, and the laws can be sustained and enforced therein by the proper civil authority, State or Federal, and the people of said States are well and loyally disposed, and have conformed, or, if permitted to do so, will conform in their legislation to the condition of affairs growing out of the amendment to the Constitution of the United States prohibiting slavery within the limits and jurisdiction of the United States;

And whereas there no longer exists any reasonable ground to apprehend, within the States which were involved in the late rebellion, any renewal thereof, or any unlawful resistance by the people of said States to the Constitution and laws of the United States;

And whereas large standing armies, military occupation, martial law, military tribunals, and the suspension of the privilege of the writ of habeas corpus and the right of trial by jury, are, in time of peace, dangerous to public liberty, incompatible with the individual rights of the citizen, contrary to the genius and spirit of our free institutions, and exhaustive of the national resources, and ought not, therefore, to be sanctioned or allowed, except in cases of actual necessity for repelling invasion or suppressing insurrection or rebellion;

And whereas a retaliatory or vindictive policy, attended by unnecessary disqualifications, pains, penalties, confiscations, and disfranchisements, now, as

always, could only tend to hinder reconciliation among the people and national restoration, while it must seriously embarrass, obstruct, and repress popular energies and national industry and enterprise ;

And whereas, for these reasons, it is now deemed essential to the public welfare, and to the more perfect restoration of constitutional law and order, that the said last-mentioned proclamation, so as aforesaid issued on the twenty-ninth day of May, anno Domini one thousand eight hundred and sixty-five, should be modified, and that the full and beneficent pardon conceded thereby should be opened and further extended to a large number of the persons who, by its aforesaid exceptions, have been hitherto excluded from executive clemency :

Full pardon
extended to all
persons partici-
pating in the
late rebellion,
and restoration
of rights except,
&c.

Now, therefore, be it known that I, ANDREW JOHNSON, President of the United States, do hereby proclaim and declare that the full pardon described in the said proclamation of the twenty-ninth day of May, anno Domini one thousand eight hundred and sixty-five, shall henceforth be *opened* [offered] and extended to all persons who, directly or indirectly, participated in the late rebellion, with the restoration of all privileges, immunities, and rights of property, except as to property with regard to slaves, and except in cases of legal proceedings under the laws of the United States ; but upon this condition, nevertheless : that every such person who shall seek to avail himself of this proclamation shall take and subscribe the following oath, and shall cause the same to be registered for permanent preservation, in the same manner and with the same effect as with the oath prescribed in the said proclamation of the twenty-ninth day of May, one thousand eight hundred and sixty-five, namely :

Oath to be
taken.

" I, ———, do solemnly swear, (or affirm,) 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 laws and proclamations which have been made during the late rebellion with reference to the emancipation of slaves : So help me God."

Persons ex-
cluded from
benefit of this
proclamation.

The following persons, and no others, are excluded from the benefits of this proclamation, and of the said proclamation of the twenty-ninth day of May, one thousand eight hundred and sixty-five, namely :

First. The chief or pretended chief executive officers, including the President, the Vice-President, and all Heads of Departments of the pretended Confederate or Rebel Government, and all who were agents thereof in foreign States and countries, and all who held, or pretended to hold, in the service of the said pretended Confederate Government, a military rank or title above the grade of brigadier-general, or naval rank or title above that of captain, and all who were or pretended to be Governors of States, while maintaining, aiding, abetting, or submitting to and acquiescing in the rebellion.

Second. All persons who in any way treated otherwise than as lawful prisoners of war persons who in any capacity were employed or engaged in the military or naval service of the United States.

Third. All persons who, at the time they may seek to obtain the benefits of this proclamation, are actually in civil, military, or naval confinement or custody, or legally held to bail, either before or after conviction, and all persons who were engaged directly or indirectly in the assassination of the late President of the United States, or in any plot or conspiracy in any manner therewith connected.

In testimony whereof, I have signed these presents with my hand, and have caused the seal of the United States to be hereunto affixed.

Done at the city of Washington, the seventh day of September, in the year of our Lord one thousand eight hundred and sixty-seven, and of the [SEAL.] Independence of the United States of America, the ninety-second.

ANDREW JOHNSON.

By the President :

WILLIAM H. SEWARD, *Secretary of State.*