

# LINCOLN LORE

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## THE AMNESTY OATH OF DECEMBER 8, 1863

The Amnesty Oath of December 8, 1863, was the open door to pardoned belligerents hostile to the Union and the way of return without censure for deserters who had fled from the Union Army.

An increasing number of pardons signed by Abraham Lincoln are appearing on the autograph market. Most of these endorsements are contingent on the petitioner taking the Amnesty Oath of December 8, 1863. The Lincoln National Life Foundation has just acquired one which is typical of those generally offered for sale. It follows:

"Let him be released on taking the amnesty oath of December 8, 1863.

"A. Lincoln.

"April 10, 1865."

This endorsement was signed, it will be observed, on April 10, four days before Lincoln's assassination and the day after he was notified of General Lee's surrender. It might be called a jubilant signature.

It should be remembered that the Amnesty Proclamation was issued but eight days after the delivery of the Gettysburg Address. There may have been several factors combined along with the sentiment of Gettysburg which prompted the famous Amnesty Proclamation.

Over forty years ago, Col. Albert D. Shaw wrote an interesting story about a "skedaddler" who had run off to Canada after deserting his regiment. He had repented his offense and wanted to be reinstated in the army and so wrote to Hon. Addison H. Lafin, expressing this desire. The letter was shown to Mr. Lincoln who, it is said, made the following comment:

"When a poor fellow has made a mistake, by all means give him a chance to live it down. There is good stuff in that man, for no coward would make such a plea."

After these remarks, according to Mr. Lafin, Lincoln picked up a card which lay upon his desk, wrote the following memorandum, and handed it to Mr. Lafin.

"Private ..... is herewith allowed to come to me, wherever he may be, and on his promising to be a good soldier and serve out his time faithfully, I will pardon him.

"A. Lincoln."

The card was sent to the deserter and in a short time

the soldier appeared before the President in company with Mr. Lafin. In the conversation between the deserter and the President, Lafin quotes the President as asking this question, "Are there many more over there (Canada) who would come back if they knew they would be pardoned?" To this question, the deserter replied, "Yes—lots." Upon this remark Lincoln said, "Then I will give them all a chance." Lafin thought that this contact was partially responsible for the Amnesty Proclamation of 1863.

Congress had authorized the President by proclamation, "to extend to persons who may have participated in

the existing rebellion in any State or part thereof, pardon and amnesty." On December 8, 1863, he issued the Proclamation of Amnesty and Reconstruction. It was one of the most important documents of his administration and looked forward to forgiveness and peace.

It promised "to all persons who have, directly or by implication, participated in the existing rebellion, except as hereinafter excepted, that a full pardon is hereby granted to them and to each of them with restoration of all rights of property, except as to slaves

... and upon condition that every such person shall subscribe an oath and thence forward keep and maintain said oath in violate."

Thus the Amnesty Oath of December 8, 1863, became the very foundation of reconstruction and the invitation for disloyal subjects, both North and South, to swear new allegiance to the Union. It was the very soul of the Proclamation and its importance is emphasized by setting it apart in the center of this bulletin in bold face type.

The concluding paragraph in the proclamation reveals how much Lincoln depended on this plan to restore the national authority.

"This proclamation is intended to present the people of the States wherein the national authority has been suspended, and loyal State governments have been subverted, a mode in and by which the national authority and loyal State governments may be reestablished within said States, or in any of them; and while the mode presented is the best the executive can suggest, with his present impressions, it must not be understood that no other possible mode would be acceptable."

### THE AMNESTY OATH

I, ....., 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.