

Full Pardon For General Lee Is Sought By Yankee Senator

By JOHN VAN CAMP
[Washington Bureau of The Sun]

Washington, Jan. 17—A resolution that would restore full civil rights to Robert E. Lee, General of the Confederate armies, was introduced in the Senate today by Senator Capehart (R., Ind.).

In spite of an application for a full pardon, sponsored by Gen. Ulysses S. Grant, and four amnesty proclamations in the succeeding years, Lee died on October 12, 1870, still deprived of some of his civil rights.

While he could vote, he could not hold any civil or military office, serve on any jury or even serve as administrator of the Custis estate in Arlington, Va., to which he had been appointed before the Civil War.

Resolution Quoted

Capehart's resolution states: "That in commemoration of the one hundred and fiftieth birthday of Gen. Robert E. Lee and in honor of the knightly virtues of courage, patriotism and selfless devotion to duty which he so amply displayed during his lifetime, Gen. Robert E. Lee, of Virginia be, and he now is, posthumously restored to his full rights of citizenship, with-

out exception, retroactive to the date of his application for presidential pardon, namely, June 13, 1866."

Capehart said he was submitting the resolution at the request of the Civil War Round Table, of Indianapolis, which also supplied him with the historical background.

At the end of the Civil War both Generals Grant and George G. Meade urged General Lee to apply to President Andrew Johnson for a full pardon.

Sent To Grant

Lee wrote: "I believe it to be the duty of every man to unite in the restoration of the country and the re-establishment of peace and harmony. These considerations governed me in the counsels I gave to others, and induced me on the thirteenth of June to make application to be included in the terms of the amnesty proclamation."

Lee's application was sent to Grant, who forwarded it to President Johnson "with the earnest recommendation that this application . . . be granted him."

The application would have

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YANKEE SEEKING PARDON OF LEE

Senator Would Restore General's Full Civil Rights

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required an exception to the Amnesty Proclamation of May 29, 1866—and no action was taken by President Johnson.

The Amnesty Proclamation, although allowing the kind of exception which Johnson refused to exercise in Lee's case, withheld the restoration of full civil rights from thirteen classes of persons, including Confederate officers above the rank of colonel.

A second proclamation in September, 1866, extended amnesty to a larger number of persons, but this time excluded Confederate officials above the rank of brigadier general.

Third Proclamation

A third amnesty proclamation of July 4, 1868, was much broader and left only a few still under civil disability. But in this small group was General Lee, Jefferson Davis, John C. Breckinridge and Simon B. Buckner.

A final proclamation on December 25, 1868, granted a full pardon to everyone who had fought for the South.

However, the Fourteenth Amendment to the Constitution had been passed in the previous July and Section II continued civil disabilities for those who had taken oaths as officials of the United States prior to the Civil War and later had "engaged in insurrection or rebellion."

Section III also had a clause stating these disabilities could be removed by the Congress of a two-thirds vote of both houses.

A final act of amnesty, taking advantage of this clause, was enacted by Congress in June 1898, but this was almost three decades after General Lee's

death.