

Exhibit 130

in the case of:

**People of the Republic of Texas
and the
Sovereign Nation of the Republic of Texas**

v.

**UNITED NATIONS
(and all it's Political Subdivisions)
and
UNITED STATES
(and all it's Political Subdivisions)**

Under Pains and Penalties of perjury and the laws of the Almighty, and being sworn under a vow and oath, I attest that the attached pages are true and correct representations of:

Johnson's Amnesty Proclamation (commonly known as "Johnson's Plan Of Reconstruction") - May 29, 1865, from: Ernest Wallace, David M. Vigness, and George B Ward, *Documents of Texas History*, (State House Press, Texas, 1994).

This attestation is made on August 10, 1998.

Attest: *Darrell Dean Frank*

 Ed: Brannum
Witness to scan and above signature

 [Signature]
Witness to above signatures

86. JOHNSON'S PLAN OF RECONSTRUCTION

1865

The painful process of "reconstructing" the southern states had already been started by President Lincoln when he was assassinated. Andrew Johnson, succeeding to the presidency, accepted as legal the four loyal governments already organized, and then in a proclamation on May 29, 1865, dealt with the reconstruction of the remaining seven, including Texas. A second proclamation on the same day established a provisional government for North Carolina. On June 17 an identical proclamation was issued for Texas. Below are two of Johnson's proclamations: the first, that of May 29, granted amnesty to all ex-Confederates who would take the oath of allegiance to the United States, with the exception of certain classes who must make individual application for a presidential pardon; the second provided for a reconstruction government in Texas.

I. JOHNSON'S AMNESTY PROCLAMATION

May 29, 1865

From United States Statutes at Large, Vol. XIII, 758-760.

Whereas the President of the United States, on the 8th day of December, A. D. eighteen hundred and sixty-four, did, with the object to suppress the existing rebellion, to induce all persons to return to their loyalty, and to restore the authority of the United States, issue proclamations offering amnesty and pardon to certain persons who had directly or by implication participated in the said rebellion; and whereas many persons who had so engaged in said rebellion have, since the issuance of said proclamations, failed or neglected to take the benefits offered thereby; and whereas many persons who have been justly deprived of all claim to amnesty and pardon thereunder, by reason of their participation, directly or by implication, in said rebellion, and continued hostility to the government of the United States since the date of said proclamations, now desire to apply for and obtain amnesty and pardon.

To the end, therefore, that the authority of the government of the United States may be restored, and that peace, order, and freedom may be established, I, ANDREW JOHNSON, President of the United States, do proclaim and declare that I hereby grant to all persons who have, directly or indirectly, participated in the existing rebellion, except as herein after excepted, amnesty and pardon, with restoration of all rights of property, except as to slaves, and except in cases where legal proceedings, under the laws of the United States providing for the confiscation of property of persons engaged in rebellion, have been instituted; but upon the condition, nevertheless, that every such person shall take and subscribe the following oath, (or affirmation,) and thenceforward keep and maintain said oath inviolate; and which oath shall be registered for permanent preservation, and shall be of the tenor and effect following, to wit:

"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 existing rebellion with reference to the emancipation of slaves. So help me God."

The following classes of persons are excepted from the benefits of this Proclamation:

1st. All who are or shall have been pretended civil or diplomatic officers, or otherwise domestic or foreign agents, of the pretended confederation government;

2d. All who left judicial stations under the United States to aid the rebellion;

3d. All who shall have been military or naval officers of said pretended confederate government above the rank of colonel in the army or lieutenant in the navy;

4th. All who left seats in the Congress of the United States to aid the rebellion;

5th. All who resigned or tendered resignations of their commissions in the army or navy of the United States to evade duty in resisting the rebellion;

6th. All who have engaged in any way in treating otherwise than lawfully as prisoners of war persons found in the United States service, as officers, soldiers, seamen, or in other capacities;

7th. All persons who have been, or are, absentees from the United States for the purpose of aiding the rebellion;

8th. All military and naval officers in the rebel service, who were educated by the government in the Military Academy at West Point or the United States Naval Academy;

9th. All persons who held the pretended offices of governors of states in insurrection against the United States;

10th. All persons who left their homes within the protection of the United States, and passed beyond the federal military lines into the pretended confederate states for the purpose of aiding the rebellion;

11th. All persons who have been engaged in the destruction of the commerce of the United States upon the high seas, and all persons who have made raids into the United States from Canada, or been engaged in destroying the commerce of the United States upon the lakes and rivers that separate the British Provinces from the United States;

12th. All persons who, at the time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval, or civil confinement, or custody, or under bonds of the civil, military, or naval authorities, or agents of the United States as prisoners of war, or persons detained for offences of any kind, either before or after conviction;

13th. All persons who have voluntarily participated in said rebellion, and the estimated value of whose taxable property is over twenty thousand dollars;

14th. All persons who have taken the oath of amnesty as prescribed in the President's Proclamation of December 8th, A. D. 1863, or an oath of allegiance to the government of the United States since the date of said proclamation, and who have not thenceforward kept and maintained the same inviolate.

Provided, That special application may be made to the president for pardon by any person belonging to the ex-

cepted classes; and such clemency will be liberally extended as may be consistent with the facts of the case and the peace and dignity of the United States.

The Secretary of State will establish rules and regulations for administering and recording the said amnesty oath, so as to insure its benefit to the people, and guard the government against fraud.

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

Done at the city of Washington, the twenty-ninth day of May, in the year of our Lord one thousand eight hundred and sixty-five, and of the Independence of the United States the eighty-ninth.

ANDREW JOHNSON

2. JOHNSON'S PROCLAMATION OF THE RESTORATION OF CIVIL GOVERNMENT FOR TEXAS

June 17, 1865

From United States *Statutes at Large*, Vol. XIII, 765-767.

Whereas the fourth section of the fourth article of the Constitution of the United States declares that the United States shall guarantee to every state in the Union a republican form of government, and shall protect each of them against invasion and domestic violence; and whereas the President of the United States is, by the constitution, made commander-in-chief of the army and navy, as well as chief civil executive officer of the United States, and is bound by solemn oath faithfully to execute the office of President of the United States, and to take care that the laws be faithfully executed; and whereas the rebellion, which has been waged by a portion of the people of the United States against the properly constituted authorities of the government thereof, in the most violent and revolting form, but whose organized and armed forces have now been almost entirely overcome, has, in its revolutionary progress, deprived the people of the State of Texas of all civil government; and whereas it becomes necessary and proper to carry out and enforce the obligations of the United States to the people of the State of Texas, in securing them in the enjoyment of a republican form of government:

Now, therefore, in obedience to the high and solemn duties imposed upon me by the Constitution of the United States, and for the purpose of enabling the loyal people of said state to organize a state government, whereby justice may be established, domestic tranquility insured, and loyal citizens protected in all their rights of life, liberty, and property, I, ANDREW JOHNSON, President of the United States, and commander-in-chief of the army and navy of the United States, do hereby appoint Andrew J. Hamilton, of Texas, provisional governor of the State of Texas, whose duty it shall be, at the earliest practicable period, to prescribe such rules and regulations as may be necessary and proper for convening a convention, composed of delegates to be chosen by that portion of the people of said state who are loyal to the United States, and no others, for the purpose of altering or amending the constitution thereof; and with authority to exercise, within the limits of said state, all the powers necessary and proper to enable such loyal people of the State of Texas to restore

said state to its constitutional relations to the federal government, and to present such a republican form of government as will entitle the state to the guarantee of the United States therefor, and its people to protection by the United States against invasion, insurrection, and domestic violence; *Provided* that in any election that may be hereafter held for choosing delegates to any state convention as aforesaid, no person shall be qualified as an elector, or shall be eligible as a member of such convention, unless he shall have previously taken and subscribed the oath of amnesty, as set forth in the President's Proclamation of May 29, A. D. 1865, and is a voter qualified as prescribed by the constitution and laws of the State of Texas in force immediately before the first [1st] day of February, A. D. 1861, the date of the so-called ordinance of secession; and the said convention, when convened, or the legislature that may be thereafter assembled, will prescribe the qualifications of electors, and the eligibility of persons to hold office under the constitution and laws of the state,—a power the people of the several states composing the Federal Union have rightfully exercised from the origin of the government to the present time.

And I do hereby direct,—

First. That the military commander of the department, and all officers and persons in the military and naval service, aid and assist the said provisional governor in carrying into effect this Proclamation, and they are enjoined to abstain from, in any way, hindering, impeding, or discouraging the loyal people from the organization of a state government as herein authorized.

Second. That the Secretary of State proceed to put in force all laws of the United States, the administration whereof belongs to the State Department, applicable to the geographical limits aforesaid.

Third. That the Secretary of the Treasury proceed to nominate for appointment assessors of taxes, and collectors of customs and internal revenue, and such other officers of the Treasury Department as are authorized by law, and put in execution the revenue laws of the United States within the geographical limits aforesaid. In making appointments, the preference shall be given to qualified loyal persons residing within the districts where their respective duties are to be performed. But if suitable residents of the districts shall not be found, then persons residing in other states or districts shall be appointed.

Fourth. That the Postmaster-General proceed to establish postoffices and post-routes, and put into execution the postal laws of the United States within the said state, giving to loyal residents the preference of appointment; but if suitable residents are not found, then to appoint agents, &c., from other states.

Fifth. That the district judge, for the judicial district in which Texas is included, proceed to hold courts within said state, in accordance with the provisions of the act of congress. The Attorney-General will instruct the proper officers to libel, and bring to judgment, confiscation, and sale, property subject to confiscation, and enforce the administration of justice within said state in all matters within the cognizance and jurisdiction of the federal courts.

Sixth. That the Secretary of the Navy take possession of all public property belonging to the Navy Department within said geographical limits, and put in operation all

Documents of Texas History, Ernest
 Wallace, David M. Vigness, and
 George B Ward, (State House Press,
 Texas, 1994)

John H. Reagan's Fort Warren Prison Letter on Reconstruction 201

acts of congress in relation to naval affairs having applica-
 tion to the said state.

Seventh. That the Secretary of the Interior put in force
 the laws relating to the Interior Department applicable to
 the geographical limits aforesaid.

In testimony 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 seventeenth day of
 June, in the year of our Lord one thousand eight hundred
 and sixty five, and of the Independence of the United
 States the eighty-ninth.

ANDREW JOHNSON

The painful process of "reconstructing" the southern states had already been started by President Lincoln when he was assassinated. Andrew Johnson, succeeding to the presidency, accepted as legal the four loyal governments already organized and then in a proclamation on May 29, 1865, dealt with the reconstruction of the remaining seven, including Texas. A second proclamation on the same day established a provisional government for North Carolina. On June 17 an identical proclamation was issued for Texas. Below are two of Johnson's proclamations: the first, that on May 29, granted amnesty to all ex-Confederates who would take the oath of allegiance to the United States, with the exception of certain classes who must make individual application for a presidential pardon; the second provided for a reconstruction government in Texas.