

105TH CONGRESS
1ST SESSION

H. R. 1885

To direct the Secretary of the Army to set aside the conviction of Dr. Samuel A. Mudd by a military commission in 1865 for aiding, abetting, and assisting the conspirators who assassinated President Abraham Lincoln.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 1997

Mr. HOYER (for himself and Mr. EWING) introduced the following bill; which was referred to the Committee on National Security

A BILL

To direct the Secretary of the Army to set aside the conviction of Dr. Samuel A. Mudd by a military commission in 1865 for aiding, abetting, and assisting the conspirators who assassinated President Abraham Lincoln.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds the following:

5 (1) On June 29, 1865, Dr. Samuel A. Mudd of
6 the State of Maryland was convicted by a military
7 commission in Washington, D.C., of aiding, abetting,

1 and assisting the conspirators who assassinated
2 President Abraham Lincoln.

3 (2) The conviction of Dr. Mudd was based on
4 evidence of guilt that fell so far short of meeting the
5 prosecution's burden of proof that such conviction
6 amounted to a denial of due process of law which
7 was so extreme as to constitute fundamental unfair-
8 ness.

9 (3) Because the conviction of Dr. Mudd was not
10 based on sufficient evidence and resulted in a denial
11 of due process of law, the Secretary of the Army
12 should set aside the conviction.

13 **SEC. 2. DIRECTION TO SET ASIDE CONVICTION.**

14 The Secretary of the Army shall set aside the convic-
15 tion of Dr. Samuel A. Mudd of the State of Maryland that
16 was entered on June 29, 1865, for aiding, abetting, and
17 assisting the conspirators who assassinated President
18 Abraham Lincoln.

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