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tary commander of a district absorbed the functions of the Bureau agent and in others would not coöperate with him and give him needed military support in his work. Some officers, hostile to negroes, took the part of unfriendly employers and sought at times with success to bring the Bureau agent's work into contempt.

It was not many months before the President himself in his contest with Congress began to show a steady, though underhand, opposition to the execution of the Bureau law.

Open resistance to the law by the Chief Executive could be impeached, but indirect obstacles might be thrown in the way of its execution. To keep publishing charges against the commissioner, the assistant commissioners, and all other Bureau officers appeared to be at one time a settled policy.

CHAPTER XLIX

THE ABANDONED LANDS

PERHAPS nothing excited higher hopes in the minds of those who had for years suffered and labored for emancipation, than the provision of law that was to open up the abandoned estates and certain public lands for prompt settlement by the newly emancipated.

Much in vogue at the end of the war was that plan of allotting abandoned lands to freedmen. This course the Government during the latter part of the war, as we have seen, for those lands along the Atlantic coast and in the Mississippi Valley had constantly followed first in legislative and then in executive action. Only about one five-hundredth, however, of the entire amount of land in the States seceding was available; it was all that had ever been held by the United States as abandoned. Had this project been carried out and the negroes generally been so settled on farms, either more land must have been added or the Bureau would only have been able to furnish about an acre to a family.*

The law existing at the inauguration of the Bureau, though imperfect in many respects, could hardly have contemplated such extensive action for the drifting hordes of negroes. There was, however, some public

* Act of July 2, 1864, and Act of March 3, 1865.

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wild land in the South, which might have answered; but undoubtedly the land intended by the law makers was that of those Confederates who had been in arms against the National Government.

Such use, however, of even the small amount which was turned over to the Freedmen's Bureau, was nullified by the President's pardon, granted to those who had abandoned the lands in order to engage in the war; orders of restoration to all such immediately followed the presentation of the executive pardon; this was very soon after I had obtained the control of Bureau matters.

Major William Fowler, who had served most creditably in the One Hundred and Forty-sixth New York Volunteers and later as an assistant adjutant general in the army, was the first officer assigned to the charge of my Land Division. A lawyer by profession, he proved eminently qualified for all matters pertaining to Government lands, however acquired. Fowler's first official answer to my inquiries affords a brief statement of what real property was under control of the Bureau and how it came there. He said that the Act of Congress, approved March 3, 1865, which established the Bureau, intrusted it with the supervision and management of all abandoned lands, i. e., lands taken by the Government while their lawful owner was voluntarily absent from them, engaged in arms, or otherwise in aiding or encouraging the war waged against the United States. Again, that on June 2d the President had ordered all officers of the Government having property of the character specified to turn it over to the Bureau. In compliance with this order, the Secretary of the Treasury on June 27th had issued a circular letter directing his subordinates

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who had in their possession or under their control any abandoned or confiscable lands, houses, or tenements, to transfer them to some duly authorized officer of the Freedmen's Bureau.

Further, that the President's order being obeyed, the greater portion of abandoned property in the insurrectionary districts held by Treasury agents, came into possession of the Bureau; not only abandoned lands, but all abandoned real property, except such as had been retained by military authority for strictly military purposes.

The accompanying table will give the amount in our hands till near the close of the first year:

STATES.	AMOUNT OF PROPERTY NOW IN POSSESSION OF BUREAU OF REFUGEES, FREEDMEN, AND ABANDONED LANDS.				AMOUNT OF PROPERTY RETURNED.		
	Number of acres of land.				Number of pieces of town property.	Number of acres of land.	Number of pieces of town property.
	Culti- vated.	Unculti- vated.	Unclassi- fied.	Aggre- gate.			
Georgia and South Carolina.....	9,364	50,799	374,837	435,000	398	.....	384
Kentucky and Tennessee.....	10,177	29,072	25,880	65,129	414	.....	.....
Missouri and Ar- kansas.....	18,736	.....	.....	18,736	72	.....	.....
Alabama.....	.....	.....	2,116	2,116	13	.....	.....
Virginia.....	2,625	49,110	23,918	75,653	34	26,730	310
North Carolina....	4,868	9,207	22,267	36,342	112	50,029	287
Mississippi and Louisiana (part)	50,751	4	8,525	59,280	52	11,411	60
Louisiana.....	62,528	.....	.....	62,528	501	.....	136
Maryland and Vir- ginia (part).....	2,282	5,027	6,497	13,806	.....	.....	.....
Total.....	161,331	143,219	464,040	768,590	1,596	88,170	1,177

By the table we see that we had in December, 1865, already under cultivation 161,331 acres; and that for the use of refugees and freedmen there were 768,590

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acres not yet surrendered by operation of the President's pardons; but even that early 88,170 acres and 1,177 pieces of town property had been restored to former owners, thus largely reducing the income of our Bureau from the rents, and making a continued possession of the remainder too uncertain to be of material value.

Under Colonel Eaton's superintendence and management were 13,806 acres. Of this he placed under cultivation as contemplated in the law 2,282 acres, of which 1,300 acres were in Maryland. Wheat, corn, and tobacco were the principal crops. The tenure had already become too doubtful to warrant much allotment to individuals or the giving of leases of any considerable length. Thus the provisions of the law were plainly thwarted by unexpected executive action.

Colonel Orlando Brown, assistant commissioner for Virginia, had separated his State into districts and sub-districts about the same in extent as those of the President's military department commander, General Schofield. Brown obtained officers by detail from Schofield for superintendents. He had for supervision thirty-four pieces of town property and 75,653 acres of land. Of this he had directly under cultivation by freedmen 2,625 acres. Under the President's orders he had already by November 30, 1865, returned to former owners 26,730 acres and 310 pieces of town property. In the counties of and near the peninsula of Virginia he had been able to try many experiments with a view to diminish the large accumulations of freedmen unfortunately massed near the harbor. He had secured almost an entire support of these as the result of their own labor during the summer.

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A colony of 100 freedmen for Liberia through a colored agent was transferred from Lynchburg, Va., to Baltimore, Md., of which the old and revered Colonization Society took charge. On many of the old Virginia farms which their owners had deserted, Colonel Brown had the freedmen well organized and cheerfully working. They had during this year of trial abundant diversified crops.

Colonel Whittlesey, assistant commissioner for North Carolina, had remained in possession at the time of his first annual report of 112 pieces of town property, and 36,342 acres besides; under cultivation 4,868 acres. The President's pardon caused 50,029 acres and 287 pieces of town property to be restored to returning owners before Brown's report was made.

Concerning the cultivators of land, Colonel Whittlesey said that few contracts were possible for long periods from the want of confidence between employers and employees. The freedmen, as a rule, worked more faithfully for money than for a share of the crops, for which they must wait. Nearly all of the farms transferred by Treasury agents as "abandoned" had already been, under President Johnson's orders, restored to owners. The tenure of these had become too precarious to admit of setting them apart for refugees or freedmen. Many freedmen were renting lands of the owners and efforts were constantly made by Whittlesey to aid them in this praiseworthy course. Whenever he could he secured lots and land to them, where they built houses, that they might not lose what they had expended. The "Trent River Settlement," filled with freedmen, situated near New Berne, N. C., was at this time a well ordered, quiet, healthy town, rivaling New Berne in these respects.

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With reference to the land in General Saxton's States, South Carolina, Georgia, and Florida, I will endeavor to explain the effect of the President's pardons upon my own actions, and the special tasks he assigned to me in connection with the abandoned and other real property. In fact, my own special efforts covered the land question for the southern coast.

In order to establish a definite and uniform policy relative to confiscated and abandoned lands, as commissioner, I issued a circular (July 28th) quoting the law and limiting and regulating the return of the lands to former owners; I authorized assistant commissioners to restore any real property in their possession not *abandoned*; the cultivators were protected in the ownership of growing crops on land to be restored, and careful descriptions were required of such land, and monthly records of amounts which remained in the possession of the Government. I further directed the assistant commissioners to select and set apart in orders, with as little delay as possible, as some had been already doing, such confiscated and abandoned property as they deemed necessary for the immediate use for the life and comfort of refugees and freedmen; and we also provided for rental or sale when that was possible. Surely the pardon of the President would not be interpreted to extend to the surrender of abandoned or confiscated property which in strict accordance with the law had been "set apart for refugees and freedmen" or was then in use for the employment and general welfare of all such persons within the lines of national military occupation in insurrectionary States. Did not the law apply to all formerly held as slaves, who had become or would become free? This

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was the legal status and the humane conclusion. Then naturally I took such action as would protect the *bona fide* occupants, and expected the United States to indemnify by money or otherwise those Confederates who were pardoned; assuredly we would not succor them by displacing the new settlers who lawfully were holding the land.

My circular of instructions did not please President Johnson. Therefore, in order to avoid misunderstandings now constantly arising among the people in regard to abandoned property, particularly after the President had set on foot a systematic method of granting to the former holders a formal pardon, he made me draw up another circular worded better to suit his policy and submit it to him before its issue. But he, still dissatisfied, and with a totally different object in view than mine, had the document redrawn at the White House and instructed me September 12, 1865, to send it out as approved by him, and so with reluctance I did. This document in great part rescinded former land circulars. Besides allowing assistant commissioners to return all land not abandoned, it instructed them to return all abandoned lands to owners who were pardoned by the President, and provided no indemnity whatever for the occupants, refugees, or freedmen, except a right to the growing crops.

In the definition of confiscated estates the words were: "Land will not be regarded as confiscated until it has been condemned and sold by decree of the United States court for the district in which the property may be found, and the title thereto thus vested in the United States."

On the face of it this approved circular appeared

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fair and right enough; but with masterly adroitness the President's draft had effectually defeated the *intention* of all that legislation which used the abandoned estates and the so-called confiscated property; that intention was to give to loyal refugees and freedmen allotments of and titles to land. In Virginia, a considerable amount had been libeled and was about to be sold, when Mr. Stanton considerably suspended the sales, that these lands might be turned over more directly to the Bureau for the benefit of the freedmen. I insisted that these lands, condemned for sale, though not actually sold, were already the property of the Government; therefore, I made objection to the President against the insertion of the word "sold" into the definition of confiscated property; but after reference to the attorney general, the President decided adversely to me and so the word "sold" was inserted in the definition that was published in the order. This was what caused the return to former owners of *all property* where sales had been suspended and never consummated. It was further strongly recommended by me to the President that all men of property to whom he was offering pardon should be conditioned to provide a small homestead or something equivalent to each head of family of his former slaves; but President Johnson was amused and gave no heed to this recommendation. My heart ached for our beneficiaries, but I became comparatively helpless to offer them any permanent possession.

When the former owner had not as yet been pardoned the burden was after this time put upon my officers to prove that property had ever been voluntarily abandoned by a disloyal owner. I soon saw that very little, if any, had been confiscated by formal

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court decision; so that wholesale pardons in a brief time completed the restoration of the remainder of our lands; all done for the advantage of the late Confederates and for the disadvantage and displacement of the freedmen. Very many had in good faith occupied and cultivated the farms guaranteed to them by the provision and promise of the United States.

My heart was sad enough when by constraint I sent out that circular letter; it was chagrined when not a month later I received the following orders issued by President Johnson:

"Whereas certain tracts of land, situated on the coast of South Carolina, Georgia, and Florida, at the time for the most part vacant, were set apart by Major General W. T. Sherman's special field order No. 15 for the benefit of refugees and freedmen that had been congregated by the operations of the war, or had been left to take care of themselves by their former owners; and whereas an expectation was thereby created that they would be able to retain possession of said lands; and whereas a large number of the former owners are earnestly soliciting the restoration of the same, and promising to absorb the labor and care for the freedmen:

"It is ordered: That Major General Howard, Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands, *proceed* to the several above-named States and endeavor to effect an agreement mutually satisfactory to the freedmen and the land owners, and make report. And in case a mutual satisfactory arrangement can be effected, he is duly empowered and directed to issue such orders as may become necessary, after a full and careful investigation of the interests of the parties concerned." Why did I not resign?

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Because I even yet strongly hoped in some way to befriend the freed people.

Obedying my instructions I reached Charleston, S. C., October 17, 1865. General Saxton's headquarters were then in that city. I had a conference with him and with many of the land owners concerned. The truth was soon evident to me that nothing effective could be done without consulting the freedmen themselves who were equally interested. Therefore, accompanied by several officers and by Mr. William Whaley, who represented the planters, I went to Edisto Island, and met the freedmen of that vicinity who came together in a large meeting house. The auditorium and the galleries were filled. The rumor preceding my coming had reached the people that I was obliged by the President's orders to restore the lands to the old planters, so that strong evidence of dissatisfaction and sorrow were manifested from every part of the assembly. In the noise and confusion no progress was had till a sweet-voiced negro woman began the hymn "Nobody knows the trouble I feel—Nobody knows but Jesus," which, joined in by all, had a quieting effect on the audience. Then I endeavored as clearly and gently as I could to explain to them the wishes of the President, as they were made known to me in an interview had with him just before leaving Washington. Those wishes were also substantially embodied in my instructions. My address, however kind in manner I rendered it, met with no apparent favor. They did not hiss, but their eyes flashed unpleasantly, and with one voice they cried, "No, no!" Speeches full of feeling and rough eloquence came back in response. One very black man, thick set and strong, cried out from the gallery: "Why, General

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Howard, why do you take away our lands? You take them from us who are true, always true to the Government! You give them to our all-time enemies! That is not right!"

At my request, the assembly chose three of their number, and to them I submitted with explanations the propositions to which the land owners were willing to subscribe. Then I faithfully reiterated to the whole body the conditions of the existing tenure under our President's action, they having no absolute title but simply occupying the homesteads. I urged them to make the best terms they could with the holders of the titles. These simple souls with singular unanimity agreed to leave everything to my decision with reference to restorations to be made, and also the conditions attending them. But their committee after considering all the matters submitted to them said that on no condition would the freedmen work for their late owners as formerly they did under overseers; but if they could rent lands from them, they would consent to all the other arrangements proposed. Some without overseers would work for wages; but the general desire was to rent lands and work them.

At last, to be as fair to all parties as possible, I constituted a board of supervisors in which the Government, the planters, and the freedmen were equally represented. This board was to secure and adjust contracts and settle cases of dispute and controversy. The freedmen and the planter could form contracts for rental or for labor with wages as elsewhere; but before the latter could do so his land must be formally restored. To effect this restoration, there was drawn up for his signature an obligation in which he promised substantially: To leave to the freedmen the ex-

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isting crop; to let them stay at their present homes so long as the responsible freedmen among them would contract or lease; to take proper steps to make new contracts or leases, with the proviso that freedmen who refused would surrender any right to remain on the estate after two months; the owners also engaged to interpose no objections to the schools; all the obligations to hold for only one year unless renewed.

At the time, I placed in charge of the whole adjustment Captain A. P. Ketchum, One hundred and Twenty-eighth United States Colored Infantry, acting assistant adjutant general, an officer of acknowledged acumen and conscientiousness. He was in this business my representative with power to extend the arrangement above given to all estates embraced in General Sherman's original provision in South Carolina, Georgia, and Florida.

Upon our return to Charleston, I sent Mr. Stanton this dispatch:

I met several hundred of the colored people of Edisto Island to-day, and did my utmost to reconcile them to the surrender of their lands to the former owners. They will submit, but with evident sorrow, to the breaking of the promise of General Sherman's order. The greatest aversion is exhibited to making contracts, and they beg and plead for the privilege of renting or buying land on the island. My task is a hard one and I am convinced that something must be done to give these people and others the prospect of homesteads.

Six days later, on October 25th, Mr. Stanton replied, his message reaching me at Mobile, Ala. He telegraphed: "I do not understand that your orders require you to disturb the freedmen in possession at present, but only ascertain whether a just mutual agreement can be made between the pardoned owners and the freedmen; and if we can, then carry it into effect."

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The very rumor of my coming disturbed them. I answered Mr. Stanton that I had set Captain Ketchum to restore lands to the pardoned, provided they signed the obligatory instrument which I have described; that this was as nearly satisfactory to all parties as anything that I could devise. I had given the freedmen a supervising board to guard their interests during the transition.

After the work under the President's instructions extending as far as Mobile had been finished, I returned to Washington November 18th, and submitted an account of the journey to Mr. Stanton. These were my closing words:

"It is exceedingly difficult to reconcile the conflicting interests now arising with regard to lands that have been so long in possession of the Government as those along the coast of South Carolina, Georgia, and Florida. I would recommend that the attention of Congress be called to the subject of this report at as early a day as possible, and that these lands or a part of them be purchased by the United States with a view to the rental and subsequent sale to the freedmen."

Congress soon had the situation clearly stated, but pursued its own plan of reconstruction, as did the President his own, regardless of such minor justice as making good to thousands of freedmen that promise of land which was at that time so essential to their maintenance and their independence.

The assistant commissioner for Louisiana was twice changed during the year 1865. General Absalom Baird was by some circumstance delayed from taking charge. I had my adjutant general, Fullerton, sent there to act temporarily as assistant commis-

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sioner till Baird's arrival. Louisiana showed for the year 62,528 acres of abandoned land under cultivation by freedmen and 501 pieces had been given back to owners; thus restoration went on. In New Orleans alone there was \$800,000 worth. The large number of estates abandoned and supposed to be confiscated in Louisiana, which were turned over to us by the Treasury Department, had happily afforded means of raising considerable revenue, indeed, more than any other State. This revenue was now greatly diminished and soon would be extinguished by our being so obliged to give up possession. There were now in Louisiana four large "home colonies," where were supported great numbers of the aged and infirm. But these were not fully self-supporting; still, there were good farms connected with each, faithfully worked by freedmen.

The Mississippi assistant commissioner, Colonel Thomas, for 1865, had worked enough farms to raise a sufficient revenue for Bureau purposes within that State. From every part of Mississippi he showed that freedmen desired to have homes of their own; that they were willing enough to work places which they held by rent, or which they felt were secured to them for their use. The freedmen working land assigned them at Davis Bend, De Soto Point, and at Washington near Natchez, had labored hard and did well. At least 10,000 bales of cotton were raised by these colonists. They had gardens and corn enough to furnish food for themselves and for their stock for the year. Thomas wrote: "A more industrious, energetic body of citizens does not exist than can be seen now at the colonies."

In other parts of Mississippi, Thomas found fine

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crops of grain; the negroes were at home and working quietly. They had generally contracted with their old masters, and all seemed to have accepted the change from slavery to freedom without a shock. Thomas believed that all that was necessary for peace and prosperity was kind treatment, respect for the laborer's rights, and prompt payment as agreed upon in their contracts.

In Alabama, Texas, Kentucky, and Tennessee there were only small amounts of abandoned land in the possession of the Bureau, and its operations under the Land Division were less in amount than in other directions.

As the year 1865 was drawing to a close, I saw plainly that this work of restoring lands and providing reasonably for the occupants, arranging things properly with the land owners or otherwise, would demand time; so I set forth the facts concerning the lands in my communication to Congress. I wrote that it would require at least a year more from January 1, 1866, to bring to a close the Land Division, whatever disposition might be made of the lands. The faith of the Government having been pledged as to leases and contracts for the coming year, it would be unwise to commit them to any State agencies. Again, I urged that to render any portion of the freedmen able to take advantage of the homestead law in Florida, Louisiana, Arkansas, or in other States where there were public lands, aid must be furnished the settlers in the way of transportation, temporary food, and shelter and implements of husbandry. To render this relief offered effective, more time than our present law offered would be essential.

Prior to the President's fuller action in the interest

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of the land owners, my instructions had been clearly defined, namely, to return estates to those only who could show constant loyalty, past as well as present—a loyalty which could be established by the production of an oath of allegiance, or amnesty, or other evidence. As the Bureau held property by authority of an Act of Congress for certain definite purposes, I had presumed and believed that this tenure would continue until those purposes were accomplished; that such property must be surrendered by us only when it was made evident that our possession and control of it was not proper. But the positive adverse action of President Johnson and the non-action of Congress caused a complete reversal of the Government's generous provision for the late slaves. Thus early officers and agents were constrained to undertake to make bricks without straw.

After years of thinking and observation I am inclined to believe that the restoration of their lands to the planters proved for all their future better for the negroes.

CHAPTER L

COURTS FOR FREEDMEN; MEDICAL CARE AND PROVISION FOR ORPHANS

UPON their appointment the assistant commissioners of freedmen were enjoined to use every proper means to quicken the industries in the States under their charge. They held indeed a broad commission. Negroes were declared in my letters sent them to be free to choose employers and receive pay for their labor. The old system of overseers was abolished. Cruelty and oppression were to be suppressed. It was easy to write and publish, but hard to carry such orders into execution.

Owing to the almost universal disturbance of labor through eleven or twelve States by the war and consequent emancipation, well-meaning planters and farmers, and employers of negroes generally were much puzzled as to the best method to put industries in motion. Fortunately, as we have seen, there had already been before the Bureau began its trials, considerable practical experience with freedmen who did work under contract or with leases. Yet these experiments came to the knowledge in those days of but few Southern men. From all directions anxious employers poured in letters upon me urging me to fix prices and enable the employer to exercise power, in one way or another, over the laborer. The majority did not be-

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lieve the negro would work unless under compulsion. One prominent gentleman came all the way from Louisiana to Washington. He had been delegated by a score or more of planters to visit me and show a schedule of prices which they had drawn up as liberal as they could make them *and live*; he asked for a formal approval.

Much to the astonishment and chagrin of the suggestors and their agent, the statement made and reiterated by me that *wages* must be free was adhered to, and that they were to be regulated by the assent of both parties to a contract verbal or written, or adjusted from the common market value. I repeatedly cautioned my officers against any substitute whatever for slavery. The assistant commissioners ably seconded these efforts. They left wages to be regulated by demand and agreement. They found that minimum rates, when published, sometimes protected the freedmen; but it was difficult after public notice to ever advance above the minimum. If you fixed rates for able-bodied men, you did not properly discriminate with regard to differences of skill and ability in a given class.

In some communities, finding the plantation negroes inclined to leave their homes and go to the cities, villages, and military posts with no good prospect of work or support, the agents at hand were directed to adopt a system like that of the ordinary intelligence office; they first used every effort to find good places of employment where the idle could find support, and then sent them there. Industrial farms and industrial schools, established by the benevolent societies, helped absorb this class. Government farms, those that had been set apart or allotted, served the purpose in vari-

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ous places from Maryland to Louisiana to distribute and absorb the surplus population.

Yet, after all such provision, we found many authentic complaints of idleness for which no remedy seemed to exist. At last I urged for such freedmen the use of the vagrant laws which applied to whites, leaving out the whipping post which had still been retained in their law books for minor offenses in some of the States. Naturally enough, where exaggerated stories were always rife, a rumor was circulated among the freedmen quite generally that they would finally get somehow all the lands of disloyal owners. The wording of the Bureau law unfortunately fostered the idea. Were not forty acres to be set apart to every male citizen, whether refugee or freedman? Soldiers, colored and white, magnified the report till the belief became prevalent that the Government intended, at the Christmas of 1865, to effect this division. Speculators who desired to cheapen the lands added to the tales their own exaggerations. The result was that toward the autumn great numbers of freedmen became averse to making any contracts whatever with property holders, verbal or written, for the coming year.

Our officers and agents at once set themselves to disabuse the minds of the working people of impressions so detrimental to their interests, entreating them to hasten and get places of support, and then aiding them to obtain fair wages. But even the correction of false reports did not always produce willingness to contract. And, indeed, I felt that the system we were obliged to adopt was checking individuality, or not sufficiently encouraging self-dependence; but a little wholesome constraint could not in many cases be avoided.

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In my first published instructions on the subject I said that no assistant commissioner or agent was authorized to tolerate compulsory, unpaid labor, except for the legal punishment of crime. Suffering may result from this course to some extent, but suffering is preferred to slavery, and is to some degree the necessary consequence of events.

I was confident that the education unhindered in books, and from experience, would, in time, work wonders, stimulating individual enterprise. The people, however, were never compelled to make contracts. When farmers, traders, or mechanics preferred, they could make their bargains without record, but the interest springing from the employer's necessity to have some security for the laborer to remain the year out, and the need of each freedman to have some guaranty for his wages rendered it easier for the Bureau agent to introduce written contracts. Certainly this was true wherever sufficient daylight had penetrated to make men see that slavery really had been abolished.

Vigilance and effort the first season gave good results in those communities in which the people most quickly recognized the negro as a *free man*. In Virginia and North Carolina the vast majority of freedmen were already well at work. Partnerships and joint stock companies with capital had come in and greatly helped us. They hired the men as they would have done elsewhere, treated the workmen well, and paid promptly.

In South Carolina and Georgia the first results of free labor efforts were not so encouraging. I wrote after a visit to Charleston that, as the department commander and assistant commissioner were both at Charleston trying to coöperate, more complete order

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and confidence would come, and that the arrival in Georgia of General Davis Tillson, the new acting assistant commissioner, in the month of September had produced a favorable change in that State. He was at the State capital during the session of the State Reconstruction Convention, and explained to its members the purpose of the Bureau, and corrected false impressions, especially touching the settlement of land and labor. He and the department commander for Georgia began and continued to work heartily together, and, but for the extreme poverty in some sections, were introducing stability and continued industry.

Florida was quiet and orderly enough. There had been but few acts of violence; but the freedmen there hardly as yet realized that they were free. The assistant commissioner had not been long enough in the State, nor had he sufficient assistants to make his organization felt; but he had, nevertheless, in a few counties made a good beginning. Here by his action the old compulsory overseer system had been effectually stopped.

General Wager Swayne, assistant commissioner for Alabama, found there a failure of the crops; it was owing to a drought and to the excitement of some late military raids through the State; he feared great distress of both whites and blacks during the coming winter; but Swayne, always wise, carefully matured plans for effective relief. For example: In such counties as most needed assistance he had organized some colonies on good farms where shelter and employment were at once given to the most needy and which in time he expected to become self-supporting. But his best work was the excellent provision he was making for contracts and leases for the coming year. The

department commander and the new governor appointed by President Johnson were cordially coöperating with him. In the steadiness of labor, and in the kind relations of laborers and property holders, Alabama at that time was in advance of other States.

It appeared by all accounts from Louisiana that the system of free labor was also succeeding there, especially in every county or parish where the white men were disposed to give it a fair trial, and better where both parties would at all fulfill their contracts. The best outlook was on the plantations where employers paid cash at short intervals. Prior to a change of officers which I brought about in that State, from lack of mutual confidence the military commander, the new civil authorities, and the assistant commissioner were working all the while at cross purposes, but by September, 1865, there was harmony. Matters at once took better form for the interests of both employers and employed. Old contracts were happily fulfilled and new ones extensively made for the ensuing season.

General Fisk, the assistant commissioner for Tennessee and Kentucky, at first found his most pressing duty to disseminate the indigent masses of refugees and freedmen that the war had brought together. In both States he had, in his efforts among the planters, remarkable success. Tennessee had early found a renewal of public confidence, and the planters of that State had quickly absorbed the labor found in their midst.

General Sprague in Missouri and Arkansas, too, except in impoverished districts, had readily found employment for workingmen, white or black. By the close of 1865, he believed that the active demand for labor was in a great measure settling the condition

of society. The negroes were industriously cultivating the cotton fields, having employment and good wages. The contracts made were for the most part carried out. Sprague, of a manly and popular turn himself, had secured the coöperation of the military commanders and the provisional governor of Arkansas of recent appointment. Missouri was better off; she had become a free State with fairly good laws protecting the rights of the freedmen just enacted; so that the operations of the Bureau almost ceased there.

In the District of Columbia and vicinity, where masses of freedmen had gathered, Colonel Eaton had established five intelligence offices, and through them furnished thousands of the able-bodied of both sexes with situations far and near. He had been much worried during the year with the Maryland apprentice laws. After trial he could only relieve specific cases where there was uncalled-for restraint and cruelty; but his reports brought their ugly slavery features to the knowledge of the President and Congress. A remedy came in time.

The work of my officers in obtaining recognition of the negro as a man instead of a chattel before the civil and criminal courts took the lead; we took the initiative in influencing the South in its transition into the new order of things. In land and labor matters the Bureau found existing conditions the settlement of which would brook no delay if we were to prevent race wars or starvation; but under the title of justice was the first active endeavor to put the colored man or woman on a permanent basis on a higher plane.

Here is the way the process began: Quite early in my administration as commissioner I paid a visit to

Virginia, and not far from Charlottesville met a small assembly of planters. Some of them said they could not work negroes when free. Others asked what was to hinder men from running off and leaving a crop half gathered? The most of them appeared quite in despair how to make or execute contracts with ex-slaves.

After having drawn out quite generally an expression of opinion and feeling on their part, I addressed them: "Gentlemen, no one of us alone is responsible for emancipation. The negro *is free*. This is a fact. Now cannot we blue-eyed Anglo-Saxons devise some method by which we can live with him as a free man?" I then made a suggestion. "Suppose for all minor cases, say within one or two hundred dollars of value, we organize a court. My agent being one member may represent the Government; the planters of a district can elect another, and the freedmen a third. In nine cases out of ten the freedmen will choose an intelligent white man who has always seemed to be their friend. Thus in our court so constituted, every interest will be fairly represented." The hearers were pleased. They were astonished to find me a friend and not an enemy, and they said with feeling: "General, why didn't you come down here before?"

After this talk a court was started there, and similar courts extended in orders to all my jurisdiction. For the whole field for some months minor justice was administered by these Bureau courts constituted wholly or partially from officers or agents of the Bureau; but everywhere when practicable we associated civilians with our officials. By orders, the power as to punishment was limited to not exceed \$100 fine, or thirty days' imprisonment. All cases of capital crimes,

felonies, or questions relating to titles to real estate were referred to some State court, if such existed where the case occurred, or to a court of the United States, or to military commissions.

These lesser bureau courts were often necessary for the protection of negroes against small personal persecutions and the hostility of white juries.

The higher courts of a State, though not admitting the testimony of people of color, were usually fair.

As soon as the military occupation of the South had been completed, provost courts, a military substitute for civil courts in unoccupied territory, were established here and there in each State. We gladly took advantage of these for the settlement of all sorts of difficulties. The sentence could be readily and easily executed against black and white men because of the guardhouse and the ever ready military force. In the great majority of instances, the provost courts decided fairly; but there were some where the officers composing them had the infectious prejudice against the negro, and discriminated against his interest; they invariably meted out to those who abused him by extortion or violence, punishments too small and in no way commensurate with their offenses.

When the President's provisional governors had rehabilitated the States under their old laws modified somewhat to conform to the amendments of the United States Constitution, the civil local courts became available for Bureau purposes and were at once used, provided they would admit the testimony of the freedmen. This boon of negro evidence was at first quite generally refused.

General Swayne in Alabama, proving himself an able diplomat as well as a good lawyer, had the first

substantial success. He had primarily obtained the good will and coöperation of the provisional governor. He next agreed with him to transfer all causes for court action to the State tribunals, if they simply would admit in them the testimony of negroes. The judges, urged and advised by the governor, in nearly the whole of Alabama gave up their opposition and yielded recognition and decided to accept the jurisdiction. Very promptly I approved of Swayne's entire proposition, believing that we could thus test the disposition of the judicial functionaries as to their willingness to do justice to the freedmen; and so the experiment began with fair success in that State. All officers and agents of the Bureau available were instructed to act as advocates of the freedmen in these courts; and the right to withdraw Government recognition from the courts was kept in the hands of the assistant commissioner.

As soon as our action was known to the country, many of the negroes' pronounced friends, and among them Wendell Phillips, severely condemned my action. "Howard has put the freedmen into the jaws of the tiger," he cried. But the ready answer which I gave was: "Justice in time will work itself clear. It is a long step gained to secure the negro's testimony in the Southern courts." Excellent reports soon came from nearly every quarter of Alabama. There were, however, a few exceptions on the borders of Tennessee and Georgia.

A similar course was tried in Mississippi, but the results, owing to the strong indigenous prejudice against negroes as witnesses, were not very encouraging. In Louisiana suits and testimonies were quickly allowed under the State government, and the civil

courts were often used by Bureau officials with a reasonable measure of justice.

Following Alabama, General Tillson tried the civil magistrates of Georgia under similar directions and restriction as in Alabama. He was reassured by a prompt coöperation and pleased with the action everywhere taken. He felt that if we trusted the Southern white people more, they would be disposed to do right.

For South Carolina General Meade, the Military Division commander, forestalling action by the Bureau, had arranged with the provisional governor for that State that all freedmen's cases should be brought before his provost courts. This was well enough generally for immediate justice, but not so well for the ultimate, when the military would have to be withdrawn.

In all the other States the same course was pursued with desirable fruitage. In some counties after their withdrawal the Bureau courts had to be reëstablished to prevent open revolt by negroes against evident legal persecution in State courts.

To avoid, as much as we could, too much new Bureau legislation, our officers secured by their influence the extension as far as possible of the State laws to the freedmen, i. e., laws made for the whites. It was always the practical method—the best way—to make use of time-honored rules established by wise legislation for other people. Those laws applicable to marriage and divorce, to apprenticeship of orphan minors, to paupers and to vagrancy were especially available. Marriages of the freedmen were carefully registered by the Bureau in every State; many orphans were apprenticed to people of good character, under humane and liberal regulations; and the district, parish, county, or town was for the most part gradu-

ally induced to care for all except a few extreme cases of poverty which could not be shown to belong to any particular locality.

In view of the entire field, the outlook as touching justice to refugees and freedmen appeared to be brighter at the close of November, 1865, than for a long subsequent period.

It has not been possible to speak of land, labor, and justice connected with the destitute refugees and freedmen without mentioning, more or less, the indigent, helpless, and pauper classes. It will be recalled that, in the outset, we found that over 144,000 people were receiving daily rations, medical supplies, and other help.

Our first record of these facts was found at the War Department, May, 1865. By the end of the year, we had made a great reduction, but leaving still a destitute host of more than 70,000. This reduction, as before stated, was effected by finding places of work and giving transportation to them, and also by the voluntary efforts of refugees and freedmen, seeking and finding employment for themselves. Those obtaining daily rations included the sick and the orphan children, citizen employees of the Bureau, also officers on duty with us and citizens laboring voluntarily for the freedmen. All volunteer helpers received their rations by purchasing.

For a few days after the Bureau was organized we were at a loss how to feed this unorganized mass. June 20th, Colonel Balloch and I visited General A. B. Eaton, the commissary general of the army, and pleaded before him our case. We showed him our army of over 140,000 dependents; that there was no appropriation; that the law had a clause: "That the

Secretary of War may direct such issues of provisions, clothing, and fuel as he may deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their wives and children, under such rules and regulations as he may direct." I said: "The Secretary leaves this matter, General Eaton, to you and to me." We then submitted a proposed circular letter, which, after a close examination and a few alterations, General Eaton approved.

This important instrument defined the destitute ration in all its parts and fixed the half ration for children under fourteen years. The ration consisted mainly of pork, bacon, or fresh beef, flour, or bread, with occasional issues of corn meal, beans, peas, or hominy with coffee or tea for women. It named the ration returns (requisitions for rations) and required them to be approved and signed by the commanding officer of a post or station, and, when practicable, by an assistant commissioner or one of his agents for the State or district. A seven days' supply could be obtained at a time. In cases where the destitute could partially supply themselves, then only such parts of the ration as were actually needed were given. Thus, taking advantage of the army machinery, at a stroke the feeding process was provided for. The general authority for all supplies was put by the law in the hands of the Secretary of War, and so my order after approval by Mr. Stanton required quarterly estimates of all provisions and clothing, and allowed the purchase of rations by teachers and other persons working for refugees and freedmen. A limited transportation was given to teachers on Government transports and railways—of these there were many in those days—and

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the instructions allowed public buildings, and especially those seized from disloyal owners, to be used for schools and for homes for teachers, soldiers' wives, and refugees.

A few months having elapsed, October 10, 1865, we received further positive relief. The quartermaster's department was directed by Mr. Stanton to turn over to my officers on their requisitions out of their abundance, such quartermaster's stores on hand, and clothing, camp and garrison equipage, unfit for issue to troops, as might be required to enable such officers to perform their public duties and provide for the immediate necessities of destitute refugees and freedmen that were temporarily dependent on the Government.

From May to November 30th, the total number of white refugees who had been transported at public charge from distant places to their own homes, or to new homes found for them, had reached 1,778. There had been from May to this date a steady diminution of this class to be moved, so that in the month of November there were but sixteen persons so sent. Correspondingly, for the freedmen for November only 1,946 received formal transportation. The employees, teachers, and agents of benevolent associations receiving this favor were 307. Besides this sending of persons, boxes and bales of stores were forwarded free of charge, such as had been collected from benevolent people for the benefit of our destitute wards.

The medical arrangement was most important,—that with the surgeon general. Our medical work had at first been done in an irregular way; but on August 3, 1865, Surgeon General Barnes kindly directed his medical purveyors to issue medical and hospital supplies to our medical officers. All the provi-

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sions in the Bureau law were thus given effect for at least one year after the close of the war, and that date, hardly fixed by any single event, was given a liberal interpretation. June 16th, Surgeon Caleb W. Horner became my medical director. With alacrity he entered upon his multifarious duties, and little by little extended the Medical Division throughout the States where the Bureau was already operating, especially to all the colonies, camps, hospitals, and orphan asylums directly and indirectly under our charge.

From time to time as he needed them he called for medical assistants and they were promptly furnished. By the middle of August he had seventeen such assistants from the army, covering the whole territory from Maryland to Louisiana. The last of November he wrote: "Although the Bureau has not yet reached the remote sections of the South, already forty-two hospitals with accommodations for 4,500 patients are in operation and facilities are afforded for the treatment of 5,000 sick in twenty-four asylums and established colonies."

Besides the medical officers designated, eighty-three physicians and 180 male and 177 female attendants were employed by contract. With regard to the work of this great division it may be said that at the close of the year 2,531 white refugees had been under medical treatment and 45,898 freedmen had received medical aid, yet there remained in all the hospitals only 388 refugees and 6,645 freedmen. The percentage of deaths during the year, owing to the previous hardships to which the patients had been exposed, was unusually large; for refugees 9 per cent had died, and for freedmen 13 per cent. Before systematic medical aid was extended to these people they were found to be

dying at the rate of 30 per cent. But where the relief system of the Bureau had been made complete, as in the District of Columbia, the mortality was reduced to less than 4 per cent.

As concrete illustrations a few of the orphan asylums will serve. By the breaking up of the slave system former owners were of course freed from the care of negro children, and there having been in much of the South a want of any permanent family relation among the slaves, hosts of negro children without parents or friends were found in Southern cities. In the District of Columbia was one asylum established during the war under the auspices of a Ladies' Benevolent Society. The name under its charter was the National Association for the Relief of Destitute Colored Women and Children. When the war was over and our active Bureau agency came to play its part, all helpless adults were soon cared for in the Freedmen's Hospital of the district, so that this society thereafter confined its attention and resources mainly to orphan children. They cared for between one and two hundred during 1865. At first the association occupied the "abandoned property" of Mr. R. S. Cox, situated near Georgetown in the District, and they greatly hoped to retain that property, which was in a healthful location and in every way commodious. But, on August 17th, I informed the ladies of the association that President Johnson had requested the Bureau to provide some other place for the orphans because he had fully pardoned Mr. Cox, the Confederate owner, and he was thereby entitled to complete restoration of his estate. The ladies were much grieved at this action of the President, yet after some delay they purchased several lots on the Seventh Street road, just

beyond the limits of the city of Washington; and thereon, as quickly as possible, the Bureau erected a suitable building for the asylum. Here the orphans were properly provided for. It further aided the good ladies with rations and medical attendance. Mr. Cox, a citizen newly made by the removal of his political disabilities, sought a little retributive justice against that association of ladies by suing them for damages to his property during their occupancy to the amount of \$10,000, but he was not successful in his suit.

Three orphan asylums in New Orleans were maintained the same year. One of them was on Dryades Street, mainly in charge of the National Freedmen's Relief Association. The Bureau, as in Washington, aided the management with food, medicine, and medical care for the children, whose number was about one hundred. Madame Louise de Mortié, an educated and philanthropic lady, opened another asylum in the Soulé mansion, designed for orphan girls. This mansion, abandoned, was assigned to her by the Bureau. The lady provided for between sixty and seventy girls. This institution required but little help from the assistant commissioner. For a time, there were in Louisiana two other asylums, one that had been in existence before 1865 and was supported wholly by the Government; the other was opened by the colored people themselves. The assistant commissioner for Louisiana speedily united these two and put them under the management of the National Freedmen's Association, the Bureau furnishing, as generally, a building, medical aid, fuel, and rations. This union asylum, well located in New Orleans, had the care of a hundred and fifty orphan children at a time, and did excellent

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service. The colored people themselves of this city very largely cared for the orphans of their friends and acquaintances in their own families, and thus, when orphanage was at its height, generously saved the Government much expense.

CHAPTER LI

THE EARLY FINANCES; SCHOOLS STARTED

COLONEL BALLOCH, before mentioned, was early placed at the head of financial affairs in the Freedmen's Bureau. He came to it by detail from the subsistence department of the volunteer army.

It was the original intention of Mr. Stanton and myself that Balloch, who had been an excellent commissary of brigade, of division and of corps, often under me during the progress of the war, should have charge of commissary matters. He was particularly fitted to supervise the procurement and issue of food to destitute refugees and freedmen; but as he was known to be a good financial officer, of large experience and probity, and already under bonds for the faithful disbursement of public funds, I decided to assign him to additional duty as chief accounting officer.

There was, the first year, no direct appropriation of money for the support of our Bureau, and in consequence, besides what came from abandoned property, aid had to be obtained, as we have seen, from the quartermaster, commissary and medical departments of the army. The law itself, it will be observed, sanctioned these sources of supply, and by implication required not only that all abandoned property, but all other matters, including funds, should be under the supervision of the commissioner, under such regula-

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tions as he might prescribe, provided he obtained the approval of the President.

The following table, which the reader may skip if he dislikes such literature, will indicate how the funds, gathered from various sources and transferred to the accounting officer, were recorded. The table further shows something of their original use:

RECEIPTS

Amounts received during the year 1865

From Freedmen's Fund.....	\$466,028.35
" Retained Bounties.....	115,236.49
For Clothing, Fuel, and Subsistence sold.....	7,704.21
From Farms.....	76,709.12
" Rents of Buildings.....	56,012.42
" " Lands.....	125,521.00
" Quartermaster's Department.....	12,200.00
" Conscript Fund.....	13,498.11
" Schools (Tax and Tuition).....	34,486.58
Total received.....	\$907,396.28

EXPENDITURES

Freedmen's Fund.....	\$8,009.14
Clothing, Fuel, and Subsistence.....	75,504.05
Farms.....	40,069.71
Household Furniture.....	2,904.90
Rents of Buildings.....	11,470.88
Labor (by freedmen and other employees).....	237,097.62
Repairs of Buildings.....	19,518.46
Contingent Expenses.....	46,328.07
Rents of Lands.....	300.00
Internal Revenue.....	1,379.86
Conscript Fund.....	6,515.37
Transportation.....	1,445.51
Schools.....	27,819.60
Total expended.....	\$478,363.17

Balance on hand, October 31, 1865.....	429,033.11
Deduct Retained Bounties.....	115,236.49
Balance available for liabilities.....	\$313,796.62

The sums that came into the hands of the chief disbursing officer, originally arising from taxes on salaries of colored employees retained in some instances

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during the war to support the destitute, the sums from taxes on cotton, where freedmen were interested, from fines in the provost courts, and from donations or small amounts raised in any lawful manner for the benefit of the freedmen, were considered by us as a *single fund*, and we named it "*The Freedmen's Fund*."

The clothing, fuel, and subsistence of the table were what was collected after abandonment by Government officials at the close of the war, Union and Confederate articles, and taken up by our officers and sold for the benefit of refugees and freedmen. The item "Farms" signified the produce which was disposed of for cash. The rents of abandoned lands and buildings became quite an item, and materially aided in sustaining Bureau operations. The money which came from the quartermaster's department arose from the rentals of abandoned lots or lands that army quartermasters paid over to the Bureau. In some States, as in Louisiana, there existed for a short time a small tax laid upon all who directly or indirectly within a given district were concerned in the schools; and there was also a small tuition charged in those schools where pupils could afford it.

The disbursing officer in his first report had this brief account of the origin of the retained bounties: "The amount held as retained bounties cannot be considered as funds of the Bureau, as it is merely held in trust for colored soldiers, or their families, in accordance with (General Benjamin F. Butler's) General Orders No. 90, Department of Virginia and North Carolina, current series, 1864."

By General Butler's orders a portion of the bounties due to colored soldiers who were secured and enlisted to fill up the quota of troops from the different

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States was segregated and put into a fund. This fund was to be used for the support or partial support of the wives and children of the colored soldiers thus enlisted. A part of it had been disbursed in accordance with the terms of the orders and the balance, under the President's instructions, was transferred to our Bureau. At first it was simply kept in trust, so uncertain did we feel concerning the proper disposal of it. After a time a part of the fund was used to purchase a building and land for a colored school. I had the opinion that that would be a good disposition to make of any remaining balance, provided there should be sufficient, of course, after we had paid back to all we could find of the soldiers concerned and to their families what plainly belonged to them. In fact, repayment had gone on continuously, though the late soldiers concerned, being widely scattered, were hard to find.

We knew that the school building, which was the freed people's best relief, could be disposed of at any time; and that very soon the interest of the fund, mostly in United States bonds, would cover the purchase.

One day in conversation with Senator Lot M. Morrill, I called his attention to this fund. He said that such an expenditure ought to be approved by action of Congress, otherwise that money might cause me trouble. After this interview, a bill was submitted to Congress which authorized such investments and disposition of the money as had been made. It passed one House, but was amended in the other, by striking out the real estate clause. In this form it became a law. It required the Bureau to pay the bounty money to the soldiers and their families as far as might be,

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and if there remained any balance at the close of the Bureau to cover that into the United States Treasury. The real estate used for the school was disposed of as soon as possible, and the money returned to the fund. Payments were made from time to time according to the terms of the Act, vouchers always being taken for General Balloch's accounts. His successor, Major J. M. Brown, and then myself following Brown, in closing up the Bureau made the disbursements, as did Balloch. At last I deposited the final balance in the Treasury as required, took my receipts and closed up the account.

At one time Balloch had presented an account with his vouchers for that fund to an auditor of the Treasury, who declined to receive it because of its nature, not being, as he said, properly United States funds. After that refusal neither of us again submitted accounts of that fund to the auditing office. Balloch left his vouchers when mustered out of service in a bundle in his desk. Some time after the Bureau had ceased its main work, and after a small remnant had been transferred to the Record Division of the War Department for completion, the Secretary of War, General W. W. Belknap, called upon me for an itemized statement of the entire "retained bounty fund." It was this fund, with the interest thereon, which the Court of Inquiry, of which General Sherman was president, thoroughly investigated during the spring of 1874. Either in the transfer of the papers by wagon from my office to the War Department building, or in the subsequent burning of papers, which were deemed of no value, by the War Department, the vouchers which Balloch had put into his desk had disappeared altogether; but fortunately by the use of

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a book of record, which had been carefully kept, and also by finding duplicate vouchers retained by subordinate disbursing officers in the States where the bounties were paid, I was able to account for the entire fund to the satisfaction of the court. This result, however, did not satisfy General Belknap, who caused the United States to sue me for the entire fund. That suit was brought against me after I had gone to Oregon and taken command of the Department of the Columbia. The case was continued in the United States District Court of Oregon, by formal postponement on the motion of the United States district attorney, for two years. At last the case was transferred (as a convenience to the Government) to the Court of the District of Columbia and there tried. The jury found for me without leaving their seats on every count. So that after great trouble and expense the retained bounty case was finally settled.

As will appear in the description of the subsequent operations of the Bureau, the division of financial affairs, besides administering the funds already noted, as the money was collected and spent, was the disbursing office for all the Congressional appropriations for the Bureau.

After the first year all the original sources of revenue for the Bureau except the retained bounty fund and direct Congressional appropriations were united and called the "Refugees' and Freedmen's Fund," and expended for proper public purposes, mainly for labor and schools.

The many benevolent organizations of the country, which I have mentioned, after the commencement of Bureau work, gradually lessened their eleemosynary features and gave themselves vigorously to the teach-

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ing of children and youth and the planting of schools. May 18, 1865, the Rev. Lyman Abbott, then a vigorous young minister, paid a visit to the new Bureau. He came to Washington as a delegate from New York to speak in behalf of several volunteer freedmen's societies. There had already been some effort among them to consolidate. I at once favored a plan for a general union of forces, which would evidently make them both more effective and more economical in administration.

Mr. Abbott, agreeing with this view, promised to do all in his power to bring about such union. As he was greatly interested in the work of education among the freedmen, I consulted him with reference to the first important circular issued from headquarters May 19, 1865. It announced well-defined principles of action. Mr. Abbott's aid and advice have ever since been gratefully remembered. The following words met his special approval: "I invite, therefore, the continuance and coöperation of such societies. I trust they will be generously supported by the people, and I request them to send me their names, list of their principal officers, and a brief statement of their present work. . . . The educational and moral condition of these (the freed) people will not be forgotten. The utmost facility will be afforded to benevolent and religious organizations and State authorities in the maintenance of good schools for refugees and freedmen until a system of free schools can be supported by the recognized local governments. Meanwhile, whenever schools are broken up by any authorized agent of the Government, it is requested that the fact and attendant circumstances be reported to this Bureau.

"Let me repeat, that in all this work it is not my

purpose to supersede the benevolent agencies already engaged in it, but to systematize and facilitate them."

The next step after public announcement was to introduce in the field some practical systematic arrangement. So much overlapping and interference one with another were found among the workers that I hastened to appoint a school superintendent for each State. He was generally a commissioned officer detailed from the army and placed under the direct authority of the State assistant commissioner of the Bureau. The majority of the schools throughout the South were elementary. They were more flourishing in those localities which had been for six months or more within the lines of our armies. After peace many Government schools were added to those of the benevolent societies, being brought into existence by Bureau officials. These were self-supporting from the start. The educational work was in every way helped by the extraordinary ardor of the pupils and the enthusiasm of the teachers, fed by the societies behind them, who at this time voiced the generous devotion of benevolent people everywhere. Yet the ruling classes among the Southern whites were deeply offended. They said at first: "If the Yankees are allowed to educate the negroes as they are now doing, the next thing will be to let them vote." No one can describe the odium that awaited the excellent, self-denying teachers of freedmen in those days. Our first official summary of these schools declared that "doubtless the treatment to which they, the teachers, have been subjected is due in part to the feelings engendered by the war, but it is mostly attributable to prejudice against educating the blacks, and the belief that the teachers are fostering social equality." Even

then, however, there were notable exceptions to this opinion and conduct in the South. Some prominent Southern men earnestly advocated the introduction of schools, and several Southern churches established them in connection with their own organizations. The entire number of pupils in the schools for freedmen at the close of 1865 in the States that had been in insurrection, adding Missouri, Kentucky, Maryland, and the District of Columbia, amounted to 90,589; teachers 1,314, and schools 740. Mr. J. W. Alvord was made the chief inspector of schools, October 2, 1865. The Bureau gave transportation to teachers from their homes to the field and back during the necessary vacations. It also carried all their books and furniture, and to a considerable extent while the abandoned property remained available, provided buildings for the dwelling places of teachers and for the schools themselves. I early came to the conclusion that our school work was best promoted by placing one dollar of public money by the side of one of voluntary contribution. The Bureau gave to any benevolent society in that proportion. The society which undertook the most in that manner received most.

President Johnson's restoration of estates, however, which we have already noticed, soon caused schoolhouses, churches, and many private residences to be severed from our use. One inspector wrote that our admirable system of education well inaugurated must fail unless permanent real estate for the freedmen and the schools could in some way be secured. The benevolent societies were ready to erect their own buildings if we could furnish them lots on which to build. This disposition helped us finally to great results.

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A partial consolidation of societies was at last effected. For a time the Bureau dealt in the main with only two, the American Union Commission and the American Missionary Association. The latter, besides its freedmen's schools, carried out the universal desire that the children of white refugees should also be well cared for. At Richmond, Va., the Association had such a school with 375 pupils and five teachers. It had another each evening for 50 adults. The same Association sustained still another at Athens, Tenn., for 95 white children, and partially, for a time near Chattanooga, a refugees' school located in old war buildings which the Confederates had erected near the crest of Lookout Mountain. Mr. Christopher R. Robert of New York City had bought the buildings at the Government's auction sale and devoted them to this use. Mr. Robert was the same who had established Robert College in Constantinople. A few hundred children were there cared for under the superintendence of Prof. C. F. P. Bancroft, who was later the efficient principal of Phillips Academy, Andover, Mass. After a few years' trial this Lookout Mountain school was closed. Before a railway came the mountain was too inaccessible.

In the face of many difficulties there was hopeful activity the latter part of 1865. An old citizen wrote from Halifax, N. C.: "I constantly see in the streets and on the doorsteps opposite my dwelling groups of little negroes studying their lessons."

In Charleston, S. C., even in the slave times, free persons of color could be taught in books. In that city at this time the opposition to freedmen's schools was inconsiderable.

In Louisiana, where the schools had been supported

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by a State tax levied by military authority, they had become remarkable for completeness of organization and proficiency. Before the close of the year, however, the order levying the tax was countermanded. The consternation of the freedmen was intense. They begged to be assessed the whole amount of the tax, and at last formally petitioned the military commander to this effect. From one plantation alone, opposite New Orleans, came a petition thirty feet long, covered with signatures. Many a signer, of course, merely made a cross opposite his name. This earnestness of ignorant men in behalf of their children's education was indeed remarkable and full of promise.

The Society of Friends maintained an evening school in Baltimore for colored porters and draymen, having an average of forty in attendance; while young men of Quaker families constituted the corps of volunteer teachers.

The latter part of the year, when the President's attitude was known to be unfriendly to anything except work, there arose in several districts of Maryland sharp and organized opposition to all freedmen's schools. Both teachers and children were chased and stoned in one town, Easton, by rough white men. Resolutions to drive out the teacher were passed in a public meeting in Dorchester; while unknown parties burned the church and schoolhouse in Kent county. Other such church edifices, used for schools, were burned in Cecil, Queen Anne, and Somerset counties. This was done with a view to shut up existing schools and prevent new efforts. It was the burning of the buildings in this quarter, coupled with hostile feeling and action elsewhere, which more than any other one thing united the Republicans, radical and conserva-

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tive, in Congress, and induced them to advocate a universal suffrage. Hostile spirits declared that if the negroes were allowed to read they would soon be permitted to vote. By their violence these men hastened the very consequences which they most feared.

It was only here and there that any of our schools had at this time passed beyond the rudiments. An extraordinary thirst for knowledge caused numerous night schools to be undertaken, particularly in Washington, and there were a few of an industrial character set on foot. In one of these quantities of garments were made, and in another quite a variety of clothing. A Washington teacher voiced a common sentiment in saying: "I have found the children very much like white ones in the matter of learning. Some are stupid and others are bright." The negro children were then more eager for knowledge than ordinary white ones, being stimulated by their parents, to whom knowledge of books had hitherto been like forbidden fruit. Our inspectors, traveling constantly, found instances of what they called self-teaching, that is, persevering attempts on the part of adults to educate themselves. They entered some schools where colored men and women were trying to impart what little they knew to others, though they had hardly grasped the rudiments themselves. Their pupils were of all ages, and were separated into attentive groups. One group would have for a teacher a young man, another a woman or old preacher. These rude schoolrooms were discovered in cellars, sheds, or the corner of a negro meetinghouse. The improvised teacher would have the card alphabet in hand or a torn spelling book. All seemed full of enthusiasm with the knowledge which

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the card or the book was imparting. There was another fruitful institution, namely, the colored regiment. An instance will illustrate. A regiment was stationed at Fort Livingston, La. An officer selected ten of the brightest-appearing colored soldiers and spent two hours a day in teaching them to read. This he did under a promise that each of the ten would take a class of four and devote the same amount of time to them. Books and cards were obtained and the school undertaken. The soldiers faithfully kept their agreement; while being taught they instructed one another and in a few days many of the regiment had begun to read. The soldiers then hired a competent teacher to extend their knowledge. This good work had gone on about a year when the friendly officer declared that his A B C pupils were already taking, and in addition to enjoying the illustrations, were reading forty copies of Harper's and Frank Leslie's Weeklies besides other papers.

The first year of school work appeared to all of us who were interested only a nucleus, a preparation for the future. Hitherto, donations from the benevolent had been generously made, and there was hope of a steady continuance. Hindrances, however, as in all undertakings, made their appearance and made it difficult to keep the official and the benevolent in harmony. As means of transportation in the South on land and water naturally ceased to be under Government control with the withdrawal of troops, it became difficult to furnish transportation to teachers or society agents. Before the end of 1865, such transportation was altogether interdicted by the Secretary of War. Again citizen opposition in every locality where there were schools was gathering force. Places which

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had appeared in the outset favorable to education became suddenly inimical. It was evident to us who were on the lookout that the whole movement for educating the freedmen would cease unless kept for a long period under the protection of the general Government. Our officers and agents, without exception, wrote decidedly that military protection alone could save our schools. Without it they would be before long utterly broken up and new ones could not be put in operation. It was not altogether the driving out of teachers or the treating them with contempt and unkindness which threatened the existence of the schools. There was wanting that sense of quiet and security which is always essential to a successful prosecution of study. There was indeed apprehension in the air in all places where military or Bureau occupation did not exist.

CHAPTER LII

PRESIDENT JOHNSON'S RECONSTRUCTION AND FURTHER BUREAU LEGISLATION FOR 1866

PRESIDENT JOHNSON, by the inspiration and help of his Secretary of State, Mr. Seward, had succeeded before the meeting of Congress in December, 1865, in completely rehabilitating all the States that had belonged to the Southern Confederacy, so far as the form went. Apparently all the functions of Government, both State and National, were already reawakened and in operation. By taking the old State constitutions of 1861 and modifying them slightly to make them comply with the Thirteenth Amendment of the National Constitution, seemingly the problems of reconstruction were solved. Everything, for a time, to the late Confederates, was going on as they would have it. All those who had been for four years fighting against the United States were again in power at the State capitals, or so close behind those in office that they made themselves felt in every sort of legislation and act of administration. But the freedmen were left outside of all proper citizenship. They had no voice directly or indirectly in the new governments over them, and soon, worse than that, vicious laws were passed that made their actual condition deplorable. They were, indeed, but for military protection, which still lingered in the South, worse off than under the old system of slavery.

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At this juncture, when Congress was assembling, the situation may be summarized as follows: The Southern legislators, in keeping with Judge Taney's famous Dred Scott decision, very clearly demonstrated that the negro had no rights. True, they had formally adopted the Thirteenth Amendment to the National Constitution, but had followed that action by legislation which vitiated its provisions. The smallest acts annoying to white men were raised to misdemeanors, while vagrancy, poverty, and even enforced idleness were made to constitute a crime to be punished by excessive fines or hard labor under constraint. The labor and vagrancy laws, ostensibly for white and black alike, were so executed as to reach the freedmen only, and indeed to many of them the liberty granted by our amended Constitution was thus to all intents and purposes overborne and crushed by hostile State action.

As soon as Congress met, Southern senators and representatives elect from the insurrectionary States were on hand at the doors of each House waiting for admission and recognition. But this thirty-ninth Congress had taken fire. The Executive, so Congressmen alleged, had largely encroached upon its proper province. The members of both Houses were too impatient even to wait for the President's message. Combating resolutions were at once introduced and passed, appointing a joint reconstruction committee of fifteen members to inquire into the condition of the States which claimed to be reconstructed, and to report whether any of them were entitled to representation in Congress, "with leave to report at any time by bill or otherwise."

The contest that here began between that Congress

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and President Johnson, with all the Southern legislatures involved, affords a piece of history of deepest interest, and subsequently it greatly affected the existence and operations of the Freedmen's Bureau. The life of that Bureau was to terminate by law one year after the close of the war. By the most favorable interpretation that one year could not extend beyond the fiscal year ending June 30, 1866. The necessity for the protection which the Freedmen's Bureau would give became more and more apparent. Every report received from our agents bore evidences of troubles then existing and apprehended.

The words of the assistant commissioner of North Carolina, Colonel Whittlesey, were significant. They found a veritable echo in the reports of other assistants and subassistants throughout the South.

Writing from Raleigh, December 1st, he said: "But it is evident all over the South that the colored race cannot be safely left in the hands of the late masters or the Southern people. Just as sure as that is done, such oppressive laws will be enacted that the blacks will be driven to desperation and the scenes lately witnessed in Jamaica will be reenacted in many sections of our own country."

He gave instances of outrages committed against loyal people because of their loyalty. This was done in places where the military had been withdrawn. A young man was threatened and stoned because he had opened a "nigger" school. Whittlesey added: "I do hope that Congress will grasp the whole subject and show itself master of the situation. No legislation for the freedmen should be allowed—it is not consistent with the republican form of government. All laws should apply to all races alike. Give equal rights to

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whites and blacks; impose the same taxes, the same duties, the same penalties for crime, and then execute the laws with simple justice; and the result will be peace, safety, and prosperity. . . . But the white people in this State are not yet ready to treat black men justly. Therefore, the Federal Government ought to retain control. Our military force ought to be increased and not reduced."

Early in this, the last session of the thirty-ninth Congress, Senator Trumbull of Illinois, instead of simply sending for me as would have been customary, kindly came to my office and studied the operations of the Bureau. I was then striving to carry out the existing law, and realized how essential to the interests of the freedmen it was to extend the time of its operation. It was indeed important for the sake of humanity that that continued operation should obtain, not only in the cotton, but in the border States. I further believed and desired that the recent slaves should attain to all the rights of freemen before the existing protection of the general Government should be withdrawn from them. I had been much hampered by the instructions of the President himself, who had now gradually drifted into positive opposition to the Bureau law—a law that he was bound by his oath of office to execute, but one that his process of reconstruction had caused to be violated in the spirit, if not in the letter, so as to render it nugatory. This worthy senator, always of a conservative turn, warmly took the freedmen's part. I well remember those nights at my headquarters, for Mr. Trumbull's thoughts deeply impressed me. In a subsequent speech he declared the freedmen's condition to be "abject, forlorn, helpless, and hopeless."

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January 5, 1866, he introduced in the Senate a new Freedmen's Bureau bill. On the 12th of the same month it was brought up for discussion, when he explained what he wished to accomplish with it: (1) An essential extension beyond the one year to be terminated by a future Act of Congress. (2) That it should apply to the whole country wherever were the beneficiaries; (3) That the President should give them land by reserving not exceeding 3,000,000 acres from settlement or sale in certain Southern States where public lands still remained; (4) That General Sherman's possessory titles on the sea islands be made real; and (5), more important still, that when discriminations against negroes were made Bureau officers and agents should take and hold jurisdiction of the offenses.

Much feeling and bitterness were evolved in the discussion that followed the senator's statements. Yet all hindering amendments were voted down, and January 25th, the bill passed the Senate by 27 majority. In the House there was a like fiery discussion. The bill was amended so as to limit it to sections of the country where the habeas corpus remained suspended on February 1, 1866.

The Senate removed the amendment, so that the original bill passed both Houses and February 10th went to the President. He returned it with a veto. He objected to thus legislating without the new representatives and senators from the South. He declared that the bill interfered with the local administration of justice; that it was unconstitutional for the general Government to support indigent persons; that it was unreasonable to make provision for a class or color; that it was extravagantly expensive, there being \$11,745,000, according to the commissioner's estimates for the

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current year, and likely under the bill to be double that amount—"greater than the entire yearly administration of John Quincy Adams."

The Senate did not get a two-thirds vote to overcome the veto, several senators having changed their attitude regarding it, so that Trumbull's bill failed to become a law. But in the House the persistent chairman of the Freedmen's committee, Mr. Eliot, very soon introduced a new Bureau bill, from which he had removed several objections made by those senators who refused to vote for the first bill over the veto. The duration he fixed at two years; he left out the sea island clause, and he reduced the acres of public lands to 1,000,000. This measure went through both Houses and was vetoed like the others for similar reasons. But this time both Houses passed the measure over the President's veto, and it became a law July 16, 1866. The attitude of President Johnson and of the leading Southern whites, together with the apparent inability of Congress to enact a law to which he and his new friends objected, created, during those six months of trial, prior to the passage of this measure, great anxiety and apprehension. Still, all officers and agents, coöperating with the small military garrisons in their vicinity, had worked on energetically and hopefully to meet and overcome the increasing difficulties of the situation.

By November it was evident that the new law had had a salutary effect. Aside from its relation to the business interests of the Bureau, which were difficult to manage under the uncertain tenure of the previous law, it served to cheer the freed people throughout the entire South, to increase their confidence in the general Government, to give new stimulus and a firmer tone

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to industrial and agricultural enterprises, and to impart strength to the hope of justice; a law less comprehensive and explicit would have been insufficient. Under the new provisions Maryland and Kentucky were now embraced and assistant commissioners appointed. The freed people of those States had become an important consideration. Most of them were willing and anxious to labor; yet very many had required the protection of a powerful agency to shield them from the imposition of employers and cruelty of enemies, and the unfairness of courts constituted and held under old laws. When nothing else could be done, it was something for an accused negro to have at least the counsel of a Bureau officer as a friend present in court.

The most annoying things that I, as commissioner, encountered, and they were hitherto unceasing, were the complaints made to President Johnson against officers and agents and referred to me for examination and correction. Any agent who took the part of the freedmen against a Southern planter, especially one who had the hardihood to arrest a white man for misusing a negro, was traduced, and often, I am sorry to say, his discharge was brought about. The President was very anxious to be rid of every prominent officer who was reported to have been long the freedmen's friend. In his eyes assistant commissioners, such as Mr. Conway, Colonel Brown, Generals Whittlesey, Saxton, Samuel Thomas, and Absalom Baird, were too pronounced in behalf of those assailed; they seemed to be friends of the so-called carpet-baggers, i. e., immigrants from the North, and of Southern Unionists and negroes; and many subagents also were accused of a like attitude. They were too much the

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advocates of their wards to suit the situation. As I was obliged to execute the law under the direction of his Excellency, little by little his power made itself felt. To give my work the utmost opportunity to succeed I came to the conclusion, first, that all Government agencies within a given State must work in harmony, and so I recommended to the President that the functions of the military commander and of the assistant commissioner in each State be exercised by the same officer. To this he gladly assented. It was early done in Virginia. General Alfred H. Terry, the new department commander, became also the assistant commissioner for that State. He took his predecessor in the Bureau, Colonel Brown, on his staff and so operated all Bureau work through him, and soon that arrangement prevailed throughout other departments. Next, I worked to make each military subdivision coincident with the Bureau subdistrict. Terry's department, the State of Virginia, was divided into eight subdistricts with an officer in charge of each. Then I carefully instructed subordinates that, touching all subjects of a military character, the agents were to be under the direction of State department commanders.

The Bureau officer acted in the same manner as an officer of engineers building a fort might do, reporting on all matters of construction directly to the chief of engineers at Washington, but at the same time being the engineer officer on the staff of a local commander.

Fortunately for me the Secretary of War, Mr. Stanton, and General Grant, the commander of all the geographical departments and garrisons, were friendly to my work; it was, therefore, not difficult to secure in that way unity of organization and action;

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it was easy enough in and near all towns actually garrisoned, and in places which were reached by rail.

Perhaps the needs, the hopes, the fears, the failures, and such progress as was made in the Bureau work for 1866 may be best illustrated by some of the work before the courts that year.

General C. H. Howard, who had succeeded General Eaton in the District of Columbia and vicinity, found it next to impossible to get the courts to allow the testimony of colored witnesses anywhere in Maryland until the effect of the United States Civil Rights Law, recently enacted, which forbade such distinction, came into play. Upon a case of great outrage, committed by a white man upon a negro, where the Bureau agent brought the white man to trial and the white man was condemned and sentenced, an appeal was taken before Judge Bowie of the Maryland Court of Appeals, and the constitutionality of the Civil-Rights-Law called in question. Judge Bowie, to our joy, July 2d, decided that colored witnesses were competent, and that the Civil-Rights-Law in this respect was constitutional. After that happy decision warrants were issued on the testimony of negroes. But the agents now found another obstacle. Constables refused to serve subpoenas for such witnesses, and even when colored men did testify, the prejudice of jurymen gave little or no weight to their testimony.

In North Carolina General Robinson, now in command, delayed the transfer of cases for trial to the civil courts, especially those where whites had committed fraud, injury, or violence upon persons of color. In July the governor wrote him: "There now exists under the laws of this State no discrimination in the administration of justice to free persons of

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color." The general then directed the reference of all cases to the county and State authorities, with the single exception of the claims for wages due under contracts witnessed by Bureau officials. These admitted of no delay, and the agents adjudicated them as before. It was indeed better for both parties. But still in cases of neglect, where the civil tribunals failed to act, Bureau officers were directed to make arrests where the freedmen were concerned, and detain the criminals till a proper court should be ready to try them. The Bureau exhibit for this State for August was not very reassuring. Forty-nine cases were shown of assault, whipping, false imprisonment, shooting, and other outrages against blacks, with but one of a negro against a white man. Many more reports of such outrages were made directly to the civil authorities, embracing assault and battery, rape, church burning, arson, and murder. The civil courts, however, as a rule were keeping faith. The offenders had been required to give bonds and so held to answer the charges. General Robinson was sanguine of the future. He believed that after time enough had elapsed for new adjustments between the races "mutual confidence would be restored."

General Tillson was a conservative and harmonizer, leaning possibly to the side of the white employers; he was this year of the opinion that the Georgia civil courts were disposed to do justice to the freed people, but unfortunately the jurors, selected from a class who hated the negroes, attached little weight to negro testimony. Even Tillson finally saw and believed that considerable time must elapse before the colored people could enjoy substantial equality before the law; yet the having a Bureau officer at hand to interpose as a

friend had so far affected the actions of white citizens that acts of injustice and oppression were less numerous. Planters looked to Bureau officers to make their laborers reliable; and freedmen sought their aid also to obtain their wages.

General Swayne, contrary to his first expectations, a little later found the Alabama legislators anything but fair and just. He said: "The vagrant law of Alabama operates most iniquitously upon the freedmen. In terms, the law makes no distinction on account of color, but in practice the distinction is invariable. I am satisfied that the law would be annulled if fairly tested. I have taken up three classes under it by habeas corpus, but in every case the persons were discharged for informality in the commitment without reaching the merits of the case." So many grievances occurred that even Swayne, with whom the good governor sought to coöperate, was forced in several of the worst localities to reëstablish Bureau courts.

General Absalom Baird in his last message in September indicated a bad outlook for Louisiana. Brutal conduct in distant parishes remained uncorrected for want of military force. The perpetrators were lawless and irresponsible white men; they were the terror of both property holders and laborers. They were countenanced by the community either through sympathy or fear. Baird added that the Civil-Rights-Law was to some extent having a good effect, restraining those who had hitherto been disposed to treat United States laws with contempt. Several magistrates were under arrest for violating its provisions.

General Sheridan, following Baird in Louisiana, rather heightens the adverse picture: "Homicides are frequent in some localities; sometimes they are investi-

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gated by a coroner's jury, which justifies the act and releases the perpetrator; in other instances, when the proof comes to the knowledge of an agent of the Bureau, the parties are held to bail in a nominal sum, but the trial of a white man for the killing of a freedman can, in the existing state of society in this State, be nothing more or less than a farce."

In not a single instance, however, when contracts had been entered into between planters and freedmen in the mode prescribed by the Bureau, had a complaint been subsequently made by either party to the contract, while in a large proportion of other contracts bitter complaints were constant. The reason was plain enough. In all those approved by a Bureau officer, the terms were first carefully explained to both parties; and the whole power of the Bureau would be afterwards exerted against the party attempting to violate an approved contract.

In Mississippi General T. J. Wood, an able division commander during the war, always of a conservative turn of mind, gave a statement of the condition of affairs which was not very encouraging. Grievous outrages had been committed. A class of citizens called "regulators" appeared in several States as if by concert of action; the fear of them in some parts of Mississippi was so great that peaceably disposed inhabitants were afraid to give the information necessary for their detection and punishment. The regulators shot freedmen without provocation, drove them, unpaid, from plantations and committed other crimes. So many outrages of this kind were perpetrated that General Wood at first wondered that the better portion of the community did not take decided measures against the guilty.

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The general, however, said in abatement: "We shall not do them (the whites) justice unless we remember that, with very few exceptions, they were fully persuaded that slavery was right and beneficial to the colored man, as it was profitable and pleasant to the ruling class. They felt injured by the emancipation; their profits and pride were assailed and destroyed. In the midst of the excitement, hurry, confusion, and active enmity of the times nine tenths of the white people could not be expected to attribute the change to anything but a spirit of revenge. . . . It was to be expected that the ignorant, violent, and unprincipled portion of these people, being additionally demoralized by the war, should give vent to the evil within them by committing outrages. On the other side it can surprise no one that the freedmen should be somewhat unsettled, inclined to avoid labor to which all their lives had been devoted under stern compulsion, and that they should misapprehend their rights and duties."

The deliberate murder April 30th of that year of a worthy officer, Lieutenant J. B. Blanding, Twenty-first Regiment Veteran Reserve Corps, while walking on the street at Grenada, Miss., and attempts upon the lives of other men who had been faithful and fearless in the discharge of their delicate and dangerous duties, gave rise to increased anxiety everywhere and seemed to necessitate an increase of military force.

General Clinton B. Fisk had good results in Tennessee in 1866. The State legislature took liberal action in matters of vagrancy, or apprenticing and contracts which affected the freedmen; they modified the old laws to conform to the Thirteenth Amendment of the Constitution and to the Civil-Rights-Law. Before

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General Fisk, in September, was relieved by General J. R. Lewis, he took occasion by a circular, widely published, to transfer all cases to the civil officers elected by the people, to call their attention afresh to the United States laws involved, and to entreat them to lay aside all feelings of prejudice, in order that the State laws might be administered in such a manner as not to compel a return to military courts. We all believed then that greater security for the life and property of the freed people existed in Tennessee than in any other of the late Confederate States.

Kentucky had meanwhile been full of trouble. The "regulators" had been for some time committing horrible outrages in the southeastern districts. Old laws and old customs like flogging prevailed in many counties. The department commander, General Jeff. C. Davis, who also came to be the assistant commissioner for Kentucky, had been previously reported as hostile to negroes, so that I was fearful that matters there might grow worse. But I was greatly mistaken. Davis said: "The laws shall be executed at whatever cost." He settled difficulties between the negroes and white men with satisfaction to both, and punished the lawless with such promptitude that even the bloody and much-feared "regulators" were obliged, where he could reach their haunts, to suspend their base work of terrorism which they had undertaken among the freedmen and their teachers.

General J. W. Sprague, most manly and fearless of men, in October of 1866 was no longer sanguine for Arkansas in the line of justice. The legislature did not grant the negroes their rights. He feared to give cases to State officers on account of their manifest prejudice and unfairness. He could not, he con-

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fessed, carry out his Bureau instructions without the troops. Murders of freedmen and other crimes against them were on the increase. Civil authorities utterly failed to arrest and punish offenders. The clouds were growing thicker and thicker. There were many thefts, robberies, assaults, and murders; some of them of the most brutal and unprovoked character, where not a finger had been raised by citizens or law officers to bring the guilty parties to justice.

And yet the good General gave us a gleam of light when he reported that the freedmen were working well and abiding by their contracts in good faith. The Bureau officers still held control of the registration of laborers and supervised the contracts, so that the results in that quarter were promising.

The assistant commissioner in Virginia found some improvement in the feelings of the whites toward the freedmen, but alleged weakness and neglect on the part of State officials touching heinous crimes. Murders and robberies were committed and nobody was arrested and brought to trial except through the agency of United States officers, most of them of our Bureau.

In three counties it had been necessary to reestablish the Bureau courts to prevent insurrection among the freedmen, who threatened retaliation for the wrongs which they suffered from local civil courts.

General J. B. Kiddoo, the Texas commander, found little respect for any law in the northeast counties. The legislature had delayed the necessary legislation; freedmen could not yet testify in spite of the advent of the Civil-Rights-Law; great distinctions were constantly made in all dealings with them. His chief troubles consisted in his efforts to protect them from violence; he entreated for more troops for those re-

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moter districts where the greater number of outrages occurred. As in Arkansas, where the interests of the larger planters came in play, the Bureau agents became a help, a necessity. A lack of confidence existed between the planters and freedmen, until the assistant commissioner had successfully inaugurated a system of contracts by which the planters could place some reliance upon the steadiness of labor, and the freedmen have security for their pay.

These illustrations all through the South show our work in creating law-abiding communities in which fair local laws were slowly extending to the protection of negroes. Judicial proceeding was in a transition state everywhere and needed careful watching and continued experiment under friendly supervision, such as our officers uniformly gave. How much violence, fraud, and oppression, how much idleness, theft, and perhaps insurrection our agency prevented can never be measured. Other nations have not succeeded so well in relieving the shock to society when they were passing from slavery to freedom.

The schools were increasing and were in much better shape than in 1865 and yet there were only 965 organized schools, 1,405 teachers, and 90,778 pupils. We knew that there ought to be ten times as many. It was but a beginning—a drop in the bucket—a nucleus—an object lesson. The demonstration, however, showed that it was practicable to educate the children of negroes.

CHAPTER LIII

THE BUREAU WORK IN 1866; PRESIDENT JOHNSON'S FIRST OPPOSITION

MAJOR FOWLER, who had, as his main business, to hasten the return of houses and lands to pardoned owners, was given in addition the *Claim Division*. Its origin was this: At the office in Washington constant complaints had been received from our agents that discharged colored soldiers were constantly defrauded by unprincipled men of amounts due them from the Government. Some were told that they had dues when there were none. The deceivers would get from the individual soldier discharge papers and require a fee for their return. Soldiers would wait days and weeks in towns and cities for promised action touching bounties and prize money, often when the same had no existence in fact.

Again, in the thousands of cases where there were actual dues exorbitant fees would be taken in settlement, totally regardless of all law or reason. The gross ignorance of the mass of colored soldiers rendered them especial objects of such extortion and fraud, and the numerous shrewd transactions against them were usually so concealed as to render it exceedingly difficult to detect and expose the guilty. To prevent these soldiers far and near from being uselessly disturbed in their work; to forestall and prevent all such frauds in future and to enable those entitled to

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Again, in the thousands of cases where there were actual dues exorbitant fees would be taken in settlement, totally regardless of all law or reason. The gross ignorance of the mass of colored soldiers rendered them especial objects of such extortion and fraud, and the numerous shrewd transactions against them were usually so concealed as to render it exceedingly difficult to detect and expose the guilty. To prevent these soldiers far and near from being uselessly disturbed in their work; to forestall and prevent all such frauds in future and to enable those entitled to

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do so to obtain their prize and bounty money and other *bona fide* dues that might be lost to them, this Claim Division had its birth and was regularly set on foot. It began its work March 17, 1866, and by our extensive agency which penetrated every State, great numbers of both soldiers and sailors of the freedmen class were, without charge to the beneficiaries, helped and benefited. It was the efficient work done here that led to the Act of Congress which the next year placed all remaining payments of bounties, prize money, and unsettled claims of colored soldiers and sailors under the charge of this Bureau.

An incident showing the variety of our burdens was the making of the Bureau by Congress the channel of expending an appropriation of \$25,000 for the immediate relief of destitute whites and blacks in the District of Columbia.

In the early spring, there suddenly appeared an extraordinary destitution in Washington and Georgetown, caused by the overplus of population which no effort on the part of the Government had been able to reduce. In this destitution there were more white people than negroes who were in a starving condition. April 17, 1866, Congress made that special appropriation and charged me, the commissioner of the Bureau, with its disbursement.

With a view to have others share with me the responsibility, a special relief commission of six members was constituted by me and placed under the immediate supervision of the assistant commissioner of the home district. Surgeon Robert Reyburn was chosen as the president of the commission. By using in this organization officials of the Bureau, and securing the help of many benevolent citizens besides as

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visiting agents without pay, the assistant commissioner was able to do the work with comparatively small expenditures. There were made twenty-two subdistricts and a visitor appointed for each. All of these except two performed the duty gratuitously, and our officers gave them great credit for their assiduous and self-sacrificing labors. The destitute fund was expended directly in small sums for groceries, clothing, fuel, rentals, medicines, and their careful distribution attended to. Probably no sudden want of a destitute multitude was ever more promptly and satisfactorily met and relieved.

Surgeon Horner of the Volunteer Army returned to his civil practice during the summer prior to being honorably mustered out of service, November 15th, and our Medical Division thereafter came under the charge of Colonel L. A. Edwards, a surgeon in the army. Both classes, namely refugees and freedmen, including the blind, deaf mutes, insane and idiotic, were put under him and faithfully cared for. The total number in all the country under medical care during the eleven months prior to August 31, 1866, was of refugees 5,784, of freedmen 160,737. Still, there remained September 1, 1866, but 501 refugees and 6,045 freed people actually in hospital. The 56 hospitals, according to our plan, were reduced during the year to 46; there were, however, established a number of dispensaries at different points from which medicines were obtained. The orphan asylums aided were reduced to five without reckoning one at Richmond, Va., and another at Lauderdale, Miss., as these two were not separate from the permanent hospitals. Prompt and energetic measures, both remedial and preventive, were invariably adopted whenever any contagion or epidemic

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appeared in any part of the country. Cholera showed itself at several points, but its ravages were limited, and diminished far more than could have been anticipated; military quarantine of all seaports and Bureau surveillance of the blacks were prompt and constant. Our medical officers, civil and military, 231 in all, during the year were reduced to 128 at its close; they prided themselves on the cheering and successful results due to their zeal and energy. The percentage of mortality among the vast number of persons treated was for the refugees but three per cent., and for the freedmen four and six tenths per cent.; it was quite an advance on the aggregate average of the year previous of nine and thirteen per cent. for both classes. Thus we have a bird's-eye view of the situation in 1866, and rejoice at a good work done for humanity.

For political reasons, however, the President desired to put before the people a very different view of the Bureau. His plan of reconstruction of the Southern State governments had been discredited by Congress; senators and members of the House applying for seats under it were refused admittance. The plan had been broached of giving negroes a vote, the Bureau to be the means of preparing them for the suffrage and protecting them in it. It was during the time that the new Bureau bill was being debated in Congress (May, 1866), that he inaugurated a remarkable inspection of the Bureau in the South by two officers in the interest of his policy. One of them, General Steedman, had been a brave soldier; but he was a rough character with no sympathy for negroes. The other had been my adjutant general in the field, and afterwards a long time in my Bureau. He was a kind,

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upright young man, but unaccountably took part in this attack upon the Bureau and upon the administration of some of our best subordinates. The two men set out, reporters with them for the press, generally unfriendly to plans of reconstruction favored by Congress. They passed on from city to city and from place to place, visiting military and Bureau headquarters in each Southern State, and sent their reports, as critical and adverse as possible, broadcast through the newspapers to the entire country.

Before this operation began, General Grant, who had to some extent found out what was to be done, kindly sent for me and said substantially: "Howard, you must not take too much to heart or as against yourself what may be said or reported before long against your Bureau." I did not at first very well understand what he meant, till the noisy and pretentious inspection of Steedman and Fullerton was well on foot.

The following statements of mine to President Johnson, given August 23, 1866, in reference to this inspection, portrays the Bureau troubles and triumphs of that year. "The last report of Generals Steedman and Fullerton of an inspection of the Bureau under my charge contains so many statements differing from those I have received from other officers and assistant commissioners, and furnishes deductions so widely varying from those I have formed and offered, that I deem it my duty to review the main points of this report; and more especially is this course necessary for me that I have been assigned to duty by yourself, and have administered the Bureau in accordance with your instructions, verbal and written, keeping constantly in view a thorough and practical execution of

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the law by which my officers and myself have been bound.

"The ostensible object of the inspection is to detect and correct abuses of administration and furnish yourself with information of the actual state of things. Had the inspectors made a thorough examination and report to yourself or to the Secretary of War, in accordance with their written instructions, so that I could have corrected the wrongdoings of individual agents or modified any policy that was faulty, I would not complain, but be grateful for the aid and encouragement thus afforded. This method of inspection and report is the one that has always been pursued in the departments of the service with which I have been connected.

"The inspectors have pursued an extraordinary course. I understand they took as clerks several newspaper reporters, who gave to the press the substance of their reports, and sometimes the reports themselves, before you had time to give them consideration. The effect of this course has been to concentrate the attention of the public upon certain individual acts of officers and agents, or accusations against them carelessly drawn, in such a way as to keep the faults committed, and not the good done, prominently in view.

"Some things they have held up as criminal, which were not so in reality. Erroneous conclusions have been drawn from a state of affairs now existing in many places, for which the Bureau is not responsible, e. g., they charge to the account of the Bureau all the evils of the labor system which they find, while they attribute to the State governments and citizens, in great part, the good accomplished. Certainly this is the impression received from reading the reports.

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"In what I have to say I have no desire to screen my officers from just charges; in fact, I have taken instant measures to bring to trial any officer against whom there seemed to be any well-founded accusation. It is a fact well worth considering here, that of thirteen assistant commissioners there was but one whom the inspectors were able to condemn, namely, the assistant commissioner of North Carolina; and he, though held up to the country as a liar and a dishonest speculator, has been acquitted by a decision of a fair and honorable court, so far as the charges were concerned.

"Again, in the departments of Virginia and North Carolina, of over two hundred agents, accusations were brought against ten only, seven officers and three civilians. The majority of them have been honorably acquitted of the charges preferred against them. The Reverend Mr. Fitz, of such terrible notoriety, who was having his case investigated on the arrival of the inspectors, proves to be not a reverend, but a young man of eighteen years, a quartermaster's clerk during the war, and personally guiltless of the cruelties imputed to his charge. All these cases will soon be officially reported—I need not refer to them further.

"I may say, however, that the charge against an officer of putting men in a chain gang had no foundation in fact, but in another part of the same State another officer specially selected by the inspectors for unqualified commendation had issued an order to place delinquents as vagrants in a chain gang. . . .

"Their final objection is to citizen agents, and in order to reduce expenses, they recommend that all such agents be discharged—given in the following language: 'A great reduction in the expenses of the

Bureau, and a reform which would render it far less objectionable than it is now, would be effected by the discontinuance of all paid employees not in the military service of the Government.'

"I assent to this principle, though the inspectors do not seem to do so, as they have given unqualified praise to the administration of the Bureau in Georgia, where the greatest number of citizen agents are employed. Could I obtain details from the army I should certainly do so; but the smallness of the military force in most of the States has rendered it impossible. They next speak of Georgia, saying that the amended laws of the State are fully as liberal as those of any Northern State, and place the negro in all respects on a perfect equality with a white man as to his civil rights, conveying the impression that the freedmen are thoroughly protected under the execution of these laws.

"General Tillson, who is highly commended by the inspectors, and who is known to be a man of integrity and good judgment, in a late report to me says: 'There are many instances where, through the prejudice of the people, or the incompetency of the magistrates, the freedmen are denied the protection of the law, and where the interference of the Bureau is absolutely essential to secure justice. When this influence has been wisely directed, and the authority of the Bureau brought to bear firmly but kindly, the happiest consequences have followed, not only protecting the freedmen in individual cases, but changing the tone and temper of the people, so as to prevent the recurrence of acts of injustice and oppression. The continuance and agency of the Bureau is still a necessity.'

"The case of maladministration of Captain Lewis

J. Lambert is the only one mentioned among two hundred and seventy-three agents. This will be thoroughly investigated by General Tillson. I am thankful for so great purity of administration in Georgia. I may say here with reference to legal justice, that the policy pursued constantly has been to transfer jurisdiction to civil tribunals wherever there was a prospect of its impartial exercise under just laws; in fact, it has been the practice in most Bureau courts to use the State laws when no distinction exists on account of color.

"No fault is found with Alabama, except that a few officers are reported as engaged in planting.

"The inspectors must mean that these officers have invested some of their private funds in planting. All I can say is that a great many—in fact nearly all—officers of the Government have invested their funds in planting or something else. If they have not prostituted their official positions for private gain I cannot complain, though I have lately forbidden such investments within the limits of their official jurisdiction, in order to avoid even the appearance of evil.

"General Wood, assistant commissioner of Mississippi, is commended for improving upon the administration of Colonel Samuel Thomas. The policy of the latter is declared not calculated to produce harmony between the races.

"In this statement, the inspectors have doubtless been misinformed, for I have testimony from General Wood and from inspectors that the policy pursued by Colonel Thomas has not been changed.

"They next admit a state of affairs in Mississippi that demands some other remedy than the removal of the military force, that is, if freedmen and peaceable

citizens are to be protected. The murder of a United States officer, and the firing upon others without cause, are admitted, and there is evidently a reign of terror in portions of the State. . . .

"The inspectors complain of expenses and recommend reduction in Louisiana. They allege that the main part of the money has been expended for schools. Had they inquired of General Baird he would have told them that as soon as the taxes were suspended by your order, the schools were closed or continued as private enterprises, or by employers of freedmen under their contract stipulations.

"The admirable system of education in New Orleans was established by military commanders long prior to the existence of the Bureau. No facts have been presented to me to prove the statement that the money under Mr. Conway, the late assistant commissioner, was squandered as charged.

"The corruption of a few officers under his administration may possibly be true; but whether so or not it does not affect the present administration of the Bureau in that State.

"It is a little singular that officers long ago relieved from duty should be chosen as exponents of the present management of the Freedmen's Bureau.

"The report with reference to Texas rather commends than censures the administration in that State.

"One officer, Captain Sloan, is condemned for perjury, and for his conduct in office. A subsequent examination of his case has furnished a more favorable report. The case will have a thorough investigation.

"Arkansas, Kentucky, and Tennessee were not visited by the inspectors, and it is fair to suppose that the administration of the Bureau in those States is as

it has been represented by the assistant commissioners and other officers and by reliable citizens.

"It should be noted, with regard to expenses, that aside from commissary, quartermaster, and medical issues, the entire expenses of the Freedmen's Bureau have been defrayed, from its organization up to July 1st, without an appropriation, and without incurring a debt. The quartermaster, commissary, and medical issues were being made by the army proper when I took charge of the Bureau, and have been reduced as much as possible, consistent with the present necessities of the people, whites and blacks.

"I now come to by far the most important part of what the inspectors have to say—the summing up of their conclusions after four months' inspection of the Bureau, in which they assert that there is an entire absence of system or uniformity in its constitution. They have never asked me for a word of information with reference to records, reports, and orders!

"They have made no examination of my office, asked no reason for any action taken. The records or information they desired that could not be found in the offices of the South may be found here. What would be the result if they should make a general inspection of the quartermaster, commissary, or other departments in the same way? Those officers who have been relieved or were beyond their reach, are supposed to have made improper dispositions of all records or papers connected with their offices. This is all wrong.

"There is not a bureau in Washington with a more complete set of reports, books, and records, than can be produced in this office at any time for inspection. They attempt to prove their assertion by the statement that in one State its officers exercised judicial powers;

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in one adjoining, all cases were referred to civil authorities, while in a third State Bureau officers collect the cases and turn them over to military courts. Their own inspection reports will refute this. In the States of Kentucky, Tennessee, Mississippi, Louisiana, Alabama, Florida, Virginia, and North Carolina, Bureau agents do not exercise judicial powers of any kind, and in the other States the powers exercised by the officers of the Bureau are modified by the feelings and conduct of the people toward the freedmen. They admit there is a great difference in the feelings of whites toward the blacks. What other principle more uniform is it possible to adopt than to regulate the power of agents of the Bureau by the disposition and conduct of the people, favoring them as they approximate equal justice?

"It will be seen by referring to the regulations from this Bureau (Circular 5, Series 1865), approved by yourself, that a gradual transfer of jurisdiction was implied; and just as soon as practicable we have made trial of the civil courts in every State. I have sought the provost courts, as well as the civil, to relieve me of the exercise of judicial powers.

"Bureau officers have never attempted to regulate wages, and no order ever existed making regulations on the subject. Demand and supply controlled this matter. Of course wages, manner of payment, and all the questions entering into the labor subject differed widely throughout the South, and, from the nature of things, could not be uniform.

"Although importuned from all parts of the South to take some action about wages, I steadily refused. The following has been the standing order for all the States: "No fixed rate of wages will be prescribed for

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a district; but in order to regulate fair wages in individual cases, agents should have in mind minimum rates for their own guidance."

"Assistant commissioners are required to furnish me with copies of all orders and circulars issued by them, and a close examination of all they have written on the subject fails to produce any attempt upon their part to regulate wages or contracts. The freedmen and employer have been left to manage the matter for themselves.

"They say that schools in Louisiana have been supported by the Government. Their report shows, however, that they were supported by a military tax, and perhaps to some extent from the income from abandoned property.

"They say that agents interfere in an arbitrary manner in favor of freedmen sometimes, and at others in favor of the planters. This is simply a crime, according to Bureau regulations, and the inspectors should have preferred charges against these officers that they might have been tried and punished. . . . It is not justice to the officers of the Bureau to charge them with crimes that were committed against the freedmen in time prior to its organization, and to suppress dates and the location of grave charges so as to shift the responsibility upon those not guilty. This was just what these inspectors did.

"The inspectors next admit the necessity of the Bureau last year, and acknowledge that it did much good for all classes. If this be true, it is bad logic to condemn the workings of the Bureau for mistakes and errors that were committed last year, and more particularly for the year before its organization. Nearly every charge made against officers in this final report

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is for acts of last year, and upon which these officers have already been called to account by the Bureau or the War Department.

"I cannot agree with the inspectors altogether as to a complete revolution in the sentiment of the Southern people which insures sufficient protection to the freedmen, when United States officers and freedmen are murdered, and the freedmen abused and mutilated, as is reported by the inspectors themselves.

"They say the good feelings of the whites toward the blacks are owing to their interest in securing their labor. This I regard as insufficient security when trusted to absolutely without some other principle, e. g., the guarantee of equal laws. For years slaveholders have deemed compulsory measures the best security for labor.

"The inspectors declare that the Bureau has been in the aggregate productive of more harm than good, and give as their reasons, substantially, the reliance upon it of the negroes, and their consequent distrust of the property holders, and the *provocation* of espionage creating mutual suspicion and bitterness.

"I deny the whole statement. It is not founded upon fact, but upon theories constantly put forth by the enemies of good order. A few bad agents have been sent, and have doubtless done much harm, yet this Bureau agency has been mediatorial and pacific as a whole. It has relieved this very suspicion and bitterness that existed when it was first organized. Riots, murders, and wicked deeds have recently sprung up, but these are in no way initiated or caused by the officers of the Government. . . .

"The principles that apply to wages induced the present contract system. I would have been glad to

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have adopted precisely the same methods of regulating labor as have obtained in the Northern States, but neither the planters nor the freedmen were yet prepared for this.

"Planters complained that freedmen under a free system of labor would not work till the crop was harvested, but would remain only till they obtained money to keep them a short time, and then would desert the crops at a most critical period. Nearly every Southern State had provided laws by which the freedmen are to be contracted with for one year. Planters refused to employ freedmen at all unless they would agree to remain one year. Of course, freedmen were driven into those obligations by the same force that compelled them to work for low wages. Anyone who will recall the current news of the day, as reported during the months of last January and February, will remember that all the power that capital could exercise was brought to bear upon the laborers of the South to make them contract.

"We then labored earnestly and successfully to elevate wages and defended the interest of the freedmen in their contracts, being constantly resisted by the inertia of the peculiar opinions of Southern property holders. The evils in the contracts will disappear just as soon as free labor shall have a permanent foothold under its necessary protection of equal and just laws properly executed.

"From the course pursued by the inspectors, I have good reason to suspect the object of the inspection, as they understood it, was to bring the Freedmen's Bureau into contempt before the country, and, to do this, they have endeavored to prove maladministration.

"On the contrary, I am prepared to prove to your-

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self or any other candid mind that I have fulfilled with care, conscientiousness, and faithfulness the trust you committed to me; I have obeyed your orders and instructions, making no other objections than those I have made directly to yourself and the Secretary of War; my system has been a thorough one, and as complete and uniform as was possible in an institution intended to be temporary and to meet a transient necessity. Could the Freedmen's Bureau be now administered with your full and hearty sanction, and with the coöperation of other branches of the Government, it would fulfill the objects of its creation in a short time, and be made, while it existed, to conduce for all classes of the people to industry, enlightenment, and justice. The work committed to it may doubtless be done by the army, without a bureau, but not with much less expense. Yet, if the Government would keep good faith with its new-made citizens, some sort of a United States agency must be maintained in the Southern States until society shall have become more settled than it now is."

CHAPTER LIV

PUBLIC ADDRESSES CONCERNING THE FREEDMEN IN 1866, ADVOCATING EDUCATION

IN order to secure adequate means for aid societies to prosecute their good work it was necessary to plead the cause of knowledge, of industry, and of humanity in the North as well as in the South. We looked to the North and West for contributions of money, and even more for moral sympathy and support. To this end when I could get away from my office I accepted invitations to speak publicly concerning the freedmen. Incident to a trip to Maine in February, 1866, I delivered some dozen addresses. From the following extracts it is now clear enough to see the subjects on which the public then demanded information.

¹ "Our emancipation occurred at the close of a long and exasperating conflict for and against emancipation, so that we have given the new birth to freedom under the worst possible conditions.

"Lee's army surrenders, then Johnston's, then Kirby Smith's. The war is over and suddenly the chains of slavery are broken and the captives go free. Between three and four millions of slaves are emancipated in the very midst of a people who heartily disbelieve in freedom, who naturally are filled with peculiar prejudices and resentments, and who sometimes,

¹ Extracts from address delivered at Springfield, Mass., February 19, 1866.

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even now, glory in the apparent chaos that follows the death of slavery.

"Hostile to liberty, they raised large armies; they fought with desperation; they are conquered, but they will not be brought in a day to love the thing they hated. No, the contrary is true; the Southern man lets go of slavery inch by inch, piece by piece; he says, 'We will give it up' but he really does not do so, and I do not think, as a general rule, he will till he is constrained to it by the power and the needs of freedom itself.

"You should read the systems proposed from so many different quarters. Every plan has in it the very gist of slavery; 'compulsory labor' is stamped upon it. The whole thought seems to be, How can we white men maintain our authority over these black men? How can we keep them from renting and owning land; how hinder them from suits and testimony against us? How can we restrain them from rising in the social scale; how prevent their individuality from cropping out; their holding meetings; their bearing arms; how prevent them from having a voice in making or executing the laws?

"I do not say that there is unanimity on all these points; but that the great body of the Southern white people are to-day with regard to some one or more of them, avowedly as I have described. I do not say it to injure them, or to alienate you from them, but because I believe it is a truth that must underlie every measure adopted to secure to us and to the freedmen the fruits of our recent struggle.

"On the other hand, let me say that there is a large class of our fellow-citizens in the North brought up under influences diametrically opposite to those under

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which the Southern mind has been molded, who reason in this way: 'Slavery is a great crime, therefore all slaveholders are conscious criminals.' No kindness is shown them, no sympathy felt for them. They are denominated oppressors, heathen, or condemned by other opprobrious epithets. One who uses the dirk and pistol against negroes who chance to cross his path is represented as an exponent of all Southern feeling and principles. Those who believe and reason in this way are themselves either partially informed or are incrustured with prejudice quite as real as that exhibited by Southern extremists.

"Southern men are generally outspoken. What is the truth? It is that a large body of them are sincere. Strange as it may seem, they heartily disbelieve in freedom for the negro. They even now reason upon emancipation as a curse of God cast upon them. The warmest-hearted Christian regards his Northern brother as carried away by a delusion which is founded altogether on ignorance of the negro character.

"The great body of the emancipated no doubt will be purified and strengthened by the experiences they are passing through, just as the children of Israel were by the experiences they encountered in passing from Egypt to the promised land. Those beyond middle age have been dependent so long that freedom gives them a hard trial. Work they can, and the most will, but what they lack is the ability to provide for themselves in such way (to use their method of expressing it) as 'to enjoy the fruits of their own labor.'

"Again, thousands and thousands are poor women with families of children, without husbands to care for them. In Virginia, where large numbers of children

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were reared to be sold and work further South, there is naturally a large surplus. Without visiting them, you could hardly realize how very much they need aid, not simply food and clothing, but instruction of every description, kindness, sympathy, and guidance.

"The Southern society is twofold; the whites, with their peculiar prejudices and beliefs, and the blacks, with their present disabilities created by antecedent slavery. The Government stands forth between the two classes with its gigantic resources as an intermediary power. The spectacle is singular, and the heart is often balanced between hope and fear in contemplating the struggle actually going on.

"My first decision was that labor must be settled, and if we would not relapse into some species of slavery it must be done without compulsory means; and if we would avoid anarchy and starvation what we do must be done immediately.

"It was very tempting to put the hand on the new freedman and compel him; it was so easy, by military power, to regulate all matters for him in that way. How the letters did pour in upon me urging that course! 'Give us a system'; 'Fix the wages'; 'You don't understand the negro—he won't work,' and similar expressions. Gradually these letters diminished and the cry '*Compel him! compel him!*' is more distant and less distinctly heard.

"If we can hold a steady hand for a time—prevent extreme and widespread suffering by timely aid—afford encouragement to every laudable enterprise—multiply examples of success in every species of free labor and do so in every county in every State, my decided impression is that, before five years, there will be no more use of an agency of the general

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Government in the Southern States than there is now in Ohio.

"Harmony between the laborers and the holders of property, which is essential to meet immediate wants and settle society that has been so much disturbed at the South, may, however, be brought about in process of time without much real progress. There is a fundamental prejudice, a false theory as really existing as that in feudal times of the nobles against the masses of the common people; it is that the negroes were never intended by nature for education. 'If you educate them,' they say, 'it will upset them, unfit them for the duties imposed upon them, rob us of our position and consideration among them. Educate them, and you will not only render them discontented laborers, but they will get into all sorts of political jars and excitements, they will become a prey to all the sophistries and isms of New England, and bad politicians will guide them to our detriment. In brief, all the beautiful natural order that God has imposed, making us superior, wise, and provident, and them confiding, childlike, and dependent, will be destroyed as much as the peace of Eden was by allowing Eve to eat of the tree of knowledge. Fix it so that we can be the mind and they the obedient muscle, and all will be well, whether you call it *free labor* or not.'

"If the simple truth could at once break into the minds of all classes at the South, that the elevation of their common people to a higher plane of knowledge and skill would be a positive advantage to the whole, so that in each State there would be established such a system of schools as would bring the privileges of learning to the children of the humblest, then, indeed, could we count upon substantial growth.

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"Looking at the great numbers of indigent freedmen, old men and women and helpless children, in every Southern State, I have not wondered that the old slaveholder should pour into my ear the glowing accounts of the blessedness of slavery in its prosperous and patriarchal days, and that he should heap curses on that freedom which he believes to be the occasion of so much restlessness and suffering.

"But you and I know that the real cause of the desolation and suffering is *war*, brought on and continued in the interest of and from the love of slavery. I present you this picture to urge upon you kindness, sympathy, and liberality; yes, magnanimity toward the whole South, without distinction of race or color.

"Not a day passes but that there is some affecting reminder of the fault of those who aimed their blows at the heart of the Republic; but I say slavery, that gigantic evil which during the past gave us no rest—slavery has done all this—and, thank God, slavery has received its death blow, and the fact has been proclaimed, not only in America but throughout the world. In view of this we must seek courage and strength from on high so as to lay aside all malice, all purposes of revenge, and put on a broad, living charity, no less than love to God and love to his children.

"Already, my friends, I have been severely censured for such sentiments as I am putting forth, such entreaties for wholesale charity, and I am pointed again and again to the wrongs of the freedmen. I know them.

"I might multiply the statements of wrongs that they daily suffer. I hope that these wrongs will all be righted and full justice secured to the freedmen by our Government. Should we dwell upon the follies, the

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blind prejudices, or the positive faults, even crimes of certain people in the Southern States, the tendency would only be to widen and deepen the gulf already existing; but if, on the other hand, we will watch for every sign of favorable change, cherish every enlightened sentiment expressed, extend the hand of kindness and genuine sympathy to those who are in need, while we adhere to true principles of liberty with firmness, it will not be long before the revolution will be completed and we shall realize the blessings so often anticipated by the words: 'No North, no South, no East, no West!'

"The rights of the freedman, which are not yet secured to him, are the direct reverse of the wrongs committed against him. I never could conceive how a man could become a better laborer by being made to carry an overheavy and wearisome burden which in no way facilitates his work. I never could detect the shadow of a reason why the color of the skin should impair the right to life, liberty, and the pursuit of happiness. Differences of form and feature, variety of mind and capacity, perhaps infinite in gradation, indicate to us somewhat of the divine arrangement and prepare us for the multiplicity of social relations that do exist, so that we never expect or seek for what is called 'social equality.' Yet the epitome of Christian principles as set forth by the Lord when He said 'Love the Lord thy God with all thy heart, soul, mind, and strength, and thy neighbor as thyself,' demands between man and man the plain recognition of brotherhood.

"I hope I may be permitted to live to a good old age, that I may have an earnest of what I so heartily believe; that I may tell my children's children of these times when the American people put forth their

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strength, saved a Republic, broke the chains of four millions of slaves, and inaugurated genuine, universal, unqualified liberty."

On February 21st, at a meeting in the interest of my work held at the Cooper Institute, New York, the venerable Dr. Ferris, president of the New York University, Horace Greeley, and many other men of social and political prominence were present. The meeting was opened with prayer by the Rev. Dr. Hiscock, and then I was introduced to the large audience. After brief comparisons and contrasts drawn between Russian serfdom and American slavery, I went on to discuss the attitude of the Southern white people toward negroes now free. There was, I claimed, on their part a positive aversion to giving freedom and rights of citizenship to the negro. A large proportion of the former slaveholders looked upon the reasonings of Northern men as vagaries and did not hesitate to express the conviction that the emancipation was a judgment of God. It was not strange that the greater part were overwhelmed and chagrined by the loss they had met in the abolition of slavery. But there were notable exceptions—men who took a comprehensive view of things, and believed that the South would ultimately thrive better than ever before through the genius of free labor. Education was urged as the true relief. Its thorough practicability was shown by the liveliest examples of daily occurrence among the colored youth. Industrial education above all was urged.

I had hardly ceased speaking when Mr. Greeley, wearing his usual light gray coat, was loudly demanded. He responded, and among other things, said: "Should the Government cease, through its agents, to make efforts for the education and upholding of the

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freedmen, private individuals would take up and still carry on the work, and finish the noble task which has gone so far in disenthraling the black race." Mr. Greeley sat down amid a tempest of applause.

I had hardly resumed my desk in Washington after this trip when some delegates from the colored people, Frederick Douglass, Henry H. Garnett, Sella Martin, John M. Langston, and others who had come from various sections of the country to Washington to have a conference with each other and watch the interests of their race in legislation, desired an interview with me. The gentlemen sought the highest and best privileges and securities for their people, and laid stress upon their right to vote; but, judging by newspaper reports, they feared that I was opposed to them and that I was not in favor of securing to the blacks the right of suffrage. They came to my office and told me frankly what reports they had seen. I expressed to the delegation my sincere desire to have the coöperation and support, in my efforts to benefit the freedmen, of leaders of the colored people like themselves. My conviction was, first, that all citizens should be equal before the law, and then, as in military generalship, one position should be carried at a time and then the next tenable position, each of which I would fortify and defend for the right, and advance from that. I was all along in favor of eventual suffrage for the negroes, but hoped that it might be limited at least by an educational qualification. Opposition to education was, I feared, forcing us to adopt at once universal suffrage.

On April 20th, there was a gathering of the Methodist church people in Baltimore at the new Assembly Rooms. The object of the meeting was stated to be to

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discover and adopt measures for the intellectual and religious improvement of the colored race. Chief Justice Salmon P. Chase, Judge Hugh L. Bond, of Baltimore, and Senator Evans, of Colorado, and myself, as commissioner of freedmen, were present. Judge Bond, Senator Evans, and I were to make the addresses. The chief justice, it was hoped, would add at the end a word of encouragement.

Rev. J. A. McCauley gave out a hymn and led in prayer. Judge Bond followed in his effective style, half humorous and half earnest. The judge hoped that it would be the result of that meeting that suppression of certain subjects in church conferences would cease; that it would not be unlawful hereafter to say negro as well as African—that is, refer to this race in America as well as in Africa—and that the Methodists would now see and meet their duty to the colored race. Judge Bond was one of those Southern heroes deeply attached to the Union who underwent persecution and ostracism for conscience' sake.

I spoke of my early career and experiences in the army when stationed in Florida, how Christians there believed that negroes had souls, that we were all children of a common Heavenly Father, that our Lord made sacrifices for all, that He taught the doctrine of universal brotherhood, and that we could not escape the injunction to "love thy neighbor as thyself." Then I made a plea for education in the South for blacks and needy whites. That pleading has always held my mind and heart.

After that I urged a more practical extension of marriage rites. I stated that it was ridiculous to demand for church offices only proper marriages among the negroes. As to the constant statement that negroes

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had proclivities to certain sins—as lying and stealing—and that it was of little use to expect any self-restraint except from fear of the lash or other punishment, I declared all that to be a prejudice, a slander. If among us whites a system of selfishness, lying, and cheating is to prevail, and not the principles of the Christian religion, then may we consistently push the negroes to the wall. As Christians our first duty toward them is to recognize their manhood, that which all through the country we have hitherto neglected. Then I endeavored to demonstrate how the Almighty had been leading us step by step through the war and since, and to show how great souls were already seizing upon the facts. Every statesman, every individual—preacher, lawyer, or other professional man—who attempts to stop the wheels of progress will be sooner or later crushed to atoms. Shall we sacrifice the Republic that we have saved? The church must stand up and tell the truth. Whenever you Christians have the opportunity to say what you think, say it! Stand firm for your own convictions of truth and duty. Mr. Lincoln gave us the principle—"With malice toward none, with charity for all, but with firmness in the right as God gave us to see the right."

George Washington was our beginning. We have been brought on substantially and securely by his glorious successor, Abraham Lincoln. As his countrymen let us not hide our light, but speak the truth, yet speak it kindly in the fear of the Lord.

Resolutions strong and good were unanimously adopted. Then Senator Evans gave a ringing speech, asking: "Is it possible that anyone should ever conceive that the religion of Christ could be modified to suit one class of people differently from another; that

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it was not intended for the whole human family?" His answer was a conclusive demonstration of the universality of Christ's teaching and that negroes in Africa, in this country, or elsewhere were included.

Salmon P. Chase stood up at last to his full height of six feet and two inches, and calmly closed the meeting in a few words that sounded like a benediction, promising equal justice to blacks and whites, particularly in the Supreme Court.

Friday, April 27th, the negroes celebrated the fourth anniversary of the abolition of slavery in the District of Columbia. A strange procession made up of military battalions, freemasons, Odd Fellows, schools, civil organizations—all negroes—was of the best. They marched past the White House and called out the President. They passed the Army and Navy Departments, General Grant's and my headquarters, and Charles Sumner's house, cheering heartily at every point of interest as they went. The long column of glad souls had a dozen bands of music preceding their well-regulated divisions. There was no point from which one could see the entire length of the parade. At last it was massed at Franklin Square. Beautiful banners were tastefully grouped around the ample speakers' stand. Bishop Payne, of the African Methodist Church from South Carolina, opened this public occasion in a brief and appropriate prayer. He was a negro very dark, slight in stature, with handsome, regular features and was wearing large spectacles; he spoke the choicest of English. His people were greatly delighted with his ministrations and held him in high esteem.

Then arose the tall Henry Highland Garnett, the colored man who stood in point of oratory and influ-

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ence next to Frederick Douglass in the old days of abolition warfare. He gave this day a rousing speech: "I suppose it will no longer be presumption to call you *fellow-citizens*, since the Constitution has been so amended as forever to prohibit slavery and involuntary servitude, except in punishment for crime, and since the 'Civil Rights bill' has become a law of the land. To-day the principles of liberty are triumphant; the principles for which patriots and philanthropists have labored from the foundation of our Government, and for which the immortal Lincoln became a martyr, and which John Quincy Adams and Giddings and the Lovejoys and Henry Winter Davis and Solomon Foot proclaimed with their dying breath." He eulogized dead heroes and praised the living, taking up name after name. He praised the Lord for their work.

"Thank God," he went on, "that my noble, suffering and rising race live and flourish like the goodly cedars. The history of 250 years has demonstrated the fact that the black race in America, or wherever dispersed, can neither be forever enslaved or blotted out. God is with us and we must be free.

"One year ago Abraham Lincoln was lying in his coffin. You and I, fellow-citizens, were among the mourners. Although his remains sleep in a tomb in the far West, yet he is buried in the hearts of this sorrowing people. Rest, rest in peace, glorious martyr, statesman, ruler, benefactor, and friend!"

Garnett concluded by reading some well-worded and touching resolutions. The last one was:

"RESOLVED: That we are sensible of the fact that we are engaged in a stubborn war with numerous and unrelenting foes, which, by the help of God, we mean to fight out to the end on our native soil, aiming

to complete the establishment of our rights and liberties; and that our weapons are the spelling book, the Bible, the press, and the implements of industry; and our impregnable fortifications are schoolhouses and the Church of Christ; and our watchwords are UNCONDITIONAL LOYALTY TO GOD AND OUR COUNTRY."

As soon as the great cheering died away Senator Lyman Trumbull spoke: "I am here to-day to rejoice with you in this anniversary of your freedom—freedom from the most abject bondage ever visited upon any portion of the human race—freedom that makes you masters of yourselves, protects you in the enjoyment of the family relation, secures to you your children, prevents the father from being torn from his child, and the mother from being torn from her infant. (Amen and applause.) Secured not without a struggle, not without time, and not, I may say, by human instrumentality alone. Whatever credit any of us or any man may claim for the freedom enjoyed to-day by four millions of American citizens, that credit belongs to Omnipotence, who has so molded events that some of us have been instruments merely in bringing about this greatest and grandest result in the history of the human race."

Mr. Trumbull closed with these words: "Henceforth, no matter who makes the law, it must be equal, and if it is a law that deprives you of a right, it must deprive us white men of the same right. Equality before the law belongs to you from this time henceforth, and, by the blessing of God, I trust forever."

Henry Wilson followed Mr. Trumbull with a strong voice and effective utterance: "As I have gazed to-day upon this mighty throng in the capital of my country, as I have looked upon these banners, listened

to the music, heard the voices to which you have listened, I have turned back one third of a century to that little assemblage of God-fearing and liberty-loving men that laid the foundation in America for the triumph which we enjoy to-day. I remember that national convention of humble men from ten States to whom we owe everything sanctioned by law, humanity, and religion, for the abolition of slavery, and for the elevation of every person of color. The work began one-third century ago. (That's so.) Humble, devoted men have since gone on from struggle to struggle, until, to-day, there is not a slave that treads the soil of the country from the Delaware to the Rio Grande. Not a cradle of yours can be robbed in America to-day; not a wife of yours can be torn from your bosom; not a bloodhound can bay on your track. Thanks be to God for the labors of these faithful men. Every fetter of yours is broken, and every man born in America can stand up and say: 'I am a man, a brother, a citizen of the American Republic!'"

About this time the platform gave way and sank enough to frighten the people on and near it; but fortunately nobody was seriously hurt. As soon as it was again properly propped up Senator Wilson resumed: "Ladies and gentlemen, I have come back again. We sometimes during the last thirty years have had falls, but we always rose again. The friends of human freedom, sometimes baffled for a time, sometimes checked, sometimes even temporarily defeated, always rose stronger and marched forward with a bolder front."

My own speech came after Mr. Wilson finished. It showed pretty clearly my feeling at that time toward the emancipated.

"Fellow-citizens and fellow-soldiers: It gives me

more than ordinary pleasure to be able to be present on an occasion like this; to be able to look forth upon these masses of men; to be able to see in their faces the gleamings of intelligence; to see senators from Congress standing up before you; to listen to the declarations of truths so solemn, so momentous, so deep, and stirring the very foundations of the heart. I notice on one of your banners the inscription 'Friendship, Love, Truth.' I take as my motto the central—'Love.'

"The closing sentiment of your resolution to-day was loyalty to God, and loyalty to your country. I thank the soldiers yonder and all they represent, for the manifestation of true loyalty during our past struggle for liberty; and I unite with you and with them in ascribing gratitude to Almighty God that He has put it into our hearts to be loyal to Him who sits on the throne of the heavens, because it is He who has brought our public mind into the channels of truth; and whether I as a soldier proclaim it or the minister or the bishop proclaims it, we hear the solemn truth that 'God is love.' The fundamental truth of the whole Gospel is love. We are required by that fundamental law to love God, to love humanity, to love one another, to love the child of God. It is not *like*, it is *love*. With all the depth of the human heart to love, and to take that and carry it into yonder cottage. There you will find it will make the different parts of the same family agree; it will make the children kind to their parents and kind to each other. It will create a scene beautiful in itself; a picture lovely to look upon. Carry it into your neighborhood, and it will produce agreement between one family and another. Carry it into yonder capital and it will produce right feeling and doing. It makes senator grasp senator by

the hand and say, 'God bless you!' It makes the dying senator grasp his brother senator and point him to God and heaven. It takes hold not only of time, but of eternity. It is the real true bond of this country. I tell you it is the fundamental law; it is the very bottom of a true reconstruction. I asserted it in another form once and was abused for it. I said that there was required in this country a little more of the spirit of Christ. I proclaim it again before this vast audience, that it requires the genuine, practical spirit of the Lord Jesus Christ to make our people agree, to reconstruct our Government, to make us what we ought to be—a united, homogeneous people, with homogeneous institutions. Carry it to the Presidential mansion and there it inspires the head and front of our Republic. It was what there animated the bosom of Abraham Lincoln. It warmed the heart of the poor negro who knelt in one of our streets in Washington after his death and weeping said that in Abraham Lincoln she had lost more than her God, because God had made her a slave and he had made her a free woman. She, it is true, did not understand that God was leading him, was inspiring him, was guiding his heart and his mind into the channels of truth, leading him to walk in the light as God gave him to see the light. Thus the great governing principle of his heart was love to his Maker, and, through that, love to mankind.

"Now, my friends, bring the same principle to bear upon the condition of things in our Southern States. What do we need? We need true men; we need that principle which shall lead the rough man, the untrue man, to bow before the same Maker and to show a broken and a contrite heart. He, then, will not persecute a man because he is red, because he is green, be-

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cause he is yellow—oh no! not even if he should happen to be black. He hears the command: 'Thou shalt love thy neighbor as thyself.' I do not learn in any of the Commandments or in the Gospel of Christ, that black men are excepted; and I have always taken it for granted from my childhood till the present time that the Commandments and Gospel apply alike to black and white. . . . One of our generals in this city told me the other day that many years ago in Florida he had been outside of many of the cabins of the negroes and heard them night after night sending up petitions to God for their freedom. He said he believed then that those prayers were registered in heaven, and that sooner or later these people would be free. Now, certainly, taking into consideration what I have seen and what I have heard, I believe there will be a great body of negroes in heaven; and in spite of it, I want to go there, and if we can carry out the principle of love to one another, we may all go there. If we cannot carry it out, those men whose bosoms are not big enough, or broad enough, to take in that principle will never be likely to go there!

"We can rest on fundamental truths; they apply alike to statesmen and President; they apply to me; they apply to you. You have a great work to do—an immense work. I am not one of those who cry, 'The negro will not work.' I know you will, but I want you to work with unusual zeal. I want the brightest and smartest among you to put forth every energy. (We will.) We have fought and fought together; and whenever I feel a returning throb from an old wound, I thank God I lost what I did lose in the procurement of practical liberty. I thank God it was done in opening up a chance for the colored people to go ahead in

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the inauguration of the principle that every man have a chance to develop, to grow, to increase, to multiply, not merely bodily, but mentally and morally. I now begin—we begin to-day—to realize and celebrate the truths that have been so long in the Bible, truths that were in our Declaration of Independence, but which were falsely or partially proclaimed from many forums. We do realize that Declaration to-day; and on the next Fourth of July if I should participate in the celebration of the Independence of the United States I will do it as to-day with a free, undivided heart and mind. I can say: Liberty now, union now, liberty and union, one and inseparable."

Prof. H. Howard Day made the closing address. A single sentiment exhibits its tenor. "This emancipation I look upon as a part of God's work, and very properly first of all to Him you give the glory. A man who forgets the agency of God in such a work makes a vital stab at the very cause which he seeks to benefit. This emancipation was the legitimate triumph and a first result of the true idea of the American Government."

At the annual meeting of the American Missionary Association at Cooper Union, New York City, May 8, 1866, which I attended, a brief letter from the assistant commissioner for Tennessee, General Clinton B. Fisk, read by the secretary, showed that the General was detained from participating in the meeting by the Memphis riot. He wrote from Nashville, May 4th: "The sad state of affairs at Memphis requires my personal presence there. The tale of blood, murder, and arson in the chief city of this State will sadden the hearts of all who are earnestly striving to establish peace on an enduring basis. The ashes of our school-

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houses in Memphis but indicate the imperative necessity of education and Christianity (more pronounced) for the Southern States."

This riot beginning Tuesday, May 1st, and continuing over two days, was brought on by the armed city police attempting to check the disorder of some discharged colored soldiers who had been drinking. This beginning resulted in killing that day from fifteen to twenty negroes, in burning eight negro schoolhouses and the churches where schools were taught, and also thirty-five of their private houses. The resulting excitement was so great that General Stoneman, the military district commander, put the city under strict martial law. The Memphis riot naturally excited the members of the American Missionary Association, for it had teachers and agents in every part of the South, and it greatly influenced the anniversary exercises. This riot, coupled with the others a short time before at New Orleans, where many black men perished and much property was destroyed, everyone feared would be extended to other cities.

Mr. Lewis Tappan, the senior vice-president of the association, and one of New York's most honored merchants and philanthropists, presided. After the preliminary exercises, including a grand missionary hymn, Mr. Tappan introduced me in very flattering terms. I closed a description of our work with an appeal for moral support, saying: "After we shall have exerted ourselves to the utmost there will be tasks which no Government agency will be able to accomplish. There will be poverty it cannot reach. There is already a strong feeling abroad against taxing the people to support the Southern poor; and there are also objections, alleged by good men, against

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efforts in behalf of education carried on by the general Government. My Bureau, though engaged specifically in a work of relief; though it is the means of feeding the hungry, caring for the orphans and widows, protecting and promoting education, and working to secure justice to the weak and oppressed, nevertheless, partakes of the hatred everywhere meted out to all who are caring for the negro. Its friends are sometimes doubtful about its expediency; many think the universal franchise will dispense with it; so that it is not safe to count upon it or its measures as of long continuance. Work then, my friends, while the sun shines. Do what the Government cannot do, send Christian men and women who are not afraid of outrage, even such as that noble girl¹ suffered at Warrenton, Va.; who are not afraid to die; send such as teachers and almoners of your contributions and as Christian missionaries.

"The only way to lift the ponderous load of poverty from the houses of the poor whites and blacks, and keep it lifted, is by instruction. I do not mean simply what is learned from books, but what is gained from example. But I must detain you no longer. The suffering of the poor is a heavy load upon us; the villainies of those who can rob and murder the poor, burn the churches and schoolhouses, try us severely. The twistings and turnings of our great men, who are wedded to politics as a trade, who are too great to own the manhood of the slave, too great to consider important the interests of the lowly, perplex us; but the past cannot be blotted out; our country

¹ A band of white men opposed to all attempts to benefit the blacks had brutally assaulted a teacher, from the North, at Warrenton, Va. *American Missionary Magazine*, June, 1866.

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is being purged, is being redeemed, and shall be blessed."

Henry Ward Beecher followed me and urged help, real help to the freedmen's societies. He spoke with great force and earnestness.

Two days later I entreated the American Bible Society at their anniversary exercises, held also in New York, to extend their Bible distribution to the freedmen in the South, and hastened back to my work in Washington, which I only left once again that year to address the people of Brooklyn and Newark, N. J., on "Our Christian Duty to the South," and to attend the meeting of the American Freedmen's Mission at the Cooper Institute in New York. The burden of my efforts in these assemblies may be condensed into the words: *Educate the children*. That was the relief needed. Is it not always the relief which in time becomes a permanency?

CHAPTER LV

FIRST APPROPRIATION BY CONGRESS FOR THE BUREAU; THE
RECONSTRUCTION ACT, MARCH 2, 1867; INCREASE
OF EDUCATIONAL WORK

THE year 1867 for the Freedmen's Bureau was an eventful one. The army appropriation by Congress for the year ending June 30, 1867, was made July 13, 1866, and contained the first formal appropriations for the support of our work. The items of most interest were: for salaries, stationery, printing, quarters, and fuel, \$308,200; for clothing and rations for distribution, \$4,273,250; for medical department, \$500,000; for transportation, \$1,320,000; for school superintendents, \$21,000; for repairs and rent of schoolhouses and asylums, \$500,000; for telegraphing, \$18,000. Total, \$6,940,450. Hostile spirits thought almost \$7,000,000 enormous.

By a law, of date March 2, 1867, the plan of Congress for a reconstruction of the South had been passed over the President's veto. Its preamble read: "Whereas, no legal state governments or adequate protection for life or property now exist in the States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas, it is necessary that peace and good order should be enforced in such States until loyal and republican State governments can be legally established," etc., etc. The law provided for five mili-

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tary districts through which the country would be governed until the people of any State should adopt a constitution framed by a convention elected by male citizens without distinction of race, color, or previous condition of servitude, but still disfranchising participants in the rebellion. The new constitutions must grant suffrage to negroes and be submitted to Congress for approval. Civil governments where they existed were allowed to continue till the new were established.

The districts were then organized with General Schofield in command of Virginia; General Sickles for North and South Carolina; General George H. Thomas for Georgia, Florida, and Alabama; General Ord for Mississippi and Arkansas, and General Sheridan for Louisiana and Texas. All these officers, as will appear, who were commanders of individual States, became *ex-officio* my assistant commissioners. Coincident with the Bureau work, the work of reconstruction along the lines of the new law now began and went on. In each State the assistant commissioner was at the head of the Bureau work with at least an adjutant, a disbursing officer, a medical officer, and a superintendent of schools as his staff in Bureau matters.

Each State was divided into military districts whose commanders were the Bureau agents in matters pertaining to the freedmen, and under them were the sub-districts where the subagent, usually without troops present, procured the necessary supplies for the extremely destitute, adjusted labor matters, encouraged negro education and counteracted the effect of unjust, prejudiced juries, and the action of some local courts, which arrested and in many instances practically re-

First Appropriation by Congress for the Bureau

enslaved the negro. I simply conformed to the new law, as I had to President Johnson's previous plans.

It was all the while my steady and avowed purpose, as soon as practicable, to close out one after another the original Bureau divisions, namely, that of lands, commissary and quartermaster supplies, justice through Bureau or military courts, and the medical establishments, including provisions for the orphans and the destitute, while with all the energy I could muster I increased the school work. I hoped at the end of the Bureau term to transfer the educational division in a high state of efficiency to some more permanent department of the general Government for continuance and enlargement, certainly until the States should severally adopt a good, wholesome school system whereby all the children of every color and description should have the same facilities as those of Massachusetts or Ohio.

As a condensed account of this year's work let us take a survey of each assistant commissioner's field, instancing only enough of detail to show how the variety of conditions led the efforts of each State into directions peculiar to its own necessities.

I was glad enough that new laws and orders made General Swayne a district commander as well as my assistant commissioner for Alabama. From and after November 1, 1866, the status of freedmen, under the laws of that State, was the same as that of other non-voting inhabitants. The Reconstruction Act of Congress gave the men the ballot. The school work though small was really hopeful. There were 68 white teachers and 15 colored. Preparations had been made to erect large buildings for educational use at Mobile, Montgomery, and Selma. At remote places and on

plantations rude temporary structures were put up, and these Swayne aided with school furniture. Applications for assistance beyond the ability of General Swayne or myself to supply, were on the increase. The willingness of negro parents out of their poverty to sustain, as far as they could, schools for their children was everywhere manifest; they soon warranted Swayne's strenuous efforts to make them wholly self-supporting.

Opposition on the part of the better and influential class of white people had diminished when Swayne made his annual report, and a manly purpose on the part of the freedmen toward self-help and independence was evident. Somebody, however, must organize in new fields and instruct the freedmen in their duty and interest. The General cited several instances of good disposition and success. At Mount Moriah, six miles from Mobile, lived a colored man, Edward Moore, who had built a log schoolhouse at his own expense, putting it on his own land. In this he was teaching 52 pupils. This school the freedmen supported. Again, at Selma, B. S. Turner, himself a prosperous and representative freedman, was helping his friends and neighbors by eloquent words and by money out of his own earnings to secure school advantages to the children. His brief speech to an inspector was recorded: "Let us educate, let us make sacrifices to educate ourselves, in this matter, let us help those of us who are unable to help themselves." At Montgomery, one of the seven schools there existing was taught by a white man of Southern birth. All this was encouraging, but the cold fact remained that a large number of the 62 counties, densely populated with the freed people, had as yet no schools whatever, and further,

that when there were schools, only a small proportion of the children had the privilege of attending them. Such teachers as Swayne then had were earnest, laborious, and efficient. They preserved good discipline and made their instruction, as far as they could go, thorough and accurate.

To the State of Arkansas there had come a new commander and assistant commissioner, General C. H. Smith, General Sprague having left the service to become the Western general superintendent of the Northern Pacific Railway. Arkansas was a difficult State to reconstruct, and progress, especially in the line of justice, was slow enough. There were numbers of desperadoes in remote places, especially in the southern districts. They evaded punishment by running across the State line, so that emancipation acts and the civil rights law had there little effect.

The catalogue of wrongs upon freedmen indicated feeble progress, even among the better class of former slaveholders; yet in the aggregate in Arkansas the colored people had made great gains. They were allowed to testify in the courts, even against white men, and white men had been punished for offenses against negroes in State and city tribunals.

To the educational work planters, now evidently for self-interest, were more favorable than before; some proprietors had shown marked kindness; others had found facilities for the planting of new schools on their own estates. The ardor of the freedmen for education exhibited ever since emancipation was unabated. Strange to say, they were willing to be taxed and gave even from their poverty all they possibly could to bring knowledge to their children.

The teachers in Arkansas often had a difficult task;

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but some of them overcame even ugly prejudice, which is a hard thing to do. One of such teachers, while on her way to open her school in the neighborhood of a large plantation, was refused shelter by the owner. His reason was that no real lady would perform a work so discreditable as teaching "niggers." But in a few months she had so won the confidence of the planter by her judicious conduct and Christian efforts, that when she was taken suddenly ill, he had his doors opened to receive her and saw to it that she had every comfort and attention necessary. I enjoyed immensely the stories of such acts of gallantry.

There was deep sympathy between teacher and pupil. A single illustration from a school at Little Rock will illustrate. The teacher with moist eyes told a girl of perhaps twelve years that an act of childish indiscretion pained her. Seeing the tears the child ran to the teacher at once, asked her forgiveness, and said that in the future she would be a good girl. This spontaneous act sensibly affected the whole school. This teacher, who had taught the pupils to cast their burdens on the Lord, was soon to leave the school. The time of her going was announced. The grief was manifest and universal. One of the scholars arose and asked permission to pray. Permission being given, several scholars in succession, in simple and touching language, asked forgiveness for all their errors, and for blessings on their teacher, and that the Lord, if it were His will, would send her back to them.

In Florida, Colonel J. T. Sprague had succeeded as district commander and assistant commissioner to General Foster. The State, ostensibly for the education of the black children, in its new school law im-

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posed a tax of \$1 upon all negroes between the ages of twenty-one and fifty-five; but very little money was obtained and so used. It was to be collected at the same time as the ordinary State tax, and paid into the treasury. No such law was imposed upon white men. The law went a step further—freedmen not paupers were to pay to the State superintendent, in addition to the tax, \$1 a month tuition for each of their children attending the State schools. This State law had another feature capable of being used oppressively. No person was to teach any school of persons of color without a license costing \$5 per annum—a license that the superintendent could give or withhold at his pleasure. The penalty for violating this provision was a fine of not less than \$100 nor more than \$500, or imprisonment for not less than 30 nor more than 60 days. The object of the license clause was to exclude Northern white teachers. If it had not been for the presence of the military forces, Northern teachers already there who had not the superintendent's certificate, though sent by the Government or by benevolent societies, would have been fined or imprisoned. Prejudiced men sought at every step to impose new and irksome burdens upon the newly made citizens.

It was, then, a little refreshing to catch a word of hope for Florida. I wrote at the time: "Notwithstanding the peculiarity of these enactments, there is reason to believe that former white residents are not altogether averse to the establishment of freedmen's schools, but are coming to look upon them with increasing favor. During the past year the Bureau had repaired a large number of church and other buildings, in order to adapt them to school purposes,

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and the educational results achieved give favorable promise."

General N. A. Miles took great interest in the freedmen's schools of North Carolina during this year, and under the management of his assistants and himself they were exceedingly prosperous. He built on the good foundations that his predecessor, General E. Whittlesey, had laid, while the latter came to my headquarters to perform a most important duty. The pupils in North Carolina were greatly increased in numbers, and the hard-working, self-denying teachers were much encouraged. Upward of 10,000 colored children were enrolled in our schools in the State, and three or four thousand more could have been added if teachers could have been provided for them. The rental of school buildings by the Bureau had secured the continuance of many schools which having been started during the war would otherwise have been obliged to disband. Occasional adversities had appeared, as the burning of schoolhouses in Green and Chatham counties and the violent assault upon a teacher in New Hanover county. But on the whole the prejudices were far less pronounced. In fact, in many places former opposers had become friends and were encouraging this educational campaign. It is a wonderful thing to recall that North Carolina had never had before that time a free school system even for white pupils, and there were then no publications in the State devoted to popular education. The death of slavery unfolded the wings of knowledge for both white and black to brighten all the future of the "Old North State."

In South Carolina General R. K. Scott was the Bureau representative. He reported that there was a

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class of men within his jurisdiction who took the greatest pleasure in persecuting freedmen, and considered the murder of a colored man only a practical joke; that the civil authorities took little pains to put a stop to such crimes, and that freedmen were killed and buried without notice to the authorities. Yet by the end of October, 1867, he considered his educational work highly satisfactory. Like North Carolina, there was here no State system of public schools for any of the children. Beyond the limits of the Charleston district there was not a single "free school" in that State. The law, however, with grim humor encouraged education by the following exemption: that persons convicted of certain crimes, as burglary and arson, were relieved from the death penalty, provided they could read and write—a strange survival from the English law of the "benefit of clergy." At that time 30 per cent. of the white population of that proud State could not write their names. In the Charleston district the colored people, who were then two thirds of the whole population and paying their proportion of the taxes, had all their children excluded from the new "free schools," i. e., in the district where schools just started were supported by 30 per cent. added to the general tax. The excuse was that the general Government had freed the negroes and might now educate them; and taxes of all kinds put upon the whites were but a meager return to the State because of the loss of slave property. The colored schools in South Carolina, both those aided by the Bureau and private ones not formally reported, contained 20,000 pupils. Some of the most prominent South Carolinians, among them the Rev. A. Toomer Porter, D.D., had come forward to take a positive and earnest interest in the work of

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education for all the children of the State. The latter came to visit me at Washington, and together we succeeded in obtaining the use of the great Marine Hospital for the colored children. We together visited that building afterwards and found it filled with pupils called "colored," but actually presenting the spectacle of all shades as to the hair, the eyes, and the skin. It was, indeed, an admixture of races. The whites proper were, of course, not there. For these the worthy doctor himself founded an institution of a high order which will endure.

For Georgia, General Tillson, after his faithful work, the middle of January of this year (1867) was replaced by Colonel C. C. Sibley of the regular army. Tillson in his conciliatory policy had appointed as sub-agents many resident civilians, allowing them remuneration by the collection of fees upon labor contracts of freedmen. Upon Sibley's report that many of the resident agents had shamefully abused their trust, inflicted cruel and unusual punishments on the blacks, and were unfit from their education and belief in slavery to promote the interests of free labor, I directed him to discontinue the fee system altogether and employ salaried men only. Of course, it took time to complete such a reorganization and some bitterness and fault-finding came from every district which was touched by the change.

Mississippi always afforded a peculiar study of human nature. General T. J. Wood, who went there after General Thomas's transfer to Washington, was himself relieved by General A. C. Gillem, an army officer who had long been a special friend of President Johnson. He entered upon his duties the last part of January, 1867. Gillem, whom I had known as a fellow

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cadet, consulting his hopes, believed that public sentiment in some sections of Mississippi was then undergoing a most favorable change. He found the freedmen usually ardent for education and willing to bear part of the expense of the children's schooling; and also employers who desired the friendship of their laborers who were encouraging schools on plantations, as well as in villages and cities; but the whole number of schools for the large population of Mississippi aggregated only about 66 (day and night) with pupils 4,697. General Gillem reported that while laborers were working well and complying more strictly than heretofore with the terms of their agreements, a number of white citizens were disposed apparently to defraud their laborers of their earnings by quarreling with them upon the slightest pretext, and for trivial reasons would drive them from their homes by threats of actual violence.

The burning of the freedmen's schoolhouse at Columbus unhoused 400 pupils. Teachers took scholars into their quarters, but not half of them could be accommodated. There was little doubt that some evil-disposed persons and not accident had done the burning. It was a hopeful sign, however, that year in Mississippi that John M. Langston, school inspector, with his color against him, should be everywhere civilly treated. He had many good things to say of both the white people and the negroes of that State. The Society of Friends was supplying the teachers and doing good work at Jackson, the capital of the State. Tuition of fifty cents per month was required and the small tuition was educational in itself, favoring self-support. At Meridian, the school, for want of a structure, had to be held in the Methodist Church. Lang-

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ston found six miles from Meridian a Southern white lady, who was conducting a colored pay school on her own account with 90 pupils. At Columbus, Miss., the white people had already given \$1,000 to rebuild the schoolhouse which had been destroyed. Mississippi thus at that time appeared an inviting field and no personal hostility whatever met this colored inspector, and his picture of the freed people was a happy one. Many of them were intelligent, many reading the newspapers and having accurate and comprehensive understanding of the political situation. This was a better story than Gillem's. It is a pity that subsequent years had to vary the tale.

General Mower, in Louisiana, gave a very promising view of the reaction during the year (from 1866 to 1867) in favor of the schools of his jurisdiction. The numbers, however, were not large enough for that great State—only 246 schools with pupils 8,435. More than half of these were sustained by the freedmen themselves. The majority of the planters in the southern and western portions of Louisiana were still openly against education of the freedmen, so that plantation schools in those localities were few indeed.

By army and Bureau changes General Charles Griffin came to be, the first of this year, district commander and assistant commissioner in Texas, with headquarters at Galveston. He did good work while he lived. I wrote of him: "His thorough knowledge of the people, eminent patriotism, sympathy with the freedmen, and the remarkable energy and promptness which marked his administration endeared him to the laboring classes and commanded universal respect." He fell a victim to the epidemic of yellow fever that prevailed during the autumn of that year, dying at

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Galveston, September 15, 1867. General J. J. Reynolds, a respected instructor of mine at West Point, replaced him for the remainder of the year. Before Griffin came, Texas had been but partially occupied. The troops had been mostly located near the southern coast. The agents of the Bureau could do little or nothing away from the garrisons. In remoter parts, robberies, murders, and other outrageous crimes were matters of daily occurrence. Griffin at once distributed the troops and by May, 1867, had occupied 57 subdistricts, and sent out 38 army officers and 31 civilians as his representatives; all were so stationed and so supported as pretty thoroughly to cover the State. He made these assistants his school inspectors, each of his own subdistrict. Schools were started. Every school was visited monthly. Land was obtained by donations; on lots so obtained and held, usually by colored trustees, Griffin permitted or caused school buildings to be erected and school furniture to be supplied. Through our Northern benevolent societies and through the freedmen's own support, the Texas schools were multiplied. Griffin, shortly before his last illness, wrote: "If the associations which have done so much for freedmen will send me 100 good teachers I will furnish them schoolhouses and aid besides to carry on 200 primary schools." He thus hoped to reach 40,000 children by day schools and 50,000 adults by night schools. Planters were now favoring schools and applying to Griffin for teachers. Of course there were drawbacks. In parts, as I intimated, where desperadoes had the mastery, public opinion was intensely hostile to any project for the improvement of negroes. The poverty of the white people of Texas was never so great as elsewhere in the South, and they had suf-

ficient pride to take care of their own poor. This of itself was a great boon to the assistant commissioner.

General W. P. Carlin had become district commander and assistant commissioner for Tennessee. His account of the conduct of employers after the freedmen had cast their first ballot, which happened this year, was not very reassuring. They drove away and persecuted laborers who had voted for candidates that the planters did not approve. From June to October there were recorded at his headquarters 25 murders, 35 assaults with intent to kill, 83 cases of assault and battery, 4 of rape, and 4 of arson; all these were perpetrated against the freed people of Tennessee. Military courts had been relaxed and the civil law was again in full control. But not one murderer anywhere in the State had been punished, and the majority of other criminals had escaped every penalty of the law; while the few brought to trial had been very leniently dealt with. A large number of additional outrages were committed here and there which were not officially reported to our agents, and so were never properly recorded.

Near the close of 1867 in Tennessee the status of schools was better than that of justice, there being an enrollment of 9,451 pupils. The greater part were carried on by the Northern societies, but the freedmen, out of their small possessions, had in one month contributed nearly \$2,000. The Tennessee legislature had, in addition to white schools, provided for colored schools, putting one in any district or town where there were upward of 25 scholars, and also had established a permanent tax of 10 mills upon taxable property for school support. Just as soon in 1868 as this fund should become available, the State superintend-

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ent promised to coöperate with our Bureau officers and earnestly push the educational work. So there was hope ahead for Tennessee.

General Sidney Burbank had relieved General Davis about the middle of February in Kentucky. This State was slow to modify objectionable laws in spite of the Thirteenth and Fourteenth Amendments of the United States Constitution and the clear-cut Civil-Rights-Law, which necessitated the eventual repeal of every cruel and unjust measure. The State Court of Appeals had in fact retarded progress by giving a decision against the constitutionality of the Civil Rights Act, that is, within the State jurisdiction.

Kentucky in its criminal calendar for the year had kept abreast of Tennessee. The record for the year was: Murders, 20; shootings, 18; rape, 11; other maltreatments, 270. Total outrages of whites perpetrated upon the freedmen, 319 recorded cases.

But a little light dawned upon the State. United States Judges Swayne and Ballard had heard cases in the District Court in Kentucky, and strongly sustained the Civil-Rights-Law. This was auspicious for the negroes. The testimony, however, that came to me from Kentucky, to my surprise and comfort, showed that the schools had more than held their own, and had done so in spite of the contentions and hatreds due to the State's action in all things that affected the courts or politics. Yet I found that a large number of white citizens had manifested a bitter opposition to education of all colored children, and their opposition had tended to dishearten freedmen and thwart the efforts of our workers. Threats had been made in neighborhoods, and oft repeated to destroy the school buildings.

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The opposers of education were, of course, deterred in many places by the presence of our soldiers. In one place a teacher, an upright and educated clergyman, having been mobbed, was, with his family, driven out of town. Such conduct made our Northern societies desirous to go elsewhere, where they could receive protection and better treatment. The freedmen freely offered their churches for the schools, and the assistant commissioner endeavored to protect the buildings against that most unreasonable public sentiment which incessantly sought their destruction. Notwithstanding the favorable showing of numbers in the schools it was but a nucleus. Against the nearly 6,000 at school upward of 30,000 children in Kentucky had yet no school advantages whatever. Not yet in this State could my representative, the assistant commissioner, find one prominent man, though he might admit in private the reasonableness of education, who dared openly to avow his conviction.

The prejudice is illustrated by a single instance: At the Walnut Street Baptist Church in Louisville, one of our white teachers during a revival applied for admission to fellowship. The pastor and other officers found her qualified in every way, sent her the baptismal robe, and made all arrangements for her reception. But as soon as they heard that she taught a freedmen's school, and lived at the house of a clergyman who was pastor of a colored church, they forbade her admission. Even religious zeal could not break the adamant shell of unreasoning prejudice.

Nearer Washington, matters in all respects touching Bureau operations during the year gave assurance that at the end of the term fixed by law, July 16, 1868, I could lay down my heavy burden of responsibility

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with good hope of the future if not with positive satisfaction.

I remember that I found the subdistrict of Lynchburg, of which General N. M. Curtis had charge, especially satisfactory. He not only successfully encouraged the school work but afforded a good example in harmonizing the labor interest and promoting goodwill between the white people and the freedmen.

In Virginia Colonel Brown had, by the action of his district commander, passed from the staff back to the office of full assistant commissioner, and all the State of Virginia had again been put under his supervision.

General S. C. Armstrong, who had been sent to Virginia and had been placed in charge of a district of fifteen or more counties, withdrew from them and began work at Hampton during the year 1867.

A few words from his pen will show the fairness of his mind and account somewhat for his subsequent and successful career at the Hampton Normal and Agricultural Institute. He wrote: "I cannot refrain from expressing my satisfaction and surprise at the proficiency of the pupils in the Hampton schools as manifested in the examination of the 28th ultimo. . . .

"I believe that the finest intellectual achievements are possible to colored children; no one who listened to the prompt answers or perceived the 'snap' of the pupils during the exercises can doubt it. What I was most gratified with was the enthusiasm for and pride in knowledge, which is a motive power that, if given play, will carry them up to noble attainments." Armstrong thus studied the situation at Hampton; came to the true conclusions, and made them the stepping-stone to his own great achievements in the line of Christian training.

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General C. H. Gregory was made assistant commissioner for Maryland and Delaware, and General C. H. Howard continued in charge of the District of Columbia and West Virginia. Under the latter educational work was coöperative and supplemental and the District of Columbia the principal field. Benevolent associations and freedmen's contributions sustained the schools to the extent of paying the salaries of the teachers and incidental expenses. But our Bureau furnished the buildings by rental or by construction, and aided the societies as elsewhere by transportation of their teachers to places where the schools were; also their agents and considerable of their furnishing material were so forwarded.

West Virginia, which was from its birth always a loyal State, was really ahead even of the border States in its arrangement for free education. It had in 1867 an impartial system; it was careful to keep the colored and white children separate; the levying of taxes, the building of schoolhouses, and the employing of teachers were entirely in the hands of white men. This was a fact not at all to be wondered at nor deplored, considering the short period since emancipation came; there were, in general, honest and conscientious dealings.

Under the new Bureau law approved July 16, 1866, which extended its provisions and care to all loyal refugees and freedmen, Missouri and Kansas constituted a nominal district over which Lieutenant Colonel F. A. Seeley was placed and acted especially as superintendent of education. The educational law of Missouri was quite as good as that of West Virginia. It did the legislation of that State great credit in its liberal provisions; and could the dispositions of the peo-

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ple have been as good as that of the legislators at least two thirds of the children of the freedmen would this year (1867) have been at school.

Outside of St. Louis, however, they had not yet the advantages of a single public educational institution; although along the line of the railroads there was springing up a favorable feeling; in other portions of the State the hostility to negro schools was very pronounced and the teachers of freedmen were stoutly opposed by the white residents.

In Kansas, whither large numbers of negroes who had escaped from the calamities of war or from slavery had fled, attention was at once given by the citizens to the children's education. Nearly 2,000 colored pupils were this year enrolled, though there was in this State but a fraction of colored population compared with the neighboring State of Missouri.