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FREEDMEN'S BUREAU.

SPEECH

OF

HON. THOMAS D. ELIOT,

OF MASSACHUSETTS,

IN THE HOUSE OF REPRESENTATIVES, MAY 23, 1866.

The House resumed the consideration of House bill No. 613, to continue in force and amend an act entitled "An act to establish a Bureau for the relief of Freedmen and Refugees," and for other purposes.

Mr. ELIOT said:

Mr. SPEAKER: I will endeavor to explain the bill section by section.

The first section continues the bureau for a term of two years. Gentlemen will see that that differs from the bill vetoed by the President, which was indefinite in its duration. This continues the bureau for two years, and removes one objection. If it becomes necessary at the end of that time further to continue the bureau Congress will take whatever action may be deemed proper.

The second section provides that the care of the bureau shall be extended to all loyal refugees and freedmen. This is necessary. The law of March, 1865, was passed before the amendment abolishing slavery. It was passed before any slaves were made free except by military order or military proclamation. There has been no law passed since the constitutional amendment was ratified. There has been no law, therefore, as I shall show in another connection, which embraces in its affirmative provisions any freedmen except such as were declared free by the action of their own States or by the military proclamation of commanders or of the President. All other freedmen who were the subjects of emancipation by constitutional amendment are not at this time guarded by any affirmative provision of law which Congress has enacted. The second section also varies from the previous law, which did not receive the sanction of the Executive. It defines the purpose of the law in the care of the freedmen, providing that such care shall only be extended to them as shall be necessary to enable them as speedily as practicable to become self-supporting citizens of the United States, and to aid them in making the freedom which has been conferred by constitutional

amendment available to them and beneficial to the Republic.

The third section simply confers upon the President the power to appoint two assistant commissioners in addition to those authorized by the act of March, 1865. That act called for the appointment of a commissioner in each of the States which had been in rebellion. It was found absolutely necessary that the care of the bureau should be extended to other States, and under the authority of law there has been no power to appoint assistant commissioners excepting in those ten States. The object of this is, therefore, simply to authorize the appointment of two more assistant commissioners.

The bill which was heretofore passed called for a territorial division of the country into districts, and it was thought unwise by the President that such power should be given and that such districting should be had. This bill contains no such provision. It simply authorizes the appointment of two assistant commissioners, and that the different commissioners, under the President, shall have charge each of one district to be assigned him by the President where his service can be best employed. The former bill was objected to upon the ground that it called for the appointment of officers, clerks, and agents in all parts of the United States, and that the possible expense might run up to a very large amount. The present bill avoids the districting of the country, and it confines the appointment of clerks or officers in this way: that the Commissioner shall, under the direction of the President, and so far as the same shall be in the judgment of the President necessary for the efficient and economical administration of the affairs of the bureau, appoint such agents, clerks, and assistants as may be required for the proper conduct of the bureau. It also provides that each agent or clerk, not being a military officer, shall have an annual salary

of not less than \$500, nor more than \$1,200, according to the service required of him. It will be found that the amount of compensation that is fixed is so moderate and the limitation upon the appointment of clerks and agents so defined, that the bill cannot be fairly exposed to criticism of that kind. It provides that military officers may be detailed to duty, and distinctly confers upon the President the power, if in his judgment it is safe and judicious so to do, to detail from the Army all the officers and agents of this bureau; but no officer so assigned shall have increase of pay or allowances. It also provides that the Commissioner, when it can be done consistently with public interests, may appoint, as assistant commissioners, agents, and clerks, such men as have proved their loyalty by faithful service in the armies of the Union during the rebellion.

The fourth section of the bill is rendered necessary by an inadvertent omission in the law of 1865, which provided no mode under which the Secretary of War could under that law issue medical stores. Of course it was necessary that medical stores should be issued where no other means were at hand or possible to be obtained. But the law as passed in 1865 did not contain the authority which is put in this fourth section, to issue such medical stores and other aid as may be needful for the purpose named in the section. It will be found that the suggestion which was made, I think, by the gentleman from Ohio, [Mr. SHELLBARGER,] has been adopted by providing that no person shall be deemed "destitute," "suffering," or "dependent upon the Government for support," within the meaning of this act, who is able to find employment, and could, by proper industry or exertion, avoid such destitution, suffering, or dependence. The last part of this section is made necessary because of this fact, that we expect very shortly that the regular medical force of the Army will be reduced to the minimum required for the service of the Army. As soon as that is done the volunteer surgeons will be mustered out of the service, and then there will be no medical force which the bureau can have the aid of, because of the fact that there will be no surgeons retained in the regular Army, whose duties will not be required for the service; and it is deemed indispensable that a provision should be made simply authorizing the Secretary of War to continue in office, as surgeons of the bureau, the volunteer officers now employed, and to fill vacancies with other volunteer surgeons unless suitable surgeons of the regular Army can be assigned to duty. If such surgeons can be made available, it will be the duty of the Commissioner to employ them; but if the surgeons of the Army are reduced to the minimum number, and no other aid can be had, then the object of this provision is to provide some surgical and medical aid for the use of the bureau.

Section five is the same as was contained in

the other law excepting that instead of three millions of the public lands in the five States of Florida, Mississippi, Alabama, Louisiana, and Arkansas, the reservation is of one million acres; and I would say in regard to this section that if the bill which has just been reported from the Senate, and which has now gone to a conference committee, should become a law—I refer to the homestead law which passed this House some time ago—this section will become of no value, and will be stricken from the bill. That time will have arrived before, in the regular order of things, this bill shall have passed both branches of Congress. If that bill does not become a law, for reasons which I will attempt to show it is essential that this section should be retained. If it does become a law, the provisions of that law will enable the Department to provide for the freedmen without the aid of the fifth section of this bill.

The sixth section, as it is now reported, refers to the Sherman lands, and is substantially altered from the provision of the previous law. It now provides that when the former owners of those lands, which are now allotted to the freedmen, and which have been occupied, as it is known, by them under licenses from the Government, shall apply for a restoration, the Commissioner shall procure other lands, and shall assign them to the occupants of lands under General Sherman's order, requiring them to pay a fair rental for the lands and permit them to purchase, provided they will pay to the Government the full cost which the Government has incurred for the lands. The provision is that no sale shall be made of the lands purchased at a price less than the cost to the United States.

The seventh section very materially changes the former law which authorized the purchase of sites, and the erection of buildings for schools, and the carrying on of those schools; and it was made a subject of comment that the United States ought not to educate. It will be seen upon an examination of this section that all that it is proposed to do here is to procure buildings for the schools. The Commissioner is authorized to cooperate with private benevolent associations of citizens, and to provide proper sites and buildings, for purposes of education, whenever such associations shall, without cost to the Government, provide suitable teachers and means of instruction, and he shall furnish such protection as may be required for the conduct of such schools, and the property shall remain the property of the United States until sales are authorized by law. It will be seen that the object of this section is to provide school-houses and protect those school-houses, while the schools themselves are conducted by associations of benevolent individuals from the North and West, or from any part of the country where associations are formed for purposes of education. I can hardly imagine that any gentleman can object to a provision of that kind. It is perfectly plain that education cannot be secured to these freedmen unless the

Government, for the present, shall protect the buildings in which the schools are conducted. It is needless that I should occupy time in efforts to prove that proposition.

The eighth section simply embodies the provisions of the civil rights bill, and gives to the President authority, through the Secretary of War, to extend military protection to secure those rights until the civil courts are in operation. When the civil courts shall again be in operation the whole jurisdiction hereby conferred ceases. Before that time there is no jurisdiction anywhere except in the military. Until that time there can be no redress of grievances and no administration of the rights which under the law are now possessed by the freedmen but by military aid. But as soon as the civil courts are reorganized and reestablished, then this bill provides that the jurisdiction conferred upon the officers of the bureau shall no longer exist. In other words, it is carrying out what has been done since the organization of the bureau in March, 1865.

Mr. Speaker, wherever we turn in our legislative path we encounter questions of freedmen and freedmen's rights; they face us everywhere. No peace can come that will "stay" until the Government which decreed freedom shall vindicate and enforce its rights by appropriate legislation. Absent States may return to their allegiance pursuant to laws which you enact, but no true welcome will be found until some sufficient measure of justice shall be meted out to the men whom "military necessity" converted from slaves to citizens. No man, forever hereafter, can live upon our continent and be a slave. That much by the sword and by the law has been decreed. During all our national life, before the slaveholder's rebellion began, from time to time, by leading political parties in the free States it was passionately urged that somehow or other slavery must be abolished. But their action was not persistent and could never have been effective, because at one and the same point both parties stopped, and that point was short of freedom; for it was believed that Congress could not, under the Constitution, act concerning slavery within the States, and so this crime, which most of the fathers who framed our organic law detested, was, by contemporaneous construction of that law, placed beyond the reach of national legislation.

The power to adjust what were termed "domestic relations," which were held to include the relation between the white master who owned and the man of African descent who was the subject of bondage, was not regarded as included in the powers delegated to the United States or prohibited by the Constitution to the States, and therefore fell among the reserved powers of the States. Whether this was right or wrong, it was the accepted law, which only secession ordinances and flagrant war enabled us successfully to overrule, and now by military proclamation, compelled by necessity, but resting upon principles of

eternal justice, and by State emancipation, and finally by constitutional amendment, universal freedom has been ordained. The knot which politicians could not untie during eighty years of peace the sword of Mr. Lincoln cut at one blow. The power to liberate, which is now confessed, involved the duty to protect, and the Freedmen's Bureau was its earliest legal recognition. I claim for Congress full power to protect, by fit legislation, the freedom which was thus for the avowed good of the Government conferred by the Commander-in-Chief and confirmed by subsequent law. "I do this as an act of military necessity," Mr. Lincoln said. But when he had done that act, which was rightfully done, according to the laws of war then operating in full force, the duty and the power of Congress were at once disclosed. Upon that power, thus derived, the right and the duty of Congress to establish the Freedmen's Bureau will be found to rest securely.

Since the establishment of this bureau another source of power has been given to us by the people of the States acting through their Legislatures. The great amendment declares that—

"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction."

And by its second section confers upon Congress, by direct grant, "power to enforce this article by appropriate legislation." By this act alone freedom in every State was by the people suddenly conferred upon four million bondmen. Whether military power had effectually wrought its work or not that amendment was effectual. States that had emancipated might reenslave. But that amendment instantly, when ratified, worked perpetual freedom. States which had not formally united their fortunes with the rebel government became at once subject to the power of that amendment, and in a moment the bondmen within their borders were made free.

By necessary implication, if the second section had not conferred it, we should, I trust, have found and asserted the power to protect the freedmen. But there is the grant of power. And whatever legislation Congress—the sole and exclusive judge in the first instance, subject ultimately to the judgment of the highest judicial tribunal of the Union—shall deem to be appropriate to make fairly effective the great grant of freedom is thus authorized and enjoined. A race of men enslaved by force and kept in bondage for generations, not recognized as clothed with manhood; held, clothed, fed for service; denied education, knowing no relation of husband, wife, or parent, but only of master and slave, after two centuries of oppression is declared free—free at one moment, free where they happen to be, upon the plantation, within the homes of their former masters, and under the angry eye of owners who see their "property" transformed into

"men," and made citizens by law. Now, what legislation do you deem appropriate to enforce that act of freedom? Manifestly some is needed; for if the startling facts that come to us from the recent rebel States, of fiendish oppression and brutal outrage, were wholly undisclosed, we yet should know that masters who had rioted in the lusts of slavery would not let their bondmen go in peace; or if they did, we still should know that a race prostrate for generations beneath the heel of tyrannous power could not have their freedom made effectual without our legislative aid.

And yet since that great amendment became a living law we have done nothing, literally nothing, to protect them. The Freedmen's Bureau was a necessity created by military law. It was a law before the amendment was ratified by three fourths of the loyal States. Now, another condition of facts exists, and every day lost by our inaction adds to the great weight we bear of duty undischarged. I remember that we have sent to the President one bill. It had been passed, as I know we all believed, with his substantial approval, not of all its provisions, perhaps, but of its scope and general character. But we were in error. Let us try again. I do not know that any utterance of mine within these Halls can reach the presence of that high officer whom I labored to lift up from among his fellows, while men who now attempt to win him from those who were his friends, by fulsome praise, were heaping abuse upon him mountain-high, and that not in loyal States alone, but in rebel communities, and among traitors red-handed with the blood of our slain sons, and armed to take the nation's life. But, sir, if I could be heard I would, in behalf of these freedmen, invoke his aid. Our action, without his cooperation must be partial and of imperfect effect. Among the thirteen powers conferred by the Constitution upon the President the "veto power" was given as a needful guard to the people's rights when laws ill-advised or rash or contravening the Constitution are enacted. Such power is itself controlled by a two-thirds vote of Congress. But this bill, thus passed, might be an imperfect weapon in the hands of officers even of willing loyalty, because every official arm, if it would strike effective blows in this direction, must be upheld by the moral power of the Executive. I would therefore invoke his aid in behalf of these millions of men who look up to him as the controller of their destiny. He knows how they are oppressed. Senators who claim to be loyal may deny the facts established by the mouth of many witnesses. But the President knows the truth. He knows the "slaveholder." He has felt the contempt and contumely and scorn with which the mean aristocrat knows how to crush all whom the Constitution designates as "other persons," and since the war for slavery began has had his home made desolate and has held life in hand while traitors jubilant with assured success have wreaked

vengeance upon loyal men who owned no slaves.

Yes, sir, he knows these men. Unclad of office, he could not now live in his own old home in Tennessee with the military arm of Government withdrawn. Those men stand before him now with simulated respect. There is no human toady upon earth that crouches so meanly to the man above him as the tyrant who arrogantly puts his foot upon the man beneath him. The President has verified that fact in ethics. They solicit and obtain pardon with bated voice, but no repentance has brought forgiveness; and if the concurring testimony of loyal men can substantiate any fact, and put it beyond fair denial, it is proved to us that in every State where the traitor flag supplanted the banners of the Republic, and in Kentucky none the less, the hatred which disloyal men have felt toward their Government is finding expression this day upon the head of the unprotected freedman.

Mr. Speaker, I propose right here to prove that statement. General Fisk, in his report to the Commissioner of the Bureau, dated January 6, 1866, says:

"There are some of the meanest unsubjugated and unconstructed, rascally rebellious revolutionists in Kentucky that curse the soil of the country. They now claim that although the amendment to the Constitution forever abolishing and prohibiting slavery has been ratified, and proclamation thereof duly made, yet Congress must legislate to carry the amendment into effect, and therefore slavery is not dead in Kentucky. Others cling to the old barbarism with tenacity, claiming that the Government must pay Kentucky for her emancipated slaves. There are few public journals in the State which afford great comfort to the malcontents, but the majority of the people of Kentucky hail the dawn of universal liberty, and welcome the agency of the bureau in adjusting the new relations arising from the total abolition of slavery. I have succeeded in obtaining the services of many first-class, judicious, popular citizens to act as superintendents at the important points. The 'Blue Grass' region is in the best of hands. General Hay, at Hopkinsville, was a bad failure. He has been removed. I have consulted General Palmer in the appointment of every agent. I return to Kentucky on the 10th instant, by invitation of the Governor, and shall meet the principal planters of the State at Frankfort, in convention, on the 11th. I hope to do good unto them, and make the bureau a blessing to all Kentucky."

On the 23d of January, after the convention had been held, he writes:

"On the part of many of the politicians in Kentucky there is a bitter opposition to the bureau. Governor Bramlette is most cordial in his expressed approval of my official action, and, I think, earnest in his desire that the Assembly so legislate as to give the freedmen impartial justice. A majority of the legislators officially denounce the bureau, and pronounce its presence in Kentucky a usurpation of power, and the act of Congress by which it was established unconstitutional. Just now there is at Frankfort a heated canvass for a United States Senatorship in progress. Candidates for the position vie with each other in denouncing the Freedmen's Bureau. Men who have fought gallantly for the honor of their country's flag are willing to purchase promotion to the United States Senate at the expense of justice to thirty thousand of their fellow-citizens and fellow-soldiers too. The Legislature makes no progress in the enactment of laws applicable to the new condition of things, but lengthy resolutions denunciatory of the bureau, and requesting the President to immediately withdraw the odious institution from the State, are discussed in protracted debate, and voted

upon affirmatively with astonishing unanimity. Neither myself nor any of my subordinates are accused of much wrong-doing. We are even complimented as being just and conservative gentlemen; but the Freedmen's Bureau and every soldier of the United States must be immediately removed from Kentucky to prevent irritation, &c. If all the States were to so solemnly protest against the presence of United States troops within their borders, and the country should think best to gratify the clamor for immediate and entire removal that we hear from so many States, the Government would necessarily be compelled to rent a parcel of ground in Canada on which to erect barracks for the accommodation of its withdrawn troops.

"I assure you that in no portion of the country is this bureau more a positive necessity than in many counties of Kentucky; and for the sake of the nation's pledged faith to her wards, the freedmen, and in behalf of humanity and justice, I implore you and the President to listen to no request for its withdrawal from the State until the civil authorities, in the enforcement of impartial laws, shall amply protect the persons and property of those for whose protection and defense this bureau is set.

"I saw with my own eyes our fellow-soldiers, yet clad in the uniform of their country's Army, fresh from their muster out of service, who within the last ten days were the victims of fiendish atrocity from the hands of their former masters in Kentucky. These returned soldiers had been to their old homes for their wives and children, and had for this offense been knocked down, whipped, and horribly bruised, and threatened with shooting, should they ever dare to set their feet on the premises of the old master again and intimate that their families were free."

On the 14th of February General Fisk writes to the Commissioner of the Bureau as follows:

"GENERAL: *Kentucky*.—I regret that I am unable to report the bureau affairs progressing as smoothly in Kentucky as in Tennessee.

"The freedmen of the State are very generally disposed to enter into labor contracts for wages or a share of the crop, and most of them prefer remaining in their own State to emigration elsewhere. On the part of a large majority of the whites I believe there is an honest desire to adjust on a fair basis the new relations arising from the abolition of slavery, but the bureau is not a popular institution with them. They regard its presence among them as unauthorized—denounce its officials as usurpers and despots, and clamor for its immediate removal from the State.

"In obedience to orders, immediately upon the ratification of the constitutional amendment forever abolishing and prohibiting slavery, I extended over the more than two hundred thousand freedmen of Kentucky the supervision of this bureau, and appointed agents in a few counties only. Superintendents were selected from the citizens, and appointed upon the recommendations of the best men I could consult. The Kentucky Legislature has, by numerous resolutions, called upon Government to remove the bureau from the State; propositions to forever disqualify any citizen from holding an office in the State who might act as an agent of this bureau, were introduced and discussed. The official State paper (*Louisville Democrat*) has declared that, by the ratification of the constitutional amendment, the slavery question has become more unsettled than ever, and many of its readers, believing its doctrines, practice accordingly, and still hold freedmen as slaves. These influences in opposition to freedom have rendered it difficult to conduct the bureau affairs in Kentucky with that harmony and efficiency which have elsewhere produced good results.

"More than twenty-five thousand colored men of Kentucky have been soldiers in the Army of the Union. Many of them were enlisted against the wishes of their masters, and now, after having faithfully served their country, and been honorably mustered out of the service, and return to their old homes, they are not met with joyous welcome and grateful words for their devotion to the Union, but in many instances are scourged, beaten, shot at, and driven from their homes and families. Their arms are taken from them by the civil authorities and confiscated for the benefit of the Commonwealth. The Union soldier is fined for bearing arms. Thus the right of the people to keep and bear arms as provided in the

Constitution is infringed, and the Government for whose protection and preservation these soldiers have fought is denounced as meddlesome and despotic when through its agents it undertakes to protect its citizens in a constitutional right. Kentuckians who followed the fortunes of John Morgan, and did all in their power to destroy the nation, go loaded down with pistols and knives, and are selected as candidates for high positions of honor and trust in the State. The loyal soldier is arrested and punished for bringing into the State the arms he has borne in battle for his country.

"That you may have a bird's-eye view of the protection afforded the freedmen of Kentucky by the civil law and authorities, I have the honor to invite your attention to the following extracts from communications received from our correspondents in that State.

"C. P. Oyler, of Covington, writes as follows:

"Jordan Finney and family (freedmen) lived in Walton, Kentucky; they owned a comfortable home. Two of the daughters were wives of colored soldiers, and lived with him. Returned rebel soldiers hereinafter named combined to drive this family from the State. They attacked the house three times, abused the women and children, destroyed all their clothing, bedding, and furniture to the value of \$500, and finally drove them from their homes. The names of the perpetrators, so far as known, are Allen Arnold, John Arnold, Franklin Yowell, Woodford Fry, L. Snow, and Robert Edwards; all live in Walton, Kentucky. An attempt was made to bring these parties to justice, but it failed, as colored testimony could not be received. This same man Finney has a daughter held as a slave by Mr. Widen Sheet, of Boone county, whom he values at \$1,000. Sixteen armed men resisted Mr. Finney and an expressman when they went for the girl, and beat them cruelly with clubs and stones.

"An old colored man named Baxter was shot and killed by James Roberts for refusing to let Roberts in his house. The civil authorities will neither arrest nor punish said Roberts, as there is no testimony except of colored persons. (Reported by Thomas Rice, Richmond, Kentucky.)

"Lindsay Taylor, of Richmond, stabbed a negro on the 30th of January, for no cause save that the negro did not wish Lindsay to search his house. The civil authorities tried Taylor and acquitted him. (Reported by Thomas Rice, superintendent.)

"L. L. Pinkerton, superintendent of Fayette county, at Lexington, reports that, 'in his and the opinion of all whom he has consulted, the freedmen cannot receive their just rights without a considerable military force.'

"C. P. Oyler, Covington, writes: 'The civil officers, after the late action of the Kentucky Legislature in regard to the Freedmen's Bureau, refused to cooperate with me, and manifest a disposition to drive the bureau out of the State. It will be impossible to secure to freedmen their just rights without the aid of a military force. Colored people are driven from their homes and their houses burned.'

"William Goodloe writes: 'The counties of Boyle, Lincoln, and Mercer are infested with guerrilla bands. Outrages are mostly committed upon colored persons. The evidence of colored persons is not taken in court. I am powerless to accomplish anything without soldiers.'

"Peter Branford, a returned colored soldier, in Mercer county, was shot by James Poore, a white man, without cause or provocation.

"Judge Samuel A. Spencer, of Green county, writes: 'A great many colored men are beaten, their lives threatened, and they refused the privilege of returning home because they have been in the Army. I cannot accept the agency on account of the action of the Kentucky Legislature.'

"E. P. Ashcraft, of Meade county, writes: 'Richard, William, Jesse, and John Shacklett and Martin Taylor, returned rebel soldiers, have on different occasions attacked negroes with fire-arms, and say they intend no d—d niggers shall live on this side the Ohio.' The civil authorities are powerless.'

"R. W. Thinz, of Warren county, writes: 'An old negro was killed by gun-shot while attempting to run from a white boy eighteen years of age, to escape a whipping.'

"A freedman was attacked in his cabin and shot.

He and his wife ran to the woods, with bullets flying thick and fast around them from five or six revolvers, the woman escaping with her life by tearing off her chemise while running, thereby presenting a darker-colored mark.

"A woman was stabbed by a white woman in the neck, the knife penetrating the windpipe, for giving water to a Union soldier in a tumbler."

"A woman and her son were horribly cut and mangled with the lash and then hung by the neck until so nearly dead that water had to be thrown in their faces to revive them to make them acknowledge that they had set a house on fire."

"A woman received a severe cut in the head from a club in the hands of a man, who drove her from her home because her husband had joined the Army."

"There are several cases of robbery of colored persons by returned rebels in uniform, in Russellville, Kentucky. The town marshal takes all arms from returned colored soldiers, and is very prompt in shooting the blacks whenever an opportunity occurs."

"I have a case in hand to-day where a white man knocked down an old man eighty years of age because he asked for and urged the necessity of his pay for cutting eight cords of wood."

"There has been a large number of cases of women and children being driven from home on account of their husbands enlisting."

"It is dangerous for colored people to go into Logan, Todd, Barren, and the north part of Warren counties after their children."

"A freedman's wife left her former master and came to live with him, (her husband.) She was followed and shot at."

"A furloughed soldier of the twelfth United States colored artillery was murdered at Auburn, Kentucky, while sitting on his bed. The civil authorities do nothing in the case."

"An old freedman in Allen county, Kentucky, was shot and killed because he would not allow himself to be whipped by a young man."

"Major Lawrence, of the seventeenth Kentucky cavalry, reports that a negro was shot in one of the streets of Russellville last night. No cause whatever for it. Several negroes came to me to know what they should do, saying they had been robbed by a party of men wearing the confederate States uniform. The judges and justices of the peace in almost every instance are rebels of very strong prejudices, who will not even take notice of the most hideous outrages, and if a case is turned over to them they will not administer justice. The action of the courts in southern Kentucky indicates that the day is far distant when a negro can secure justice at the hands of the civil law."

"In Grant county a band of outlaws, styling themselves 'moderators,' made an attack upon the colored citizens for the purpose of driving them from the State. They went late in the night to their homes, took them from their beds, stripped and whipped them until they were unable to walk."

Colonel William P. Thomasson, of Louisville, Kentucky, writes that "outrages and wrongs upon freedmen are numerous, especially upon returned colored soldiers. A few nights since a colored soldier just mustered out, with his money in his pocket and a new suit of clothes on his back, was waiting for the cars at Deposit station, a few miles from Louisville; four or five young rowdies of the place set upon him to rob him. He was a light-colored man, and one of the robbers said to his fellows, 'He is a white man; let him alone.' A dispute arose as to his color, and he was taken into a grocery, a lamp was lit, and the question of his color settled. He was then robbed of his money, arms, and clothing, was stripped of his shirt, and told to run. He did run, and was shot at while escaping, and the shot took effect in his hand."

"I am in daily receipt of similar reports from our superintendents, judges, sheriffs, and military officers. Some of the writers dare not be known as giving this information, fearing assassination as the consequence."

"For narrating at a freedmen's commission anniversary meeting in Cincinnati, on the 18th ultimo, what I had myself seen of brutalities in the 'Blue Grass,' I have been denounced in the Kentucky Legislature as a liar and slanderer. A committee has been appointed to investigate the matter. I have named them the names of witnesses, and requested that their powers be enlarged, and they authorized to

investigate the condition of the freedmen throughout the State; but I have good reason for believing that the committee will simply make a report that General Fisk is a great liar, and should be removed from office, &c. It is well to remember that a more select number of vindictive, pro-slavery, rebellious legislators cannot be found than the majority of the Kentucky Legislature. The President of the United States was denounced in the Senate as a worse traitor than Jefferson Davis, and that, too, before the bureau tempest had reached them."

"The entire opposition is political, a warfare waged against loyalty, freedom, and justice."

"I have endeavored to administer the affairs of the bureau in Kentucky precisely as in Tennessee; have studied to be conciliatory in every particular, and not to interfere in the least with the civil affairs of the State, except my duties and orders imperatively demanded it. As yet, the Legislature have enacted no laws securing impartial liberty and right, and I very much fear they will not at this session. The late letter of Major General Palmer, on Kentucky affairs, is truthful and candid. I wish her good people would heed his counsel and her lawmakers follow his wise suggestions."

"There are many old, infirm, and sick, and orphans in Kentucky who have been thrown upon the Government for support. Rations were issued to this class in December at a cost of \$4,993 56, eight-fold the cost of sustaining the same class of persons in Tennessee the same month. In the latter State the people have much more generously treated the unfortunate freedmen, especially the families of fallen soldiers, than have the Kentuckians; hence the cause of the increased expense to the Government of providing for the destitute freedmen. Every effort is being made to secure homes for the widows and orphans in other States. A large number have been kindly received and provided for in Ohio and Indiana. The Western Freedmen's Aid Commission have rendered me valuable service in locating this class in comfortable permanent homes."

"In making this extended report of Kentucky affairs I wish nothing to 'extenuate or ought set down in malice.' It is best that you understand the case fully. I rejoice that there are so many persons in the State who treat the freedmen justly and generously. Outlaws in different sections of the State, encouraged by the pro-slavery press, which daily denounces the Government and its officials, make brutal attacks and raids upon the freedmen, who are defenseless, for the civil-law officers disarm the colored man and hand him over to armed marauders. In neither Tennessee, Georgia, Alabama, Mississippi, nor Arkansas, where I have had an opportunity of observation, does there such a fiendish spirit prevail as in some portions of Kentucky. I trust that ere long the better portion of the people will rise in their indignation and demand that justice be done to all the citizens of the State."

"It has fallen to my lot to officially stand by the death-bed of slavery in the United States. Kentucky's throes are but the expiring agonies of the great barbarism."

"I trust the Government will insist upon strict justice for every man, woman, and child who through the Red sea of civil strife has marched from slavery to freedom."

"I will try to do my whole duty, regardless of denunciations, jeers, and threats of assassination. I will give cheerful heed to your admonitions and counsels."

"While I remain in this position I desire the power to protect the poor, the weak, and the ignorant, who confidently look to this bureau for the protection which the State, made rich by their unrequited toil, yet fails to afford them."

Brigadier General Sprague, assistant commissioner for Arkansas, on the 10th of January, 1866, writes to the Commissioner:

"I see by the act of Congress organizing the bureau that its existence is limited to one year after the war. If it should not be extended, there is no hope for the freedmen of Arkansas, Texas, and that portion of the South remote from railroads and telegraphs. They will be starved, murdered, or forced into a condition more horrible than the worst stages of

slavery. Our people's wrath over defeat would be poured upon the heads of the helpless ones once their slaves. I say this sorrowfully of our people, yet I know it is but too true—their prejudices give way slowly. By extending the existence of the bureau, what education and thought failed to do might be supplied by an influx of liberal-minded people.

"This is the language of a citizen whose intelligence and opportunities for judging entitle his statements to consideration. His statements are corroborated by all the testimony that reaches me from other parts of the State, and what is said of the southwestern portion is in the main true of the whole State. I give it as my deliberate opinion that if the military was withdrawn from the State not a school for colored children would be allowed within its borders, and I doubt if an unspoken Union man would be allowed to remain. In this sparsely settled and isolated country the process of 'reconstruction' will necessarily be slow, and I am sorry to add that the influence and example of some of the men who have received special pardon was much better before their pardon than since, yet there is a perceptible improvement in the temper and sentiment of the people at large."

Inspector General William E. Strong, in his report of action and observation in Texas, says:

"In the interior of the State, one or two hundred miles from the prominent cities, away from the influence of Federal troops and Federal bayonets, at points where our Army has never penetrated, and where the citizens have but little fear of arrest and punishment for crimes committed, I assure you there is a fearful state of things. The freedmen are in a worse condition than they ever were as slaves. When they were held in bondage they were, as a rule, treated well; cases of extreme cruelty were very rare; it was for the interest of the master to take care of them, and not to ill-treat them. Now it is quite different; they have no interest in them, and seem to take every opportunity to vent their rage and hatred upon the blacks. They are frequently beaten unmercifully, and shot down like wild beasts, without any provocation, followed with hounds, and maltreated in every possible way. It is the same old story of cruelty, only there is more of it in Texas than any southern State that I have visited. I could cite many cases of cruelty that came under my own observation if it were necessary to do so. The planters generally seemed discouraged, and insisted that the system of free labor would never answer; that the negroes were idle and worthless, and showed no disposition to work, and were wandering about the country utterly demoralized, and were plundering and stealing indiscriminately from the citizens.

"It was also generally reported by the white people that the freedmen failed wholly to fulfill their contracts, and that when they were needed most to save the cotton crop, they would stop their work and leave them without any cause whatever. After a careful investigation, I do not find these charges against the freedmen to be wholly true.

"The entire crop raised in Texas—cotton, corn, sugar, and wheat—was gathered and saved by the 1st of December. Most assuredly no white man in Texas had anything to do with gathering the crops, except perhaps to look on and give orders. Who did the work? The freedmen, I am well convinced, had something to do with it; and yet there is a fierce murmur of complaint against them everywhere that they are lazy and insolent, and that there is no hope for a better condition of affairs unless they can be permitted to resort to the overseer, whip, and hounds.

"Two thirds of the freedmen in the section of country which I traveled over have never received one cent of wages since they were declared free. A few of them were promised something at the end of the year, but instances of prompt payment of wages are very rare. Not one in ten would have received any compensation for the labor performed during the year 1865 had it not been for the rigorous measures resorted to by Colonel De Grass, provost marshal general of the district of Houston, who sends into the interior frequently two hundred miles and arrests the parties who have been guilty of cruelty to the freed people, and where they have violated their contracts with them compels them to make fair and equitable set-

tlements. Colonel De Grass has a small command of cavalry under his control, and he keeps it in motion constantly through the country, searching for parties who have murdered or maltreated the freedmen. I cannot speak too highly of the course pursued by the colonel. He displays the same earnestness of purpose and fearlessness in the discharge of his duty that he did in the old army of the Tennessee, and although his life has been threatened by the chivalric citizens of the country, yet he is not deterred by their threats from discharging his duty as he understands it. He is a true friend of the black people, and will not see them ill-used. I know that some of the lessons which he has taught the citizens in the vicinity of Houston will not soon be forgotten.

"I saw freedmen east of the Trinity river who did not know that they were free until I told them. There had been vague rumors circulated among them that they were to be free on Christmas day, and that on New Year's there was to be a grand division of all the property, and that one half was to be given to the black people."

In closing his report, General Strong says:

"In order to correct abuses and regulate the labor system thoroughly throughout the country General Gregory should have fifty good officers to assist; and if these could be placed on duty at the principal villages in the interior, for three hundred and fifty miles north of the coast, and a small force of troops sent with each assistant to enforce law and order, it would be but a short time before a decided improvement would be observed.

"It is the opinion of every staunch Union man with whom I conversed, and with nearly every officer on duty in the State, that if the United States troops were removed from Texas no northern man, nor any person who had ever expressed any love for northern institutions or for the Government of the United States, could remain with safety, and the condition of the freed people would be worse beyond comparison than it was before the war and when they were held in bondage."

Brigadier General Tillson, acting assistant commissioner for Georgia, writes from Augusta under date January 15, 1866, as follows:

"In almost every case, as heretofore reported, the withdrawal of troops has been followed by outrages on the freed people; their school-houses have been burned, their teachers driven off or threatened with death, and the freed people by fraud, and even by violence, made to enter into unjust and fraudulent contracts. The responsible and educated classes are ashamed of these outrages, and loudly and justly claim that they should not all be judged by the people who are mean and cruel enough to practice these wrongs; but the convictions of the former nevertake form in action—seldom in a manly, open protest. It requires the most careful nursing and culture to keep alive even a show of justice toward the freed people.

"Nearly all the females and young men, and all the blacklegs and rowdies, are open and defiant in their expression of hate for Yankees and negroes. The simple truth is, that the only public opinion which makes itself felt is as bitter and malignant as ever.

"These are the facts, and any theory or policy which disregards or ignores them is of little account, no matter by whom advocated or sustained. Unless we keep a firm, just, kind hand upon these people, all our past labor will be thrown away.

"A large number of troops is not required; but the State is one of the largest, and unless small garrisons are kept at many points, most unfortunate results will certainly follow; labor will be insecure and untrustworthy, and industrial operations will be sadly interfered with. Some of the unpleasant consequences to be anticipated are already exhibiting themselves; as, for instance, the recent attack on the garrison at Brunswick.

"The people who have something to lose begin to appreciate the insecurity which follows the withdrawal of garrisons, and are asking to have them sent back.

"The highest and best interests of the State, as well as of the freed people, require an addition to the force now in the department."

Brigadier General C. H. Howard, specially appointed to examine into the condition of affairs in Georgia and Florida, in his report dated at Charleston, December 30, 1865, states at the close of his carefully prepared communication to the Commissioner of the bureau, as follows:

"As the result of this tour I beg leave to submit the following general considerations:

"1. Agencies of the United States Government, of some sort, similar to the existing bureau agencies, are for the present indispensable in every part of the two States visited.

"2. Great suffering and starvation would ensue among the refugees and freedmen in some sections were all Government aid withdrawn.

"3. Public sentiment is such that even should the laws be made impartial the negro could not obtain redress for wrongs done him in person or property.

"4. There seems to be a moral incapacity with the white residents to treat him fairly in the ordinary transactions of business, as, *exempt gratia*, in making contracts. His own inexperience in such things, therefore, renders necessary some agency to guard his interests.

"5. Existing theories concerning the education of laborers and the prejudice against the blacks are such as absolutely to prevent the establishment of schools for the freedmen, even though the expenses be paid by the benevolent associations of the North; and the many successful schools now in operation would be broken up in most places on the withdrawal of the Government agencies. The same general observations will apply to all missionary work by northern agents; and from special inquiry and investigation of this subject I am convinced that very little in the way of moral and religious instruction for the freed people is to be expected at present from the members and ministers of the southern churches. On the other hand, it is for the interest of the whites for the agencies to remain, and the better class of thinking men expressed themselves unhesitatingly in favor of it.

"6. The prevailing want of confidence on the part of the freedmen in those who have been slaveholders makes it necessary to have a third party (and a United States official is better than any other) to induce the freedmen to enter into contracts. Many of the white residents told me that no contracts would have been effected but for the bureau officers.

"7. Such agents are needed often to secure the fulfillment of contracts on the part of the freedmen, both in explaining the exact meaning and force of the contract and enforcing it by different motives and means.

"8. For the protection of the whites against any hostile combinations of the blacks. This will be needed as long as the present public sentiment of the whites continues, insuring a corresponding distrust and hostility on the part of the blacks. Our agents have done much to allay such ill-feeling; and however unreasoning and ignorant the freedmen may be in any community, and however much their number may predominate over the resident whites, they will generally heed and be governed by the advice of United States officials.

"9. In order adequately to protect the persons and property of the freedmen, and promote their education, as well as for the proper regulation of labor for the benefit of all concerned, the present number of agents should be increased.

"10. United States troops are at present absolutely necessary as auxiliary to the agents.

"11. There is no other means of executing orders and insuring justice to the freedmen.

"12. In many sections United States agents would not be tolerated unless backed by military force. I was assured by respectable and influential residents of the country in some sections that no northern man could reside there were it not for the presence of the bayonet, and that, in their opinion, such would be the case for ten years to come. I am not convinced of the truth of this statement, yet, with my own observation, I am led to conclude,

"13. That the troops should remain for protection of northern residents and to encourage emigration.

"14. As desired by the better part of the whites, to maintain good order and peace.

"15. Wherever United States troops are withdrawn a militia organization at once springs into life, which invariably tends to disturbances between whites and blacks, and to the latter is, I am convinced, an unmitigated evil."

General Gregory, in writing from Galveston, Texas, December 9, 1865, says:

"In some portions of the State, and especially is it the case where our troops have not been quartered, freedmen are restrained from their liberty, and slavery virtually exists the same as though the old system of oppression was still in force. The freedmen do not understand their true status, and their former masters, although acknowledging them to be free, practically deny the truth by their acts. With this class of men (and a few of the editors who still continue to misrepresent the object for which this bureau was instituted) we have more difficulty than any other as they refuse to pay the laborer his hire, and it seems almost impossible for them to deal justly and honestly with him. This is owing, perhaps, to the fact that heretofore they have had his labor without compensating him therefor. In this respect, however, there are evidences of improvement, and I trust that in the future there will be less cause for complaint on this account. They must pay them, if they expect to employ laborers worthy of their hire."

"Owing to the vast extent of territory embraced in my district, I find great difficulty in procuring a sufficient number of officers who can render me that assistance, as sub-assistant commissioners, which is necessary to a proper discharge of my official duties. But few, comparatively, feel and manifest that interest in the advancement of the freedmen that they should."

And now, Mr. Speaker, I present some more recent proof, drawn from the official records of the bureau.

Extracts from a report of Brevet Major G. B. Carse, dated Lexington, Virginia, March 18, 1866:

"I have the honor to report that during the month of February I investigated upward of fifty cases, of which many were of considerable importance. Some of assaults made upon the freedmen, others in regard to non-payment of wages for services rendered, &c. The great difficulty seems to be caused by the whites not being willing to pay for the labor after they have agreed to do so.

"I find some cases in which the former owners of these people have taken the whole amount of last year's hire from the parties to whom they hired their slaves during the hiring season of 1864 and 1865. In all cases where I have found this to be the case I have ordered that payment be made to the freedmen from the 10th day of April, 1866, at the same rates for which they were hired previous to the surrender. Many of the contracts at that time, *i. e.*, previous to the surrender, were made payable in grain, and I have invariably caused grain to be paid or its equivalent.

"An ex-member of the Virginia State Legislature drew half of last year's hire for one of his slaves from a man named Teaford, to whom he had hired his slave previous to the surrender, and he has tried to get the balance, but the case was brought to my notice, and I have ordered Mr. Frazier (ex-member of the Virginia Legislature) to pay back the grain taken by him as hire from the 10th of April until the 1st of July, and also ordered Mr. Teaford to pay the freedman the full amount of grain due from the 1st of July until the time the freedman in question ceased to work for him.

"I have had a case reported to me in which a colored man was struck thirty-nine lashes by his former owner because he got an order or statement from General Darall last June and took it to his master to prove that he was a free man. I will report the facts in the case as soon as I have heard them from both parties.

"I am more inclined to think the people of the surrounding country are less inclined to do justice to the freedmen than I was when I arrived here."

* * * * *

"Unless there is a better disposition on the part of the citizens and their sons, and the cadets and stu-

dents, I will have to send for troops. It seems impossible for these people to understand that the laws of the United States are supreme here. They seem to think nothing should occur or be said that does not accord with their ideas of right and wrong, and that an officer of the Government is a thing only to be tolerated."

"There does not seem to be any disposition on the part of the whites to help the aged and infirm freedmen."

An official letter of Colonel E. Whittlesey, of date March 23, 1866, speaking of North Carolina, says:

"In this connection I may add that under my Circular No. 1, several cases of petty larceny have been tried by civil courts, and the old barbarous punishment of whipping been inflicted. I have brought the matter before the department commander, and am awaiting his action.

"I am satisfied that the negro has very little chance of getting his due before the civil courts of North Carolina at present. Still it is desirable to transfer jurisdiction to them as soon as possible."

Extract from report of J. W. Alford, inspector of finances and schools, dated March 17, 1866, Washington, District of Columbia:

"On my route from Richmond to Washington I fell in with a striking instance of the persecution of loyal men in the South. A company of seventy-five Quakers, old people, men, women, and little children, were on the train, fleeing from Randolph county, North Carolina, to homes they expected to find in the more quiet West. One hundred and twenty-five of their number, as they told me, were to follow them. They had been settlers in that county for many years; peaceable and prosperous. But their young men when conscripted into the rebel army refused to go, and fled as refugees to the mountains. Now, as they come back to peaceful employments the returned rebels persecute the whole community in every possible way, disturbing their social comfort, vexing them with petty lawsuits, threatening violence, and in some cases inflicting it. Their proverbial patience had become so exhausted and the fears of their women and children so excited that they could endure it no longer. Farms and pleasant homes could not be sold under such circumstances, but were abandoned, and with the little money saved by their frugality they hope to reach their destination in the State of Indiana.

"The whole story of this honest, simple-hearted people was very touching, enlisting deeply the sympathy of their fellow-travelers. Their means were evidently very scanty and their hearts were sorrowful. Aged women, unaccustomed to hardship, spent the night, from Aquia creek, on the deck floor of the crowded steamer, while little babes wailed themselves to slumber in the arms of mothers without their accustomed nourishment.

"There can be no mistake in such a case. These staid, excellent people have not left their chosen and long-cherished homes without sufficient reason."

NORTH CAROLINA.

From the general report for the month of February, 1866, of Colonel E. Whittlesey, assistant commissioner, the following paragraphs are extracted:

"The instances of petty annoyance and interference with the industry and enterprise of freedmen who are trying to do well are numerous. Their horses and mules are stolen, their fences torn down, their pigs killed, their arms taken away."

"The apprenticing of children has given rise to many abuses and hardships. In some instances the civil authorities have undertaken to execute articles of indenture. At a single session of the county court in Sampson county several hundreds, it is reported, were 'bound out' to their former masters, in many instances the older children only being selected for this service, leaving the young children to be supported by their parents. I have directed the assistant superintendent of that county to proclaim all such indentures as are contrary to the regulations of this bureau null and void."

"The freedmen are not yet free from apprehension that their liberty will prove but a dream. They see so much ill-feeling exhibited toward them and hear so often that they are an inferior race and must always expect to be, that they are afraid to trust the whites. Could they be sure of full protection everywhere they would exert themselves more earnestly to acquire property and to improve their condition. Even now, with all the discouragements under which they labor, there are many cheering signs of progress."

SOUTH CAROLINA.

In a report made on the 28th of February, 1866, by Lieutenant Colonel John Deveraux, acting sub-assistant commissioner for Edgefield district, to Brevet Major General R. K. Scott, assistant commissioner, it is stated as follows:

"1. The total military force in Edgefield district is nineteen enlisted men of the twenty-fifth Ohio Veteran volunteers, commanded by a lieutenant, seven men of which force are stationed at Edgefield Court-House and twelve at Hamburg. Edgefield being one of the largest and most unruly districts in the State, this small force is entirely inadequate to exact the proper respect for the United States authorities.

"2. There are two organized bands of outlaws, one consisting of eight men and the other of thirteen men, led by an ex-confederate major named Coleman, at present raiding this district and committing with impunity the most fiendish outrages on Union men and negroes. They have murdered a number of negroes and one white man without provocation, and robbed and driven from their homes several northern men who have property here. Coleman, the leader, is a desperate character; he has exhibited to several persons whom I saw, eight ears cut from colored persons; he carries them in an envelope and shows them as trophies."

"It is my decided opinion that nothing will restore the supremacy of the laws and render the lives of Union men or freedmen safe in this part of the country but the hunting down and extermination of these desperadoes by a respectable force of cavalry, as they are mounted in the best manner and belong to the class mis-called (in the South) gentlemen, and no doubt are harbored and kept well posted by many of the inhabitants."

From an official brief (made up from reports received from the acting sub-assistant commissioners and agents of the bureau in South Carolina) transmitted on the 16th instant by Brevet Major General R. K. Scott, to the Commissioner, the following extracts are taken:

COLLSTON DISTRICT.

"Here a planter had a man, his wife, and two boys under contract. They taking the small-pox through being placed in a house where the disease had prevailed, the planter sent them in a rain storm two miles into the woods, and then left them without food or clothing to die, although at the time he was in debt to them. They remained in the woods three weeks in great suffering until they were accidentally discovered by a colored man, who took them home and provided for them."

NEWBERRY DISTRICT.

"The freedmen are subjected to barbarous treatment by a band of outlaws. In one instance two freed-women were taken from their houses, ravished, and otherwise maltreated. It is believed that regularly organized bands of outlaws infest some portions of the country for the express purpose of persecuting the freedmen. Their operations being carried on at a distance from the garrisons, which are infantry, it is very difficult to detect and arrest them, and the freedmen seldom dare to complain for fear of greater cruelties."

"A letter just received from the post commander at Greenville Court-House, shows a horrible state of affairs in that district. With but few exceptions, and those due to the presence of the United States troops, the freedmen were turned off the plantations without pay for last year's work. The

contracts for this year show a disposition on the part of the planters to reduce wages to the lowest possible figure, and in very many cases to obtain, by deceit, the services of freedmen on terms far worse than nothing. * * * * *

Cruelty and even death of freedmen at the hands of white civilians, are not uncommon occurrences. One party boasted to prominent men of the district that he had shot twenty-eight freedmen since 'the surrender' and offered his services to kill others if there were any particularly offensive to the community. * * * * * One boy coming back to the plantation after having been away with United States troops, was in the presence of the other freedmen of the place deliberately shot, but he being only wounded thereby, a rope was placed round his neck when he was choked until dead."

GEORGIA.

From a letter received February 7, 1866, by the Commissioner from General Tillson, assistant commissioner, the following paragraphs are extracted:

"The people of the State, who generally at first were strongly opposed to giving reasonable wages, influenced by the judicious course of the bureau, are exhibiting a readiness to pay the freed people fair wages. Very many say that their prospects were never so good before, and that the freed people were doing admirably. * * * * * Whenever it could be brought to bear on such people (*i. e.*, planters complained of in remote parts of the State) without an exception, the kind, conciliatory, but immovably firm course pursued by the bureau has induced them to change their intentions and act in a just and sensible manner."

FLORIDA.

Accompanying Colonel Osborne's (assistant commissioner) report of the condition of freedmen's affairs in Florida, for the month of February, is a report from Lieutenant Quentin, sub-assistant commissioner in charge of bureau affairs for the counties of Madison, Taylor, and La Fayette. From the record of Lieutenant Quentin's report the following is extracted:

"This officer makes a generally favorable report of the condition and disposition of the freed people, and states that the better class of whites seem to be very well disposed toward the freedmen, although the lower class of whites are found to be quarrelsome toward their laborers, as well as abusive and greedy."

"There is so wide a difference between employer and employe in respect to their ability to transact ordinary business and to comprehend the force of a contract, and so great a desire rapidly to repair losses and regain fortunes, and withal so little desire on the part of employers to see the freedmen rise in any respect, that unless an enlarged benevolence is to govern in the settlements at the close of the year, little will have been accomplished for the colored man except to arouse him from a not too trusting confidence to an unpleasant and unconquerable suspicion."

LOUISIANA.

From a report made March 9, 1866, to Brevet Major General Baird, assistant commissioner, by James Cromie, captain and brevet major twelfth Veteran Reserve corps:

"I would also respectfully report that the number of colored persons in this (Calcasieu) parish before the passage of the ordinance of secession in this State was sixteen hundred, and from the information which I have received I believe there are at the present time twelve hundred. There are some white inhabitants who still insist upon holding these freedmen in their former state of bondage. Those citizens remaining in Lake Charles and vicinity desire very much to have an agent of the bureau sent to them in order to regulate the employment of freedmen, and also in regard to the various questions constantly arising among them under the new order of affairs

connected with the emancipation of their former slaves."

TEXAS.

From the report of Brevet Brigadier General E. M. Gregory, assistant commissioner, of date February 28, 1866:

"I have the honor to report that from all sources information comes of encouraging results from the efforts of this bureau. Complaints are few, and its beneficent results frequently and frankly acknowledged. Fault-finding and accusation come only from that class of men who are but slowly learning to respect law, justice, and the rights of man, and who sullenly chafe under the restraints of a Government that sets metes and bounds to their unbridled wills."

"There are no indications of an increase of loyal sentiment in the State, though there is a visible abatement in the number and harshness of those cases of outrage and maltreatment coming under the cognizance of the bureau."

MISSISSIPPI.

The following are extracts from a report submitted January 12, 1866, to Colonel Samuel Thomas, assistant commissioner, by Captain J. H. Matthews, sub-assistant commissioner, stationed at Magnolia, Mississippi:

"On the 15th day of December, 1865, a negro reported at my office and informed me that his former master, Mr. Felix Allen, of Pike county, had sent him into Amite county, Mississippi, on business, and that he would call and see me on his return. On the ensuing day he returned to my office, most shamefully beaten, and stated that after he had performed his mission with Mr. Allen's son-in-law, he lodged for the night in the quarters on the place by direction of Mr. Allen's son-in-law; that while in bed about eleven o'clock p. m. some six or seven white men came and bursted into the house, and with pistols drawn asked him what he was doing there, when he informed them that he was sent there by Mr. Allen, his master, and that if they would go with him to the white folks' house he would prove his statement; but 'no,' they told him, 'we don't care a damn for that, we want you to go with us.' When they had taken this man about a mile they were met by about fifty armed mounted men (supposed to be militia, and commanded by a man they called 'lieutenant') who ordered them to take him (the negro) off from the road and give him a flogging; and when they had proceeded about fifty yards from the road they threw him down and six or seven of them jumped into his face and bosom with their heels, stamping and kicking him."

"When this old negro (he was apparently sixty or sixty-five years old) returned to my office, he presented a most frightful appearance, his breast bone broken, and he spitting blood."

"I respectfully invite your attention to a murder committed by one John H. McGee, some nine months since, which would challenge the world for an equal in studied brutality, which was reported to me some time since, but for want of facts I did not feel warranted in reporting before. The negro was murdered, beheaded, skinned, and his skin nailed to the barn. Should this affair be investigated, I would refer you to Mr. Bunkly, at Bunkly's Ferry, who can give the names of parties knowing to the facts."

"Should they (the freedmen) remain where they are, under existing circumstances, their condition will not only be rendered worse than slaves, but the safety for the lives and the hopes for the future of this unfortunate race will depart forever."

The following report is dated Washington, March 27, 1866, from the assistant commissioner, General C. H. Howard, to Major General O. O. Howard, concerning Maryland:

GENERAL: I have the honor to submit the following partial report, in compliance with your circular dated March 2, 1866, concerning the status of the freedmen in Maryland:

Statute discriminations against the negroes on account of color.

1. No colored witness can testify in cases involving conflicting interests between white and black.

2. A negro convicted of an offense the punishment of which if committed by a white man would be confinement in the penitentiary, may be at the discretion of the court sentenced to receive not exceeding forty lashes.

3. A negro hiring to a white man for a term and refusing to enter his service, but hiring himself to another, unless it appear that his wages would be insecure, or that he received improper treatment from the first, two fifths of his wages in the hands of his second employer shall accrue as a lien to the first.

4. For a negro to belong to any secret society is a felony—the punishment a fine of fifty dollars.

5. No education of colored apprentices is required. (Practically, too, the provision of the law requiring that the parents of children shall be summoned, and their consent to the indenture obtained, or that their inability to provide for their children is shown, is in a majority of cases ignored.)

6. In Anne Arundel and Somerset counties, license to deal in merchandise cannot be obtained by a negro, unless recommended by a certain number of respectable freeholders. No white person, the partner of a negro, shall be granted a license; and if a white man employ a colored clerk, the penalty is fifty dollars.

7. In Charles county, no negro shall have or use any sail or row boat without license from a justice of the peace.

8. In Kent and Queen Anne counties, "free negroes" that leave the counties and return shall be punished by fine and imprisonment.

9. In Prince George county, (fifth district,) negroes are not to assemble under pretense of public worship, except on certain days named in the statute; and generally it appears that the organic law of the State is not such as to prevent discrimination against the rights of the negro, by county or other local authorities. A State official writes from Annapolis, February 14, 1866, as follows: "The colored people have no protection; the white rowdies pick a chance when no white person is about to maltreat the freedmen, and because the colored people cannot testify against them, the rowdies go free. Where the negro is concerned it is very difficult to find a jury to convict the aggressor if he be a white person. I think the jurisdiction of the bureau should be extended to Maryland as soon as possible."

At the last sitting of the grand jury in Annapolis a magistrate was indicted for putting a white man who had assaulted and beaten a colored woman under bonds to keep the peace, on the complaint and affidavit of the woman, who came with the scars of the beating upon her person. At the same place, in November, 1865, a colored woman was sentenced to be sold for two years for persuading her children to leave their former master, to whom they were apprenticed. The children had secured places to work, and their wages for the year would have amounted to \$400.

In Prince George county a colored man named Jordan Diggs had four of his children taken from him and bound by his old master, against his consent and protest. The names of the children were included in a contract to labor for the present year, the wages amounting to \$300.

January 17, 1866, Charlotte Turner, colored, makes affidavit that William Preston, of Howard county, holds her children, Frank and Charles, aged respectively ten and nine years, illegally and against her consent.

February 5, 1866, Amos Hunt, a white resident of Washington, testifies that on the 31 of the same month he accompanied Sandy Henson, colored, to Swarratt's, in Prince George county, to visit his (Henson's) daughter; that on his arrival at the place Henson was met by threats of violence and death by the man with whom his daughter is living, and was compelled to return without seeing her.

Richard Butler, colored, of St. Mary's county, testifies that he was assaulted and beaten without cause by one John A. Lloyd. Robert Avery, a constable, was present, and did not interfere to protect him or preserve the peace.

February 7, 1866, Essex Barbour, colored, late a

soldier in the thirtieth regiment United States colored troops, makes affidavit that on the 3d of the same month he was assaulted and beaten at Chaptico, St. Mary's county, by four white men, one of whom is a returned rebel soldier, and makes it his business to injure colored people, more especially colored soldiers, at all times and places. "I have detested the country in the field, and most respectfully request that I may be protected at home."

February 17, 1866, Richard Speake, colored, of St. Mary's county, complains of his employer, who, on the 16th of that month, assaulted and beat him seriously.

March 19, 1866, Maria Hutchinson, colored, complains and testifies that at Nottingham, Prince George county, on the 9th instant, her husband, Henry Hutchinson, late a colored soldier, was assaulted and seriously beaten by several white men; that her husband gave no cause of offense except asking one of the men if he had accused him of stealing; and that her husband is now confined in jail at Marlborough to answer a charge of having threatened the life of one of his assailants.

Philip Brown, colored, complains under oath that he was assaulted by a white man, in Montgomery county, on the 22d instant, while crossing the farm of the latter, and that he was shot at and wounded in the head by the same white man while riding quietly along the public highway on the evening of the same day. He has been a soldier; and when shot he heard a companion of the man who shot him say, "Shoot the d—n son of a b—h; he is nothing but a Union soldier."

The above are specimens of many similar affidavits regarding outrages in Maryland received at this office. The present civil law and its administration are found to be practically, and it may be said totally, inadequate to protect the negro in his rights of person and property. For example, often in these assaults upon the negro by the white man colored witnesses only are present, and the testimony of colored men is not received when a white man is involved. Hence an indictment of the guilty party in the case is impossible.

The opposition to the efforts to educate the colored people in Maryland is bitter and wide-spread. Teachers have been stoned and blackened, and indignation meetings held and resolutions passed to drive them out. School-houses have been burned; colored churches, too, have been destroyed to prevent colored schools being opened in them.

Respectfully submitted,

C. H. HOWARD,

Brevet Brigadier General, Assistant Commissioner.

And now, Mr. Speaker, I will show that the existing law is not sufficient for the protection of these men. I have already said that the law was passed before the great amendment of the Constitution was ratified and made effective. It applied to those who were then freedmen from rebel States or from districts embraced in the operations of the Army. There were no freedmen excepting those made such by State action or by the proclamation of Mr. Lincoln. What control or supervision does that law in its terms authorize over men subsequently declared free but who were then in bondage? It is not a sufficient answer to say that from the necessity of the case it has been demanded of the Government that all freedmen should be deemed to be under the care of the bureau. So, indeed, in the absence of legislation it was demanded. No sane man can doubt that in Maryland and in Kentucky it was the duty of the Government to stand between the freedman and those who would oppress him.

Now, Mr. Speaker, upon examination of the existing law it will be found that in its terms it was designed to apply to those persons who

were made free by military proclamation. "Freedmen from rebel States or from any district of country within the territory embraced in the operations of the Army." No persons were such freedmen who had not been held in bondage by traitor owners in arms against the Government, or who had not been declared free within the terms of Mr. Lincoln's proclamation. Freedmen of Kentucky, Maryland, Missouri, and of such portions of Louisiana and Tennessee as were declared free by law, and not by military order, would not be embraced within the direct provisions of that law. The supervision and care of these men have been purely military and outside of the provisions of the law. But this should not be, now that Congress can act, clothed as they are with the power and loaded with the duty conferred and imposed by the second section of the amendment. It is a work which Congress ought to regulate and direct. How can we answer to constituent or to country if we willfully ignore our duty toward these men?

Mr. Speaker, I conjure the members of this House to examine the law and to consider this argument I present to prove the necessity of further legislation.

But this argument does not stand alone. The existing law gives to the bureau the management of "all abandoned lands;" and the fourth section is as follows:

"SEC. 4. *And be it further enacted*, That the Commissioner, under the direction of the President, shall have authority to set apart, for the use of loyal refugees and freedmen, such tracts of land within the insurrectionary States as shall have been abandoned, or to which the United States shall have acquired title by confiscation or sale, or otherwise; and to every white citizen, whether refugee or freedman as aforesaid, there shall be assigned not more than forty acres of such land, and the person to whom it was so assigned shall be protected in the use and enjoyment of the land for the term of three years at an annual rent not exceeding six per cent, upon the value of such land as it was appraised by the State authorities in the year 1860 for the purpose of taxation; and in case no such appraisal can be found, then the rental shall be based upon the estimated value of the land in said year, to be ascertained in such manner as the Commissioner may by regulation prescribe. At the end of said term, or at any time during said term, the occupants of any parcels so assigned may purchase the land and receive such title thereto as the United States can convey, upon paying therefor the value of the land as ascertained and fixed for the purpose of determining the annual rent aforesaid."

Under this section, most of the abandoned property which had been held by Treasury agents, and the confiscable lands and abandoned plantations, were placed, by order of the President, under the care of the bureau. The law intended that lands should be leased or sold to refugees and freedmen. The property was to be controlled by the bureau, and held not only as a means of support to freedmen but of revenue to the Government. It was intended that this bureau should sustain itself; and those men who knew most about the willingness of freedmen to work and the productiveness of lands abandoned, felt assured that not one dollar of money would be lost to the Government by the operation of the

bureau. The Commissioner, in his report at the beginning of the session, says:

"From one to ten thousand acres in each of the several States have been used as colonies for vagrant and destitute freedmen. In South Carolina, Georgia, and Florida some land, the exact amount of which has been reported, has been actually divided and assigned to freedmen as contemplated in the act establishing the bureau. In these States the policy of setting apart lands for freedmen was initiated anterior to the establishment of the bureau, and under Field Orders No. 15, issued by Major General Sherman. A comparatively insignificant amount of town property is used as quarters for teachers and officers connected with the bureau, and as hospitals. With these exceptions, all property in the hands of the bureau is held as a means of revenue.

"Shortly after the organization of the bureau, parties whose property was held by it commenced to apply for restoration of their former rights. The policy first adopted by the bureau was to return estates to those only who could show constant loyalty, past as well as present—a loyalty which could not be established by the mere production of an oath of allegiance or amnesty. As the bureau held property by authority of an act of Congress for certain definite purposes, it was supposed that this tenure must continue to exist until those purposes were accomplished; that property must be surrendered only when it was evident that the control over it was unauthorized and improper.

"This course did not meet with the approval of the President, who gave orders that a pardon, either by special warrant or the provisions of his amnesty proclamation, entitled the party pardoned to demand and receive immediate restoration of all his property except such as had been actually sold under a decree of confiscation. Shortly after this decision was made known Circular No. 15, dated September 12, 1865, was issued from the bureau, and embodying the provisions of the act of Congress establishing it, promulgated for the first time definite rules regarding the restoration of this property to former owners.

"Authority to restore was vested in the assistant commissioners of the bureau. They were directed to turn over at once all property held as abandoned upon its appearing to their satisfaction that it did not fall within the terms of the definition laid down in the act approved July 2, 1864. They were also directed to restore property, when application was made for it, through the superintendents of the districts in which it was situated, accompanied by proof of claimant's title and of his pardon, either by special warrant or the terms of the proclamation of amnesty of May 29, 1865. It was provided, however, that land cultivated by refugees or freedmen should be retained until the growing crops were gathered unless the owner made full compensation for the labor expended and its products.

"Under the provisions of this circular the work of restoration has progressed very rapidly, and it is probable that when the year terminates little or no property will remain under control of the bureau."

Now, Mr. Speaker, the bureau has not yet been in operation one year. And yet the greater part of the abandoned and confiscable lands in all the rebel States which had been in the actual possession of the Commissioner, and substantially all valuable for cultivation, have been taken from him and restored to their former owners. Unless Congress shall act, where then are these men to be protected, and how can the bureau be made to support itself?

Let me give you one statement to show how this abandoned property was used. The assistant commissioner of the State of Mississippi, in his report of the 2d of January, 1866, says as follows:

"I wish to present a complete statement of the workings of the Davis's Bend colony for the year.

"The land was divided and leased, houses built, and a system of government organized as reported to you in previous communications. The people worked well, and have shown by their industry, perseverance, and management that they are capable of doing business for themselves, and will do best where the greatest encouragement is held out of future reward.

"There were on the Bend one hundred and eighty-one companies or partnerships who received land. These comprised thirteen hundred adults and four hundred and fifty children. About five thousand acres of land were divided among them. These people were left free to manage their own affairs; not even officers of the bureau were allowed to meddle with the pecuniary or domestic affairs. They have produced—

Corn, 12,000 bushels, worth at least.....	\$12,000
Vegetables, potatoes, melons, &c., sold.....	33,500
Cotton, 1,736 bales.....	347,200
Total amount of receipts.....	397,700
Paid for expenses.....	\$160,000
Paid to white partners for stock, supplies, &c.....	60,000
Paid receiving and disbursing officer of Freedmen's Bureau, for rations drawn.....	18,500
Total disbursements.....	238,500
Balance in hands of colonists.....	\$159,200

"The people have raised their own crops, made their own sales, and put the money in their pockets: none of it passed through the hands of white people or officers of the Government of any department. The only opportunity there has been for any cheating has been in the settlement made with white parties who furnished supplies. We have guarded this in every way possible, and demanded that settlements should be made before our bureau officers.

"The home farm of five hundred acres was cultivated by transient people thrown upon our hands, and by those who were, from any cause, unable to procure land.

Receipts from home farm, for two hundred and thirty-four bales of cotton.....	\$48,859 80
Paid to freed people for work by superintendents during the year.....	\$6,850
Paid to superintendents on all the plantations on the Bend, year's work.....	5,995
Paid for ginning, baling, and picking.....	4,675
Paid for freight, commissions, repacking, &c.....	5,410
Total expenses.....	22,930 00

Amount turned over to receiving and disbursing officer.....	25,929 80
If to this amount we add amount received by said officer for rations issued colored planters.....	18,500 00

It will show the total amount received by the bureau from the home farm and the colonists.....	\$44,429 80
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"Five thousand bushels of corn were raised on the home farm and fed to Government stock, which was in use for the benefit of the people.

"The experiment has been a grand success, and proves what the people can do. I regret that they cannot have the opportunity of cultivating the same lands this season. Four of the plantations have been returned to the owners; the organization of the colony is broken up, and the people advised to seek employment and business elsewhere. I still retain the Davis plantations, and will lease them this year, but will charge the people a moderate rent, and not allow them to have the land free, as was done during 1865."

And here, sir, is a statement showing amount of money received and disbursed in the Bureau of Refugees, Freedmen, and Abandoned Lands

for the State of Mississippi, at Vicksburg, from June 1, to December 31, 1865:

Disbursed 1865.

June. Expenditures for June.....	\$2,576 71
Balance to July.....	4,243 86
July. Expended in July.....	\$4,243 69
Balance to August.....	4,216 17
	\$8,461 86
August. Expended in August.....	\$4,509 08
Balance to September.....	5,480 46
	\$10,079 54
Sept. Expended in September.....	\$5,179 42
Balance to October.....	8,572 74
	\$13,752 16
October. Expended in October.....	\$4,284 52
Balance to November.....	10,517 47
	\$6,233 25
Nov. Expended in November.....	\$3,328 25
Balance to December.....	7,423 22
	\$10,751 47
Dec. Expended in December.....	\$5,055 64
Vouchers due and remaining unpaid.....	2,115 49
Balance due Freedmen's Bureau.....	53,496 92
	\$60,668 06

Received 1865.

June. Amount on hand last statement.....	\$966 22
Amount received during month.....	5,854 55
July. Amount from June 30.....	\$1,243 86
Amount received during month.....	4,218 00
Error in bringing forward balance.....	\$8,461 86
August. Amount from July.....	\$4,216 17
Amount received during month.....	5,863 87
	\$10,079 54
Sept. Amount from August.....	\$5,480 46
Amount received during month.....	8,271 70
	\$13,752 16
October. Amount from September.....	\$8,572 74
Amount received during month.....	6,233 25
Nov. Amount from October.....	\$10,517 47
Amount received during month.....	204 00
	\$10,751 47
Dec. Amount from November.....	\$7,423 22
Amount received during month.....	53,244 04
	\$60,668 06

Recapitulation.

Amount on hand June 30, 1865.....	\$966 22
Amount received from all sources.....	\$3,897 51
Total receipts.....	\$4,845 73
Total expenditures.....	31,348 80
Remaining in hands of receiving and disbursing officer.....	\$53,496 92

Colonel Whittlesey, assistant commissioner for North Carolina, at the close of his first quarterly report gives the following statement of the financial condition of his department:

"The financial condition of the bureau is clearly

presented in the reports of Captain James, who, in addition to his duties as superintendent of the eastern district, has acted as financial agent, with the assistance of Captain Seely, assistant quartermaster. The duties of the department have been very great, and have been faithfully discharged by these officers. In July, Colonel Heaton, agent of the United States Treasury, turned over to the bureau a large amount of real estate in Wilmington, Newbern, and adjoining counties, which had been leased for terms varying from one month to one year. The collection of rents from several hundred lessees of tenements and farms has been a laborious work. But the examination and adjustment of claims for this property, and the restoration of it in accordance with the President's amnesty proclamations, has been more trying and perplexing. Nearly all, however, is now out of our hands, and unless a re-examination of these claims is forced upon us by applications for rents, on the ground that the property was not abandoned, we shall be able hereafter to devote all of our time to our appropriate work.

The following summary of operations presents the leading facts to the foregoing report:

Receipts for the quarter.....	\$44,923 24
Current expenses.....	\$4,550 34
Forsoldiers' families from bounty fund.....	7,977 25
Remitted to Treasury.....	21,884 17
	33,911 76
Balance credited October 1, 1865.....	\$11,091 48

"Farms, 128; acres on farms cultivated, 8,510; acres of pine lands worked, about 50,000; freedmen employed on farms, 6,102; contracts witnessed, 257; freedmen employed under them, 1,847; marriages registered, 512; orphans apprenticed, 42; schools established, 63; teachers employed, 85; scholars attending, 5,642; cases of crime reported for trial, 12; cases of difficulty settled, reported in full, 257; cases not reported in writing, seven thousand; rations issued, 508,924; value of, \$106,365 11; hospitals, 14; sick in hospitals, &c., attended by direction of the bureau, 51,441; deaths, whole number of freedmen reported, in hospitals, camps, and towns, adjoining, 2,680.

"Reports of sick and deaths embrace all cases in the vicinity of stations, and with which the bureau has in any way been connected.

"Estimated crops: cotton, 858,700 pounds; corn, 22,715 bushels; sweet potatoes, 1,000 bushels; turpentine, 5,700 barrels; tar, 5,808 barrels."

So it is, Mr. Speaker, that the lands and sources of support and of revenue have gone from the bureau. I state the fact to be from the experience of less than one year that wherever the experiment has been tried with reasonable fairness the freedmen have demonstrated that the able-bodied men and women have not only supported themselves, but have been able to pay over to the Government in rent and produce substantially enough to provide for the old, the infirm, and the disabled.

And now, what should Congress do? If we will not act, or if having done all we can, no bill can be approved or passed, one of two courses must be pursued—either the power must be assumed of obtaining lands by lease or otherwise for the uses of freedmen, or else arrangements must be made by which freedmen able to work may find employment upon plantations and in the homes of former masters or owners of lands who have moved from northern States.

But neither Congress nor President could properly permit the bureau to purchase or to lease lands without the authority of law, and so it will come to this, that when, as will soon be the case, no lands are left within the

control of the Commissioner, all freedmen, old and young, able to work, or disabled by wounds, infirmity, or disease, must be provided for in some way or other upon lands owned, occupied, and improved for the personal profit of private owners.

Now, such owners will not want upon their farms useless laborers. They will not receive the men who have lost their arms or legs in your defense. They will not want feeble women, nor the old or infirm, or the children too young to work. Especially they will not want those who are disabled by disease. Do you not see that all this multitude of non-producers must be a dead weight upon the Government? What will the Commissioner do with them? Where will he put them? You have freed them and their old owners do not want them. Where shall they go? What shall they do? There will be cases where the necessities of labor will compel land-owners to permit disabled parents to remain and to be fed upon their farms while the working season lasts in order to secure the services of the able-bodied sons. But those cases will be exceptional, and we have no right to take them into our consideration.

With lands assigned to the bureau where homes may be allotted to the freedmen and reasonable rents received from them, with rights secured to them to purchase upon fair terms, the able-bodied freedmen will take care of all their sick and their disabled, and will put into the Treasury of the Government enough to defray all the charges of this bureau. And now, if it be said by any one who claims that this is the white man's country, or by anybody else, that such a policy as this would disturb labor and prevent the plantations from being worked because freedmen would prefer their own homesteads to anybody's farm, the answer is obvious. This cannot be so if wages are offered which fairly pay for the work to be done. There is not a man upon the floor of this House that does not see in his own every-day experience this absurd argument refuted. If the freedman can pay his rent and keep his family together, old and young, and clear for himself twenty dollars a month, he will not willingly work for another man for eight or ten. Why should he? But give him the worth of his labor, and he will go quickly enough, and the women and the old men who cannot get wages will work his little land and stay at home. This is the law of labor. We all have the services of men who live at their homes when not at work; and so, as a general fact, has every northern household. And those men employed all over the North are among the men who send us here and keep their eye upon us while we are here. Does any one know this fact better than the President knows it?

Now, sir, the same law of labor will hold good at the South as prevails at the North. The trouble is, that where for generations labor has been forced; where the minimum amount of food and clothing, without other pay, has been made to produce the maximum

amount of work, those who employ labor are not willing to pay the fair value of labor. But when on the cotton plantation the land-owner is prepared to pay for skilled labor what it is fairly worth to the man who does the work, he will find willing hands to cultivate his staples. But there is another consideration which neither President nor Congress will feel disposed to disregard. "A fair day's pay for a fair day's work," is the golden rule of labor. In South Carolina there were at the last census of white population 291,388, and of colored population 412,320, of whom only 9,914 were free. There were in that State 16,217,700 acres of land, of which only 4,072,651 acres were improved. That land was owned by the white men. Here and there exceptional cases occurred; whether according to law or against the provisions of law I do not stop to inquire. But it is said that some men of African descent did own both land and slaves. But the rule was otherwise. The white men owned the land; the black men gave it its value.

But now a new condition of things is created by our own act. Every man is made free. There is no longer ownership of labor. Every fair man admits that these four hundred thousand freedmen, declared free first by military order and then by sacred enactment, must be for a season protected by the Government which released them from bondage. Would our duty be discharged; would the President who has felt through his whole life the oppressive power of southern capital; would he believe that we had discharged our duty if we say to the Commissioner of this bureau we will not give you any lands to work with; but take care of these freedmen; see that the gulf which separates servitude from freedom is bridged over somewhat, and aid their unaccustomed steps until they stand firmly upon that land of promise which we have opened to them? Find employment for them all, and see to it they have fair play; but especially see to it that the Government incurs no cost. Would that do? Where could you find employment at fair wages, and how could your Commissioner secure it to them? If you compel them to work upon the old plantations, under the old owners, in the old homes, giving them no hope in life and no choice of labor but to work there or to expatriate themselves and seek homes in other States, do you not see that the price of wages must be at the discretion of the owner of the land? If you compel the freedman to work there, what wages they will give he must take, or you must support him, or he must starve. But give to your Commissioner the power to procure lands for them: the freedmen will pay fair rent and will from their labor defray the expenses of your bureau, and will thankfully pay full price for the lands which you may sell them. And when such opportunities are given them you will yourselves make that golden rule of labor operative, and a fair day's pay for a fair day's work will be secured. My friends, is not this very plain? And I say to you now,

and I would that every voting man in all your districts could hear what I say, that whatever else you may do you cannot "enforce" that great amendment by any legislation more "appropriate" than this.

But you see at once, Mr. Speaker, that the present law, passed before the people of the loyal States by their Legislatures ratified the amendment which you offered to them, is wholly insufficient in this respect. The lands provided for them by that law have passed substantially, excepting the Sherman lands which I will speak of presently, into the hands of their former owners. And your committee believed that upon a fair statement of existing facts you would not hold them guiltless if they did not propose some plan that would—without one dollar of cost to the Government, as we believe—in some small measure make real to these freedmen the liberty you have vouchsafed to them. We owe something to these freedmen, and this bill rightly administered, invaluable as it will be, will not balance the account. We have done nothing to them, as a race, but injury. They, as a people, have done nothing to us but good. The friends of slavery say we Christianized the African, and therefore we gave him blessing and not a curse. We enslaved him. That is what we did. If the African has become Christian in America he may thank God, not us. So Booth murdered our President. His fatal ball opened the avenue through which the spirit passed, and Lincoln stood before his God. The assassin lifted him from earth to heaven and so conferred a blessing. But he remained an assassin none the less. We reduced the fathers to slavery, and the sons have periled life to keep us free. That is the way history will state the case. Now, then, we have struck off their chains. Shall we not help them to find homes? They have not had homes yet. We have not let them know the meaning of the sacred name of home.

Why, sir, our humblest man, if God has given him strength enough of mind and body to make him accountable, may find some willing wife and lowly home. If he is a true man he will find there a heaven upon earth. No monarch upon his throne is more secure in the enjoyment of his rights than he. The invisible guardianship of law surrounds and keeps him safe. What he has is his own. His wife is his, and when he enters under the low roof at night, the day's work done, the sweet voices that call him father are the voices of his own. He may be poor and friendless outside of home, but he is rich there, and no mortal man in the Republic is strong enough to do him wrong with safety, for the law is mightier than the strongest man. But these men whom you have freed have been slaves. Their fathers were torn away by felon hands from ancestral homes in their native land—heaven homes, perhaps, but I suppose God was there nevertheless—and within the borders of the rebel States no homes since then have been permitted to them or to their children. Slavery can-

not know a home. Where the wife is the property of the husband's master, and may be used at will; where children are bred, like stock, for sale; where man and woman, after twenty years of faithful service from the time when the priest with the owner's sanction by mock ceremonies pretended to unite them, are parted and sold at that owner's will, there can be no such thing as home. Sir, no act of ours can fitly enforce their freedom that does not contemplate for them the security of home.

But let it be borne in mind that it is not intended by this bill to give freedmen homes at the cost of the Government. They will hire and pay full rent or they will buy and pay full price. But when a condition of things exists such as is now found in the late rebel States, where, as a race, the colored man could own no lands because held in slavery, and where because of his declared freedom the vindictive hatred of the old owners fastens itself upon him and would exclude him still from ownership of land, there does arise this necessity that we who have made them free should enable him from the fruits of his own industry and with his own means to procure for himself a home. And that is all that this bill proposes to do. Every man may now avail himself of the homestead law. That will secure him eighty or one hundred and sixty acres for a nominal sum of money. This bill withdraws one million out of fifty million acres of public lands in the five States, namely, Florida, Mississippi, Alabama, Louisiana, and Arkansas, and permits the freedmen to lease in lots of forty acres each and purchase at an agreed valuation. Let me read the fifth section of the bill:

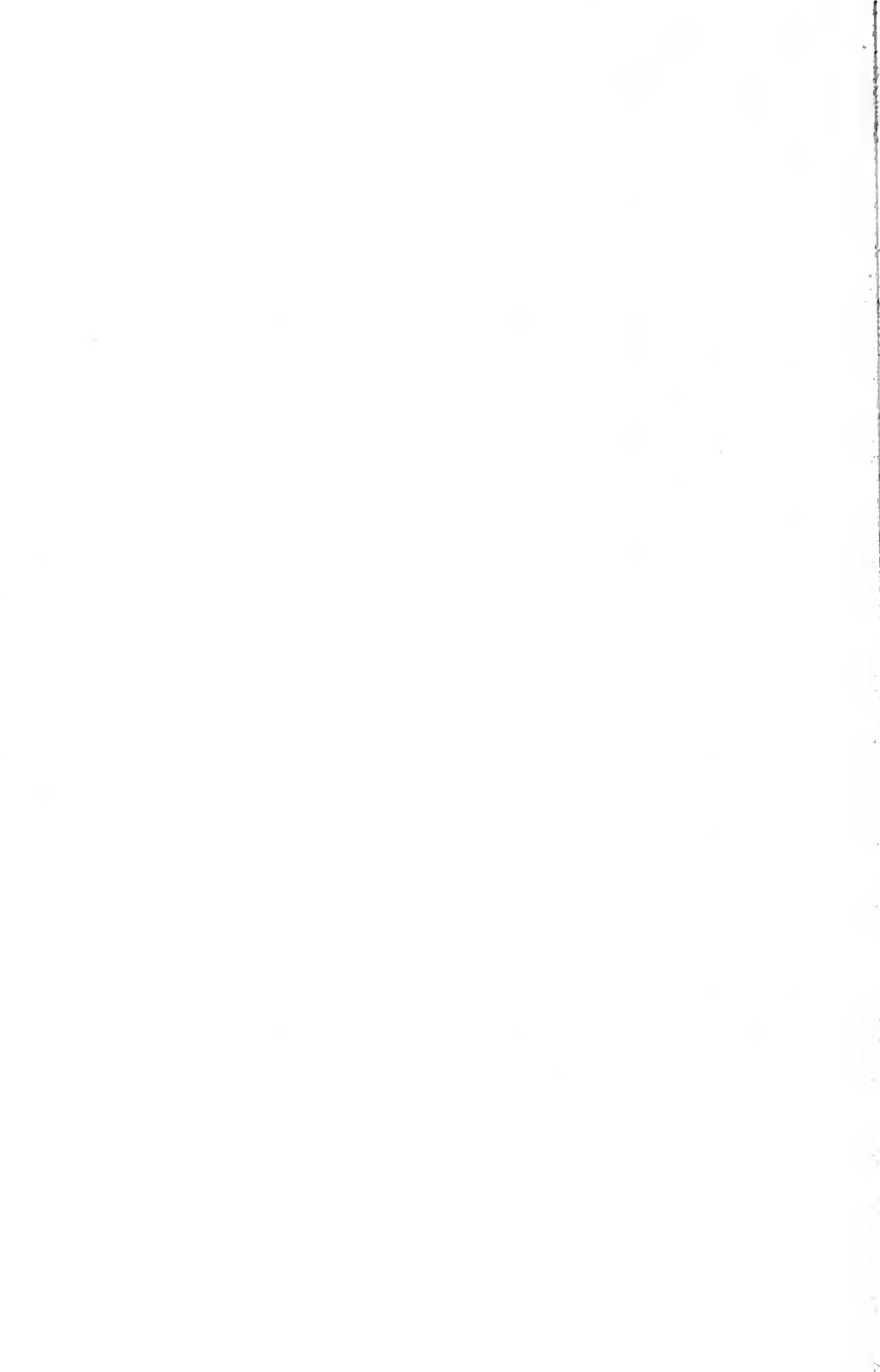
SEC. 5. *And be it further enacted,* That for the purpose of rendering this bureau self-sustaining, and in the place of lands heretofore assigned to freedmen and thereafter withdrawn from the control of the bureau, the President shall reserve from sale or settlement under the homestead or preemption laws, and assign for the use of freedmen and loyal refugees, male or female, unoccupied public lands in Florida, Mississippi, Alabama, Louisiana, and Arkansas, not exceeding in all one million acres of good land. And

the Commissioner shall cause the same, under the direction of the President, to be allotted and assigned from time to time, in parcels not exceeding forty acres each, to the loyal refugees and freedmen, who shall be protected in the use and enjoyment thereof for such term of time and at such annual rent as may be agreed upon between the Commissioner and such refugees or freedmen. The rental shall be based upon a valuation of the land, to be ascertained in such manner as the Commissioner may, under the direction of the President, by regulation prescribe. At the end of each term, or sooner, if the Commissioner assent thereto, the occupants of any parcels so assigned, their heirs and assigns, may purchase the land and receive a title thereto from the United States in fee, upon payment thereof of the value of the land ascertained as aforesaid.

There is no gift here. The freedmen pay for everything. And the lands assigned are public lands, which we have given to States and for schools and railroads and other uses which were national in their character. Millions of acres have been unwisely given away; but these lands, not given away, but sold for a price, will confer upon freedmen the inestimable blessings of hearth-stone and home.

Why, Mr. Speaker, in some of the States the bureau has given much more aid to the white refugees than to the freedmen. The bureau has not confined its operation to the men who were made free.

In Alabama there had been on the 1st of April, eight hundred and seventy-nine thousand three hundred and forty-three rations issued to refugees and three hundred and sixty-four thousand two hundred and fifteen rations issued to freedmen, and in Arkansas there had been one million four thousand eight hundred and sixty-two rations issued to refugees, and seven hundred and fifteen thousand five hundred and seventy-two issued to freedmen. Now, sir, all we propose to do is to let freedmen have a chance to buy a home. No land is to be given away to him, but the Government that has made him free helps him to purchase a home. And this is all I desire to say in offering this bill for consideration. Its provisions have been carefully examined and will receive, I trust, the favor of the House.



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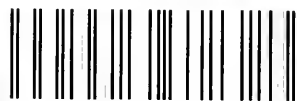
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