Law Creating the Freedmen's Bureau

*Standard: 8.86*

CHAP. XC.–*An Act to establish a Bureau for the Relief of Freedmen and Refugees*.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby established in the War Department, to continue during the present war of rebellion, and for one year thereafter, a bureau of refugees, freedmen, and abandoned lands, to which shall be committed, as hereinafter provided, the supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen from rebel states, or from any district of country within the territory embraced in the operations of the army, under such rules and regulations as may be prescribed by the head of the bureau and approved by the President. The said bureau shall be under the management and control of a commissioner to be appointed by the President, by and with the advice and consent of the Senate, whose compensation shall be three thousand dollars per annum, and such number of clerks as may be assigned to him by the Secretary of War, not exceeding one chief clerk, two of the fourth class, two of the third class, and five of the first class. And the commissioner and all persons appointed under this act, shall, before entering upon their duties, take the oath of office prescribed in an act entitled “An act to prescribe an oath of office, and for other purposes,” approved July second, eighteen hundred and sixty-two, and the commissioner and the chief clerk shall, before entering upon their duties, give bonds to the treasurer of the United States, the former in the sum of fifty thousand dollars, and the latter in the sum of ten thousand dollars, conditioned for the faithful discharge of their duties respectively, with securities to be approved as sufficient by the Attorney-General, which bonds shall be filed in the office of the first comptroller of the treasury, to be by him put in suit for the benefit of any injured party upon any breach of the conditions thereof.

SEC. 2. *And be it further enacted*, That the Secretary of War may direct such issues of provisions, clothing, and fuel, as he may deem needful for the immediate and temporary shelter and supply of destitute and suffering refugees and freedmen and their wives and children, under such rules and regulations as he may direct.

SEC. 3. *And be it further enacted*, That the President may, by and with the advice and consent of the Senate, appoint an assistant commissioner for each of the states declared to be in insurrection, not exceeding ten in number, who shall, under the direction of the commissioner, aid in the execution of the provisions of this act; and he shall give a bond to the Treasurer of the United States, in the sum of twenty thousand dollars, in the form and manner prescribed in the first section of this act. Each of said commissioners shall receive an annual salary of two thousand five hundred dollars in full compensation for all his services. And any military officer may be detailed and assigned to duty under this act without increase of pay or allowances. The commissioner shall, before the commencement of each regular session of congress, make full report of his proceedings with exhibits of the state of his accounts to the President, who shall communicate the same to congress, and shall also make special reports whenever required to do so by the President or either house of congress; and the assistant commissioners shall make quarterly reports of their proceedings to the commissioner, and also such other special reports as from time to time may be required.

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 male 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 centum upon the value of such land, as it was appraised by the state authorities in the year eighteen hundred and sixty, 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.

SEC. 5. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed.

APPROVED, March 3, 1865.

U.S., *Statutes at Large, Treaties, and Proclamations of the United States of America*, vol. 13 (Boston, 1866), pp. 507–9.

[Source: http://www.freedmen.umd.edu/fbact.htm]

**Affidavit of a Tennessee Freedman**

*Standards: 8.85*

*Memphis, Tenn.,*  Sept 13th *1865.*

Statement of Archy Vaughn.  Last spring [*1864*] I was living with *Bartlet Ciles* about 8 miles from Somerville–near McCulloughs and one eving some Confederate soldiers or Guerillas came along and he told me to feed their horses. and I was at the barn gitting corn. and staied longer than he thought I should and when I went back to the house–he told me he was going to whip me in the morning–  that night I took an old mare and went to the ferry across Wolf River.  I was going to Laffayette Depot to get into the federal lines and Andrew Johnson who lives close to the ferry. took me and kept me until Billy Simons came along and he gave me to him to carry me back to Bartlet Ciles. When he Ciles took me down to the woods. and tied my hands, and pulled them over my knees and put a stick through under my knees. and then took his knife and *castrated* me and then cut off the lop of my left ear,  he made a colord man named Dallas help hold me–  he drove me off from his plantation some time in June–I think.

his               
Archy X Vaughn   
mark

Affidavit of Archy Vaughn, 13 Sept. 1865, Affidavits & Statements, ser. 3545, Memphis TN Provost Marshal of Freedmen, Bureau of Refugees, Freedmen, & Abandoned Lands, Record Group 105, National Archives. The names of five witnesses to the assault are appended. Endorsements indicate that Freedmen's Bureau authorities in Memphis investigated the case but took no further action at that time. Early in 1866, however, the bureau superintendent at LaGrange, Tennessee, forwarded additional testimony in the case (a portion of which dated the incident as having taken place in January or February 1864) to the Tennessee assistant commissioner's headquarters. A staff officer replied: “One blushes for humanity when he reads the record you give of the case. You should arrest Kyle, fine him heavily, and compel him to pay exemplary damages to the boy. ‘Castration’ and ‘ear cropping’ are crimes which ought to call down the vengeance of the civil law, but the consciences of our civil authorities, in matters in which negroes are concerned, appear to be callous.” (S. H. Melcher to Lieut. J. F. Alden, 16 Jan. 1866, enclosing testimony in the case of Bureau vs. Bartlett Kyle, 16 Jan. 1866, M-19 1866, Registered Letters Received, ser. 3379, TN Assistant Commissioner, Bureau of Refugees, Freedmen, &amp; Abandoned Lands, Record Group 105, National Archives; Bt. Lt. Col. J. E. Jacobs to S. H. Melcher, 28 Jan. 1866, vol. 9, p. 217, Press Copies of Letters Sent, ser. 3373, TN Assistant Commissioner, Bureau of Refugees, Freedmen, &amp; Abandoned Lands, Record Group 105, National Archives.)

Published in [*The Destruction of Slavery*](http://www.freedmen.umd.edu/dospg.htm), p. 323, and in [*Free at Last*](http://www.freedmen.umd.edu/falpg.htm), p. 113.

[Source: http://www.freedmen.umd.edu/Vaughn.html]

Statement of a Tennessee Freedwoman

*Standard 8.86*

[*Chattanooga, Tenn., February 27, 1866*]

Statement of Anna Irwin Washerwoman in Genl Field Hospital D[*epartment of the*]. C[*umberland*]

Commenced work at Rasacca Geo. in the month of April 1864–remained there about two months–  then went to Big Shanty Stopped there four days–  went to Cartersvill stayed ther four days–  then went to Marietta stayed there about three weeks–  then went to Vining station stayed there about two Months   then went to Atlanta & stayed there about two months.  then came to Chattanooga Tenn   All the time under the charge of surgeon Woodruff   When we came to Chattanooga were turned over to surgeon E. L. Bissell.  then went to Huntsvill AL.  left there on Christmas day 1864   then went to Bulls Gap Tenn remained there one month   then went to Nashvill where we remained untill we were mustered out.–  was to recieve four dollars pr week.  Anna acted as foreman and was to recieve $5.00 pr week.  they have recieve but $4400.  Stewart Johnson & John Hardenberg took the money and made away.  The other claimants names are Laura Irwin Rhoda Willis and Milly Humphries

The above named persons were discharged at Nashvill Tenn June 16th 1865 by virtue of special orders No 3 Gen Field Hospital, by E. L. Bissell  Surg 5 Conn. Vols in charge

Statement of Anna Irwin, [27 Feb. 1866], enclosed in Lt. Col. F. E. Trotter to Surgeon Genl. U.S.A., 27 Feb. 1866, T-1 1866, Registered Letters Received, ser. 3448, Chattanooga TN Superintendent, Bureau of Refugees, Freedmen, & Abandoned Lands, Record Group 105, National Archives. In the same file is a copy of the special order of June 16, 1865, that discharged the four women from service at the general field hospital in Nashville and instructed them to report to an assistant quartermaster for transportation to Chattanooga. In October 1865, according to other documents in the file, Anna Irwin and her co-workers had presented a similar account of their wartime employment to the Freedmen's Bureau assistant superintendent at Chattanooga and solicited his aid in collecting their wages. The superintendent had reported the case to the medical director of the Department of Tennessee, who advised him to “request the Surgeon General US.A. to examine the Pay Rolls of Col'd employees of Gen'l Field Hospital Army of the Cumberland for the year 1864–5.” (Capt. N. B. Lucas to Surgeon Cooper, 19 Oct. 1865, and endorsement of Surgeon Geo. E. Cooper, 23 Oct. 1865.) That bureau superintendent had apparently taken no further action on behalf of the freedwomen, but his successor, after taking Irwin's statement of February 27, 1866, promptly forwarded it to the surgeon general in Washington, noting in a covering letter that “[d]aily applications are made at this office for settlement of similar claims many of which bear evidence of fraud haveing been practiced on the Negro by persons connected with the army.” On March 26, 1866, the surgeon general's office returned the papers to the bureau superintendent at Chattanooga, with the following endorsement: “There is no information on file in this Office, relative to the employment, or payment, of the women named within. After so long an interval and the discharge of many of the officers in charge, it is impossible to take any action in the absence of certified accounts, or certificates of service.”

Published in [*The Wartime Genesis of Free Labor: The Upper South*](http://www.freedmen.umd.edu/wgupg.htm), pp. 466–67, and in [*Free at Last*](http://www.freedmen.umd.edu/falpg.htm), pp. 230–31.

[Source: http://www.freedmen.umd.edu/Irwin.html]

Tennessee Freedmen to the Freedmen's Bureau Assistant Commissioner for Kentucky, Tennessee, and Northern Alabama

*Standard: 8.86*

[*Lincoln County, Tenn.*]  July 27th 1865

Genl   We the colored People, of Lincoln County, State of Tennessee, would respectfully submit the following representation of our condition, and earnestly entreat that an Agent may be appointed who shall reside in Fayetteville, who may act as our Counsellor, and aid us in obtaining redress for wrongs to which we may be subjected.

By the new Constitution adopted by the loyal people, of the State, on the 22d of February, 1865, we became formally and legally free,1 our prayers were answered, and the secret hopes of our hearts were realized.  When, however, the Legislature of the State subsequently met, they failed, as we think, to pass the necessary laws, to recognize our standing, and secure to us by law, our rights as freemen.  In our former condition as slaves, we had the protection of our masters, and it was to their interest, at least, to consult for, and secure our physical welfare.  As we are now, the old slave laws of the State remaining unrepealed, and the oath of the colored man not being received by our Courts, as against the whites, we have no where to look for protection, save to the United States Authority.  In those authorities, we have the fullest confidence: but we want some way of easily bringing our cases before them.  In the beginning of the year, when our freedom was secured by the Constitution, many of the colored people left their former masters, and made arrangements with others, to labor for a longer or shorter period of time: the employers agreeing to give them a certain fixed compensation for their labor.  A great number, however, remained with their former masters, some of these agreeing to give them a certain amount for their services, others holding out the idea that what was right, should be done, and others making no promises to their former slaves: but still exacting their labor.  Now, whilst we take for granted that employers will do the thing that is honest and just in many, perhaps, the majority of cases, yet, we think, we have just cause for fear, that the cupidity of others will defraud them of their wages, and turn them out of their places, when their services from the condition of the crops is no longer a matter of necessity.  A few cases of the kind have already occurred in which colored persons, having labored until the harvest has been secured and the corn crops laid by, are now, as we think causelessly turned off to seek places for themselves and families, and compensation for their labor refused.  Besides, in several instances recently, colored men, have been, without any process of law, and no crime proved against them, subjected to the lash, and as many as four or five hundred lashes having been inflicted upon them at the will of their masters.  In view of such circumstances, as we cannot appeal to the laws and Courts of the State, for a redress, of grievances felt and feared, and as the only other recourse, besides God, who is the refuge of the oppressed, is the United States Authority, We would most respectfully pray you, as the Representative of that authority, to take order in our behalf, and appoint some one, who may, for the time act as our Patron, by consulting and advising us, and when wronged, securing us redress.

It is scarcely needful for us to say, that during the late Rebellion we have been true and loyal to the United States, Government: and whilst our prayers have gone up for the union, cause, we have, also, to the extent of our power, given aid and comfort to the armies of the United States, and been in many ways helpful to its soldiers.–

During the continuance of the war, we have not been engaged in insurrection, or in any way been insubordinate to constituted authority: and in the future, as in the past, we propose to be a law abiding people.  As in the past, we have by our labors enriched our masters, in many instances, besides supporting ourselves and our families. We now, simply ask that we may be secured as others, in the just fruits of our toil: protected from unjust, and illegal punishments, and we are sure we will keep our families from want, and do our part as good citizens of the United States to add to the wealth and glory of the Country.  We are recognized as men by the Constitution of the land: we only ask to be treated as such, and we will, in the future as in the past, be law abiding men.

and in conclusion we would with deference to your position and authority beg leave to recommend as agent in our behalf the name of William French as the man who has our unbounded confidence.  appoint him, and we will as in duty bound Ever Pray

* his                 
  Rev Lewis X Bright        
  mark
* his                 
  "  Singer X Askins        
  mark
* his                  
  Benjamin X English       
  mark
* his                 
  Melvin X Mitchel      
  mark
* his                 
  Edward X Timmins    
  mark
* his                 
  Milton X Timmins    
  mark
* his                 
  Benjamin X McDaniel  
  mark
* his                 
  Peter X Bagley      
  mark
* his                
  Banks X Bonner     
  mark
* his               
  Carrol X Wales     
  mark

Signed in behalf of the Freedmen of the County of Lincoln State of Tennessee

Rev Lewis Bright et al. to General. Fisk, 27 July 1865, B-36 1865, Registered Letters Received, ser. 3379, TN Assistant Commisioner, Bureau of Refugees, Freedmen, & Abandoned Lands, Record Group 105, National Archives. Witnessed by Calvin McEwen, formerly a lieutenant in the U.S. army. On the reverse is a notation by General Clinton B. Fisk, the assistant commissioner, instructing an assistant as follows: “Write to French that we have no means at present of compensating him for his labors– but–hope to get the county to do so.” A few weeks later, General Fisk appointed him Freedmen's Bureau agent for Lincoln County. (*Special Order No. 36*, *War Department*. *Bureau F R. and A Lands*, 2 Sept. 1865, vol. 23, pp. 44–46, Special Orders & Circulars Issued, ser. 3384, TN Assistant Commissioner, Bureau of Refugees, Freedmen, & Abandoned Lands, Record Group 105, National Archives.)

1. Tennessee had been exempted from President Abraham Lincoln's [Emancipation Proclamation](http://www.archives.gov/exhibits/featured_documents/emancipation_proclamation/transcript.html) of January 1, 1863; as a result, slavery remained legal in the state until February 22, 1865, when unionist voters ratified an amendment to the state constitution abolishing it. (U.S., *Statutes at Large, Treaties, and Proclamations of the United States of America*, vol. 12 (Boston, 1863), pp. 1268–69; Francis N. Thorpe, comp., *The Federal and State Constitutions*, 7 vols. [Washington, 1909], vol. 4, p. 3445.)

Published in [*Land and Labor, 1865*](http://www.freedmen.umd.edu/L&L65pg.htm), pp. 262–64.

[Source: http://www.freedmen.umd.edu/Bright.htm]

White Tennessean to the Freedmen's Bureau Superintendent of the Subdistrict of Memphis, Tennessee

*Standard:8.85*

Memphis Tenn  Oct 30th 1865

Dear Sir   Learning that you are desirous of obtaining correct information with regard to the Freedmen in their new relation to their former owners & present employers with a view of adopting such measures as shall insure peace tranquility & prosperity–throughout your District, you will permit me to respectfully submit a few facts & suggestions for your consideration–and action if you should deem it necessary.  In the neighborhood of the little village of Bellmont in the County of Fayette some twelve miles distant in a North Westerly direction from Sommerville (the County seat)–a large number of negroes have procured arms and are manifesting such a spirit of insubordination & frequently making such threats & demonstrations as are calculated to disturb the peace & tranquility of the community and which may lead to serious results if not speedily checked.  I learn through my brother-in-law Mr W. E. Stamback (who is now in charge of the plantation of my late father L P Williamson)–that this is particularly observable upon the farm of the late Dr H[ow]ell some ten miles from Sommerville upon the road leading from Sommerville to Covington–also upon the farm of Genl Jos Williams–both of which places are at present under the control of superintendents & not owners.  Upon the first mentioned place the old gentleman has recently died and the negroes seem to think they have the best right to the premises & are disposed to appropriate them to their use, and the owner of the latter place resides in this city & the negroes are consequently under scarcely any discipline or restraint.  The community is impressed with the belief that this unfortunate state of affairs has resulted chiefly from the want of means in the hands of employers of enforcing discipline & order upon the plantations (corporal punishment having been abolished) and the secret agency & influence of bad men who induce the poor ignorant blacks to believe that the annihilition of the whites will put them permanently in possession of their lands & estates.  The negro being by nature indolent & improvident–living only for to day & permitting tomorrow to take care of itself–not influenced to any extent by the hope of reward but chiefly moved by the fear of punishment and in view of the fact that corporal punishment has been prohibited we must look about for some other means by which we can exact an amount of labor sufficient to justify the employer in paying him wages and at the same time insure order & discipline upon the premises.  To accomplish these most desirable objects I would respectfully suggest Genl–  First the disarming of the freedmen in the country as has been done in this city   Second the appointment by the sub Agents in the different counties of a police guard of four or five of the most reliable negroes upon every farm, one of whom can be styled Captain   This guard *not to be armed*& recieving their instructions from the agent of the Bureau for the county would meet with no resistance in arresting any negro who might be creating a disturbance upon the place or failing to perform his duty and taking him before the Agt for correction.  I learn that this plan is working admirably in Phillips County Arkansas and they have none of those unfortunate & deplorable conflicts between whites & blacks which we are called upon sometimes to regret.  I would further suggest the calling of meetings of the freedmen at one or two public places in the Counties & let them be addressed by Government officials & made clearly (*& thus authoritatively*) to understand their true status– the relation they *sustain to their former owners in point of property* and the penalties annexed to any violation of the laws–especially in regard to demonstrations of an insurrectionary character.  All of which is respectfully submitted by Your obt Svt

J A Williamson

P.S. I will merely add that Mr Stamback called with me upon you during his recent visit to this city & found you absent & requested me to place this matter before you–  Respectfully &c

J A W

J A Williamson to Brig Genl N A M Dudley, 30 Oct. 1865, enclosed in Bvt. Brig. Gen. N. A. M. Dudley to Capt. Clarke, 2 Nov. 1865, D-87 1865, Registered Letters Received, ser. 3379, TN Assistant Commissioner, Bureau of Refugees, Freedmen, & Abandoned Lands, Record Group 105, National Archives. The subdistrict superintendent, General Nathan A. M. Dudley, forwarded Williamson's letter to the headquarters of the Freedmen's Bureau assistant commissioner for Kentucky and Tennessee, describing it in a covering letter as “one of the many com.'s of a similar character which I am daily recieving from planters & others in the country relative to the almost universal arming of the Freedmen in some of the Counties of this Sub. Dist.” Dudley asked to be informed “whether, or not it is the intention to permit the hands on plantations & others to retain in their possession Fire-arms.” No reply has been found in the assistant commissioner's letters-sent volumes.

Published in [*Land and Labor, 1865*](http://www.freedmen.umd.edu/L&L65pg.htm), pp. 833–34.

[Source: http://www.freedmen.umd.edu/Williamson.htm]