

The Freedmen's Bureau

W. E. Burghardt Du Bois

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THE problem of the twentieth century is the problem of the color line; the relation of the darker to the lighter races of men in Asia and Africa, in America and the islands of the sea. It was a phase of this problem that caused the Civil War; and however much they who marched south and north in 1861 may have fixed on the technical points of union and local autonomy as a shibboleth, all nevertheless knew, as we know, that the question of Negro slavery was the deeper cause of the conflict. Curious it was, too, how this deeper question ever forced itself to the surface, despite effort and disclaimer. No sooner had Northern armies touched Southern soil than this old question, newly guised, sprang from the earth, — What shall be done with slaves? Peremptory military commands, this way and that, could not answer the query; the Emancipation Proclamation seemed but to broaden and intensify the difficulties; and so at last there arose in the South a government of men called the Freedmen's Bureau, which lasted, legally, from 1865 to 1872, but in a sense from 1861 to 1876, and which sought to settle the Negro problems in the United States of America.

It is the aim of this essay to study the Freedmen's Bureau, — the occasion of its rise, the character of its work, and its final success and failure, — not only as a part of American history, but above all as one of the most singular and interesting of the attempts made by a great nation to grapple with vast problems of race and social condition.

No sooner had the armies, east and west, penetrated Virginia and Tennessee than fugitive slaves appeared within their lines. They came at night, when the flickering camp fires of the blue hosts shone like vast unsteady stars along the black horizon: old men, and thin, with gray and tufted hair; women with frightened eyes, dragging whimpering, hungry children; men and girls, stalwart and gaunt, — a horde of starving vagabonds, homeless, helpless, and pitiable in their dark distress. Two methods of treating these newcomers seemed equally logical to opposite sorts of minds. Said some, "We have nothing to do with slaves." "Hereafter," commanded Halleck, "no slaves should be allowed to come into your lines at all; if any come without your knowledge, when owners call for them, deliver them." But others said, "We take grain and fowl; why not slaves?" Whereupon Fremont, as early as August, 1861, declared the slaves of Missouri rebels free. Such radical action was quickly countermanded, but at the same time the opposite policy could not be enforced; some of the black refugees declared themselves freemen, others showed their masters had deserted them, and still others were captured with forts and plantations. Evidently, too, slaves were a source of strength to the Confederacy, and were being used as laborers and producers. "They constitute a military resource," wrote the Secretary of War, late in 1861; "and being such, that they should not be turned over to the enemy is too plain to discuss." So the tone of the army chiefs changed, Congress forbade the rendition of fugitives, and Butler's "contrabands" were welcomed as military laborers. This complicated rather than solved the problem; for now the scattering fugitives became a steady stream, which flowed faster as the armies marched.

Then the long-headed man, with care-chiseled face, who sat in the White House, saw the inevitable, and emancipated the slaves of rebels on New Year's, 1863. A month later Congress called earnestly for the Negro soldiers whom the act of July, 1862, had half grudgingly allowed to enlist. Thus the barriers were leveled, and the deed was done. The stream of fugitives swelled to a flood, and anxious officers kept inquiring: "What must be done with slaves arriving almost daily? Am I to find food and shelter for women and children?"

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It was a Pierce of Boston who pointed out the way, and thus became in a sense the founder of the Freedmen's Bureau. Being specially detailed from the ranks to care for the freedmen at Fortress Monroe, he afterward founded the celebrated Port Royal experiment and started the Freedmen's Aid Societies. Thus, under the timid Treasury officials and bold army officers, Pierce's plan widened and developed. At first, the able-bodied men were enlisted as soldiers or hired as laborers, the women and children were herded into central camps under guard, and "superintendents of contrabands" multiplied here and there. Centres of massed freedmen arose at Fortress Monroe, Va., Washington, D. C., Beaufort and Port Royal, S. C., New Orleans, La., Vicksburg and Corinth, Miss., Columbus, Ky., Cairo, Ill., and elsewhere, and the army chaplains found here new and fruitful fields.

Then came the Freedmen's Aid Societies, born of the touching appeals for relief and help from these centres of distress. There was the American Missionary Association, sprung from the Amistad, and now full grown for work, the various church organizations, the National Freedmen's Relief Association, the American Freedmen's Union, the Western Freedmen's Aid Commission, — in all fifty or more active organizations, which sent clothes, money, school-books, and teachers southward. All they did was needed, for the destitution of the freedmen was often reported as "too appalling for belief," and the situation was growing daily worse rather than better.

And daily, too, it seemed more plain that this was no ordinary matter of temporary relief, but a national crisis; for here loomed a labor problem of vast dimensions. Masses of Negroes stood idle, or, if they worked spasmodically, were never sure of pay; and if perchance they received pay, squandered the new thing thoughtlessly. In these and in other ways were camp life and the new liberty demoralizing the freedmen. The broader economic organization thus clearly demanded sprang up here and there as accident and local conditions determined. Here again Pierce's Port Royal plan of leased plantations and guided workmen pointed out the rough way. In Washington, the military governor, at the urgent appeal of the superintendent, opened confiscated estates to the cultivation of the fugitives, and there in the shadow of the dome gathered black farm villages. General Dix gave over estates to the freedmen of Fortress Monroe, and so on through the South. The government and the benevolent societies furnished the means of cultivation, and the Negro turned again slowly to work. The systems of control, thus started, rapidly grew, here and there, into strange little governments, like that of General Banks in Louisiana, with its 90,000 black subjects, its 50,000 guided laborers, and its annual budget of \$100,000 and more. It made out 4000 pay rolls, registered all freedmen, inquired into grievances and redressed them, laid and collected taxes, and established a system of public schools. So too Colonel Eaton, the superintendent of Tennessee and Arkansas, ruled over 100,000, leased and cultivated 7000 acres of cotton land, and furnished food for 10,000 paupers. In South Carolina was General Saxton, with his deep interest in black folk. He succeeded Pierce and the Treasury officials, and sold forfeited estates, leased abandoned plantations, encouraged schools, and received from Sherman, after the terribly picturesque march to the sea, thousands of the wretched camp followers.

Three characteristic things one might have seen in Sherman's raid through Georgia, which threw the new situation in deep and shadowy relief: the Conqueror, the Conquered, and the Negro. Some see all significance in the grim front of the destroyer, and some in the bitter sufferers of the lost cause. But to me neither soldier nor fugitive speaks with so deep a meaning as that dark and human cloud that clung like remorse on the rear of those swift columns, swelling at times to half their size, almost engulfing and choking them. In vain were they ordered back, in vain were bridges hewn from beneath their feet; on they trudged and writhed and surged, until they rolled into Savannah, a starved and naked horde of tens of thousands. There too came the characteristic military remedy: "The islands from Charleston south, the abandoned ricefields along the rivers for thirty miles back from the sea, and the country bordering the St. John's River, Florida, are reserved and set apart for the settlement of Negroes now made free by act of war." So read the celebrated field order.

All these experiments, orders, and systems were bound to attract and perplex the government and the nation. Directly after the Emancipation Proclamation, Representative Eliot had introduced a bill creating a Bureau of Emancipation, but it was never reported. The following June, a committee of inquiry, appointed by the Secretary of War, reported in favor of a temporary bureau for the "improvement, protection, and employment of refugee

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freedmen," on much the same lines as were afterward followed. Petitions came in to President Lincoln from distinguished citizens and organizations, strongly urging a comprehensive and unified plan of dealing with the freedmen, under a bureau which should be "charged with the study of plans and execution of measures for easily guiding, and in every way judiciously and humanely aiding, the passage of our emancipated and yet to be emancipated blacks from the old condition of forced labor to their new state of voluntary industry."

Some half-hearted steps were early taken by the government to put both freedmen and abandoned estates under the supervision of the Treasury officials. Laws of 1863 and 1864 directed them to take charge of and lease abandoned lands for periods not exceeding twelve months, and to "provide in such leases or otherwise for the employment and general welfare" of the freedmen. Most of the army officers looked upon this as a welcome relief from perplexing "Negro affairs;" but the Treasury hesitated and blundered, and although it leased large quantities of land and employed many Negroes, especially along the Mississippi, yet it left the virtual control of the laborers and their relations to their neighbors in the hands of the army.

In March, 1864, Congress at last turned its attention to the subject, and the House passed a bill, by a majority of two, establishing a Bureau for Freedmen in the War Department. Senator Sumner, who had charge of the bill in the Senate, argued that freedmen and abandoned lands ought to be under the same department, and reported a substitute for the House bill, attaching the Bureau to the Treasury Department. This bill passed, but too late for action in the House. The debate wandered over the whole policy of the administration and the general question of slavery, without touching very closely the specific merits of the measure in hand.

Meantime the election took place, and the administration, returning from the country with a vote of renewed confidence, addressed itself to the matter more seriously. A conference between the houses agreed upon a carefully drawn measure which contained the chief provisions of Charles Sumner's bill, but made the proposed organization a department independent of both the War and Treasury officials. The bill was conservative, giving the new department "general superintendence of all freedmen." It was to "establish regulations" for them, protect them, lease them lands, adjust their wages, and appear in civil and military courts as their "next friend." There were many limitations attached to the powers thus granted, and the organization was made permanent. Nevertheless, the Senate defeated the bill, and a new conference committee was appointed. This committee reported a new bill, February 28, which was whirled through just as the session closed, and which became the act of 1865 establishing in the War Department a "Bureau of Refugees, Freedmen, and Abandoned Lands."

This last compromise was a hasty bit of legislation, vague and uncertain in outline. A Bureau was created, "to continue during the present War of Rebellion, and for one year thereafter," to which was given "the supervision and management of all abandoned lands, and the control of all subjects relating to refugees and freedmen," under "such rules and regulations as may be presented by the head of the Bureau and approved by the President." A commissioner, appointed by the President and Senate, was to control the Bureau, with an office force not exceeding ten clerks. The President might also appoint commissioners in the seceded states, and to all these offices military officials might be detailed at regular pay. The Secretary of War could issue rations, clothing, and fuel to the destitute, and all abandoned property was placed in the hands of the Bureau for eventual lease and sale to ex-slaves in forty-acre parcels.

Thus did the United States government definitely assume charge of the emancipated Negro as the ward of the nation. It was a tremendous undertaking. Here, at a stroke of the pen, was erected a government of millions of men, — and not ordinary men, either, but black men emasculated by a peculiarly complete system of slavery, centuries old; and now, suddenly, violently, they come into a new birthright, at a time of war and passion, in the midst of the stricken, embittered population of their former masters. Any man might well have hesitated to assume charge of such a work, with vast responsibilities, indefinite powers, and limited resources. Probably no one but a soldier would have answered such a call promptly; and indeed no one but a soldier could be called, for Congress had appropriated no money for salaries and expenses.

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Less than a month after the weary emancipator passed to his rest, his successor assigned Major General Oliver O. Howard to duty as commissioner of the new Bureau. He was a Maine man, then only thirty-five years of age. He had marched with Sherman to the sea, had fought well at Gettysburg, and had but a year before been assigned to the command of the Department of Tennessee. An honest and sincere man, with rather too much faith in human nature, little aptitude for systematic business and intricate detail, he was nevertheless conservative, hard-working, and, above all, acquainted at first-hand with much of the work before him. And of that work it has been truly said, "No approximately correct history of civilization can ever be written which does not throw out in bold relief, as one of the great landmarks of political and social progress, the organization and administration of the Freedmen's Bureau."

On May 12, 1865, Howard was appointed, and he assumed the duties of his office promptly on the 15th, and began examining the field of work. A curious mess he looked upon: little despotisms, communistic experiments, slavery, peonage, business speculations, organized charity, unorganized almsgiving, — all reeling on under the guise of helping the freedman, and all enshrined in the smoke and blood of war and the cursing and silence of angry men. On May 19 the new government — for a government it really was — issued its constitution; commissioners were to be appointed in each of the seceded states, who were to take charge of "all subjects relating to refugees and freedmen," and all relief and rations were to be given by their consent alone. The Bureau invited continued cooperation with benevolent societies, and declared, "It will be the object of all commissioners to introduce practicable systems of compensated labor," and to establish schools. Forthwith nine assistant commissioners were appointed. They were to hasten to their fields of work; seek gradually to close relief establishments, and make the destitute self-supporting; act as courts of law where there were no courts, or where Negroes were not recognized in them as free; establish the institution of marriage among ex-slaves, and keep records; see that freedmen were free to choose their employers, and help in making fair contracts for them; and finally, the circular said, "Simple good faith, for which we hope on all hands for those concerned in the passing away of slavery, will especially relieve the assistant commissioners in the discharge of their duties toward the freedmen, as well as promote the general welfare."

No sooner was the work thus started, and the general system and local organization in some measure begun, than two grave difficulties appeared which changed largely the theory and outcome of Bureau work. First, there were the abandoned lands of the South. It had long been the more or less definitely expressed theory of the North that all the chief problems of emancipation might be settled by establishing the slaves on the forfeited lands of their masters, — a sort of poetic justice, said some. But this poetry done into solemn prose meant either wholesale confiscation of private property in the South, or vast appropriations. Now Congress had not appropriated a cent, and no sooner did the proclamations of general amnesty appear than the 800,000 acres of abandoned lands in the hands of the Freedmen's Bureau melted quickly away. The second difficulty lay in perfecting the local organization of the Bureau throughout the wide field of work. Making a new machine and sending out officials of duly ascertained fitness for a great work of social reform is no child's task; but this task was even harder, for a new central organization had to be fitted on a heterogeneous and confused but already existing system of relief and control of ex-slaves; and the agents available for this work must be sought for in an army still busy with war operations, — men in the very nature of the case ill fitted for delicate social work, — or among the questionable camp followers of an invading host. Thus, after a year's work, vigorously as it was pushed, the problem looked even more difficult to grasp and solve than at the beginning. Nevertheless, three things that year's work did, well worth the doing: it relieved a vast amount of physical suffering; it transported 7000 fugitives from congested centres back to the farm; and, best of all, it inaugurated the crusade of the New England schoolma'am.

The annals of this Ninth Crusade are yet to be written, the tale of a mission that seemed to our age far more quixotic than the quest of St. Louis seemed to his. Behind the mists of ruin and rapine waved the calico dresses of women who dared, and after the hoarse mouthings of the field guns rang the rhythm of the alphabet. Rich and poor they were, serious and curious. Bereaved now of a father, now of a brother, now of more than these, they came seeking a life work in planting New England schoolhouses among the white and black of the South. They did their work well. In that first year they taught 100,000 souls, and more.

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Evidently, Congress must soon legislate again on the hastily organized Bureau, which had so quickly grown into wide significance and vast possibilities. An institution such as that was well-nigh as difficult to end as to begin. Early in 1866 Congress took up the matter, when Senator Trumbull, of Illinois, introduced a bill to extend the Bureau and enlarge its powers. This measure received, at the hands of Congress, far more thorough discussion and attention than its predecessor. The war cloud had thinned enough to allow a clearer conception of the work of emancipation. The champions of the bill argued that the strengthening of the Freedmen's Bureau was still a military necessity; that it was needed for the proper carrying out of the Thirteenth Amendment, and was a work of sheer justice to the ex-slave, at a trifling cost to the government. The opponents of the measure declared that the war was over, and the necessity for war measures past; that the Bureau, by reason of its extraordinary powers, was clearly unconstitutional in time of peace, and was destined to irritate the South and pauperize the freedmen, at a final cost of possibly hundreds of millions. Two of these arguments were unanswered, and indeed unanswerable: the one that the extraordinary powers of the Bureau threatened the civil rights of all citizens; and the other that the government must have power to do what manifestly must be done, and that present abandonment of the freedmen meant their practical enslavement. The bill which finally passed enlarged and made permanent the Freedmen's Bureau. It was promptly vetoed by President Johnson, as "unconstitutional," "unnecessary," and "extrajudicial," and failed of passage over the veto. Meantime, however, the breach between Congress and the President began to broaden, and a modified form of the lost bill was finally passed over the President's second veto, July 16.

The act of 1866 gave the Freedmen's Bureau its final form, — the form by which it will be known to posterity and judged of men. It extended the existence of the Bureau to July, 1868; it authorized additional assistant commissioners, the retention of army officers mustered out of regular service, the sale of certain forfeited lands to freedmen on nominal terms, the sale of Confederate public property for Negro schools, and a wider field of judicial interpretation and cognizance. The government of the un-reconstructed South was thus put very largely in the hands of the Freedmen's Bureau, especially as in many cases the departmental military commander was now made also assistant commissioner. It was thus that the Freedmen's Bureau became a full-fledged government of men. It made laws, executed them and interpreted them; it laid and collected taxes, defined and punished crime, maintained and used military force, and dictated such measures as it thought necessary and proper for the accomplishment of its varied ends. Naturally, all these powers were not exercised continuously nor to their fullest extent; and yet, as General Howard has said, "scarcely any subject that has to be legislated upon in civil society failed, at one time or another, to demand the action of this singular Bureau."

To understand and criticise intelligently so vast a work, one must not forget an instant the drift of things in the later sixties: Lee had surrendered, Lincoln was dead, and Johnson and Congress were at loggerheads; the Thirteenth Amendment was adopted, the Fourteenth pending, and the Fifteenth declared in force in 1870. Guerrilla raiding, the ever present flickering after-flame of war, was spending its force against the Negroes, and all the Southern land was awakening as from some wild dream to poverty and social revolution. In a time of perfect calm, amid willing neighbors and streaming wealth, the social uplifting of 4,000,000 slaves to an assured and self-sustaining place in the body politic and economic would have been an herculean task; but when to the inherent difficulties of so delicate and nice a social operation were added the spite and hate of conflict, the Hell of War; when suspicion and cruelty were rife, and gaunt Hunger wept beside Bereavement, — in such a case, the work of any instrument of social regeneration was in large part foredoomed to failure. The very name of the Bureau stood for a thing in the South which for two centuries and better men had refused even to argue, — that life amid free Negroes was simply unthinkable, the maddest of experiments. The agents which the Bureau could command varied all the way from unselfish philanthropists to narrow-minded busybodies and thieves; and even though it be true that the average was far better than the worst, it was the one fly that helped to spoil the ointment. Then, amid all this crouched the freed slave, bewildered between friend and foe. He had emerged from slavery: not the worst slavery in the world, not a slavery that made all life unbearable, — rather, a slavery that had here and there much of kindness, fidelity, and happiness, — but withal slavery, which, so far as human aspiration and desert were concerned, classed the black man and the ox together. And the Negro knew full well that, whatever their deeper convictions may have been, Southern men had fought with desperate energy to perpetuate this slavery, under which the black masses, with half-articulate thought, had writhed and shivered. They welcomed

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freedom with a cry. They fled to the friends that had freed them. They shrank from the master who still strove for their chains. So the cleft between the white and black South grew. Idle to say it never should have been; it was as inevitable as its results were pitiable. Curiously incongruous elements were left arrayed against each other: the North, the government, the carpetbagger, and the slave, here; and there, all the South that was white, whether gentleman or vagabond, honest man or rascal, lawless murderer or martyr to duty.

Thus it is doubly difficult to write of this period calmly, so intense was the feeling, so mighty the human passions, that swayed and blinded men. Amid it all two figures ever stand to typify that day to coming men: the one a gray-haired gentleman, whose fathers had quit themselves like men, whose sons lay in nameless graves, who bowed to the evil of slavery because its abolition boded untold ill to all; who stood at last, in the evening of life, a blighted, ruined form, with hate in his eyes. And the other, a form hovering dark and mother-like, her awful face black with the mists of centuries, had aforesaid bent in love over her white master's cradle, rocked his sons and daughters to sleep, and closed in death the sunken eyes of his wife to the world; ay, too, had laid herself low to his lust and borne a tawny man child to the world, only to see her dark boy's limbs scattered to the winds by midnight marauders riding after Damned Niggers. These were the saddest sights of that woeful day; and no man clasped the hands of these two passing figures of the present-past; but hating they went to their long home, and hating their children's children live to-day.

Here, then, was the field of work for the Freedmen's Bureau; and since, with some hesitation, it was continued by the act of 1868 till 1869, let us look upon four years of its work as a whole. There were, in 1868, 900 Bureau officials scattered from Washington to Texas, ruling, directly and indirectly, many millions of men. And the deeds of these rulers fall mainly under seven heads, — the relief of physical suffering, the overseeing of the beginnings of free labor, the buying and selling of land, the establishment of schools, the paying of bounties, the administration of justice, and the financing of all these activities. Up to June, 1869, over half a million patients had been treated by Bureau physicians and surgeons, and sixty hospitals and asylums had been in operation. In fifty months of work 21,000,000 free rations were distributed at a cost of over \$4,000,000, — beginning at the rate of 30,000 rations a day in 1865, and discontinuing in 1869. Next came the difficult question of labor. First, 30,000 black men were transported from the refuges and relief stations back to the farms, back to the critical trial of a new way of working. Plain, simple instructions went out from Washington, — the freedom of laborers to choose employers, no fixed rates of wages, no peonage or forced labor. So far so good; but where local agents differed *toto coelo* in capacity and character, where the personnel was continually changing, the outcome was varied. The largest element of success lay in the fact that the majority of the freedmen were willing, often eager, to work. So contracts were written, — 50,000 in a single state, — laborers advised, wages guaranteed, and employers supplied. In truth, the organization became a vast labor bureau; not perfect, indeed, — notably defective here and there, — but on the whole, considering the situation, successful beyond the dreams of thoughtful men. The two great obstacles which confronted the officers at every turn were the tyrant and the idler: the slaveholder, who believed slavery was right, and was determined to perpetuate it under another name; and the freedman, who regarded freedom as perpetual rest. These were the Devil and the Deep Sea.

In the work of establishing the Negroes as peasant proprietors the Bureau was severely handicapped, as I have shown. Nevertheless, something was done. Abandoned lands were leased so long as they remained in the hands of the Bureau, and a total revenue of \$400,000 derived from black tenants. Some other lands to which the nation had gained title were sold, and public lands were opened for the settlement of the few blacks who had tools and capital. The vision of landowning, however, the righteous and reasonable ambition for forty acres and a mule which filled the freedmen's dreams, was doomed in most cases to disappointment. And those men of marvelous hind-sight, who to-day are seeking to preach the Negro back to the soil, know well, or ought to know, that it was here, in 1865, that the finest opportunity of binding the black peasant to the soil was lost. Yet, with help and striving, the Negro gained some land, and by 1874, in the one state of Georgia, owned near 350,000 acres.

The greatest success of the Freedmen's Bureau lay in the planting of the free school among Negroes, and the idea of free elementary education among all classes in the South. It not only called the schoolmistress through the

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benevolent agencies, and built them schoolhouses, but it helped discover and support such apostles of human development as Edmund Ware, Erastus Cravath, and Samuel Armstrong. State superintendents of education were appointed, and by 1870 150,000 children were in school. The opposition to Negro education was bitter in the South, for the South believed an educated Negro to be a dangerous Negro. And the South was not wholly wrong; for education among all kinds of men always has had, and always will have, an element of danger and revolution, of dissatisfaction and discontent. Nevertheless, men strive to know. It was some inkling of this paradox, even in the unquiet days of the Bureau, that allayed an opposition to human training, which still to-day lies smouldering, but not flaming. Fisk, Atlanta, Howard, and Hampton were founded in these days, and nearly \$6,000,000 was expended in five years for educational work, \$750,000 of which came from the freedmen themselves.

Such contributions, together with the buying of land and various other enterprises, showed that the ex-slave was handling some free capital already. The chief initial source of this was labor in the army, and his pay and bounty as a soldier. Payments to Negro soldiers were at first complicated by the ignorance of the recipients, and the fact that the quotas of colored regiments from Northern states were largely filled by recruits from the South, unknown to their fellow soldiers. Consequently, payments were accompanied by such frauds that Congress, by joint resolution in 1867, put the whole matter in the hands of the Freedmen's Bureau. In two years \$6,000,000 was thus distributed to 5000 claimants, and in the end the sum exceeded \$8,000,000. Even in this system, fraud was frequent; but still the work put needed capital in the hands of practical paupers, and some, at least, was well spent.

The most perplexing and least successful part of the Bureau's work lay in the exercise of its judicial functions. In a distracted land where slavery had hardly fallen, to keep the strong from wanton abuse of the weak, and the weak from gloating insolently over the half-shorn strength of the strong, was a thankless, hopeless task. The former masters of the land were peremptorily ordered about, seized and imprisoned, and punished over and over again, with scant courtesy from army officers. The former slaves were intimidated, beaten, raped, and butchered by angry and revengeful men. Bureau courts tended to become centres simply for punishing whites, while the regular civil courts tended to become solely institutions for perpetuating the slavery of blacks. Almost every law and method ingenuity could devise was employed by the legislatures to reduce the Negroes to serfdom, — to make them the slaves of the state, if not of individual owners; while the Bureau officials too often were found striving to put the "bottom rail on top," and give the freedmen a power and independence which they could not yet use. It is all well enough for us of another generation to wax wise with advice to those who bore the burden in the heat of the day. It is full easy now to see that the man who lost home, fortune, and family at a stroke, and saw his land ruled by "mules and niggers," was really benefited by the passing of slavery. It is not difficult now to say to the young freedman, cheated and cuffed about, who has seen his father's head beaten to a jelly and his own mother namelessly assaulted, that the meek shall inherit the earth. Above all, nothing is more convenient than to heap on the Freedmen's Bureau all the evils of that evil day, and damn it utterly for every mistake and blunder that was made.

All this is easy, but it is neither sensible nor just. Some one had blundered, but that was long before Oliver Howard was born; there was criminal aggression and heedless neglect, but without some system of control there would have been far more than there was. Had that control been from within, the Negro would have been reenslaved, to all intents and purposes. Coming as the control did from without, perfect men and methods would have bettered all things; and even with imperfect agents and questionable methods, the work accomplished was not undeserving of much commendation. The regular Bureau court consisted of one representative of the employer, one of the Negro, and one of the Bureau. If the Bureau could have maintained a perfectly judicial attitude, this arrangement would have been ideal, and must in time have gained confidence; but the nature of its other activities and the character of its personnel prejudiced the Bureau in favor of the black litigants, and led without doubt to much injustice and annoyance. On the other hand, to leave the Negro in the hands of Southern courts was impossible.

What the Freedmen's Bureau cost the nation is difficult to determine accurately. Its methods of bookkeeping were not good, and the whole system of its work and records partook of the hurry and turmoil of the time. General

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Howard himself disbursed some \$15,000,000 during his incumbency; but this includes the bounties paid colored soldiers, which perhaps should not be counted as an expense of the Bureau. In bounties, prize money, and all other expenses, the Bureau disbursed over \$20,000,000 before all of its departments were finally closed. To this ought to be added the large expenses of the various departments of Negro affairs before 1865; but these are hardly extricable from war expenditures, nor can we estimate with any accuracy the contributions of benevolent societies during all these years.

Such was the work of the Freedmen's Bureau. To sum it up in brief, we may say: it set going a system of free labor; it established the black peasant proprietor; it secured the recognition of black freemen before courts of law; it founded the free public school in the South. On the other hand, it failed to establish good will between ex-masters and freedmen; to guard its work wholly from paternalistic methods that discouraged self-reliance; to make Negroes landholders in any considerable numbers. Its successes were the result of hard work, supplemented by the aid of philanthropists and the eager striving of black men. Its failures were the result of bad local agents, inherent difficulties of the work, and national neglect. The Freedmen's Bureau expired by limitation in 1869, save its educational and bounty departments. The educational work came to an end in 1872, and General Howard's connection with the Bureau ceased at that time. The work of paying bounties was transferred to the adjutant general's office, where it was continued three or four years longer.

Such an institution, from its wide powers, great responsibilities, large control of moneys, and generally conspicuous position, was naturally open to repeated and bitter attacks. It sustained a searching congressional investigation at the instance of Fernando Wood in 1870. It was, with blunt discourtesy, transferred from Howard's control, in his absence, to the supervision of Secretary of War Belknap in 1872, on the Secretary's recommendation. Finally, in consequence of grave intimations of wrongdoing made by the Secretary and his subordinates, General Howard was court-martialed in 1874. In each of these trials, and in other attacks, the commissioner of the Freedmen's Bureau was exonerated from any willful misdoing, and his work heartily commended. Nevertheless, many unpleasant things were brought to light: the methods of transacting the business of the Bureau were faulty; several cases of defalcation among officials in the field were proven, and further frauds hinted at; there were some business transactions which savored of dangerous speculation, if not dishonesty; and, above all, the smirch of the Freedmen's Bank, which, while legally distinct from, was morally and practically a part of the Bureau, will ever blacken the record of this great institution. Not even ten additional years of slavery could have done as much to throttle the thrift of the freedmen as the mismanagement and bankruptcy of the savings bank chartered by the nation for their especial aid. Yet it is but fair to say that the perfect honesty of purpose and unselfish devotion of General Howard have passed untarnished through the fire of criticism. Not so with all his subordinates, although in the case of the great majority of these there were shown bravery and devotion to duty, even though sometimes linked to narrowness and incompetency.

The most bitter attacks on the Freedmen's Bureau were aimed not so much at its conduct or policy under the law as at the necessity for any such organization at all. Such attacks came naturally from the border states and the South, and they were summed up by Senator Davis, of Kentucky, when he moved to entitle the act of 1866 a bill "to promote strife and conflict between the white and black races . . . by a grant of unconstitutional power." The argument was of tremendous strength, but its very strength was its weakness. For, argued the plain common sense of the nation, if it is unconstitutional, unpracticable, and futile for the nation to stand guardian over its helpless wards, then there is left but one alternative: to make those wards their own guardians by arming them with the ballot. The alternative offered the nation then was not between full and restricted Negro suffrage; else every sensible man, black and white, would easily have chosen the latter. It was rather a choice between suffrage and slavery, after endless blood and gold had flowed to sweep human bondage away. Not a single Southern legislature stood ready to admit a Negro, under any conditions, to the polls; not a single Southern legislature believed free Negro labor was possible without a system of restrictions that took all its freedom away; there was scarcely a white man in the South who did not honestly regard emancipation as a crime, and its practical nullification as a duty. In such a situation, the granting of the ballot to the black man was a necessity, the very least a guilty nation could grant a wronged race. Had the opposition to government guardianship of Negroes been less bitter, and the

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attachment to the slave system less strong, the social seer can well imagine a far better policy: a permanent Freedmen's Bureau, with a national system of Negro schools; a carefully supervised employment and labor office; a system of impartial protection before the regular courts; and such institutions for social betterment as savings banks, land and building associations, and social settlements. All this vast expenditure of money and brains might have formed a great school of prospective citizenship, and solved in a way we have not yet solved the most perplexing and persistent of the Negro problems.

That such an institution was unthinkable in 1870 was due in part to certain acts of the Freedmen's Bureau itself. It came to regard its work as merely temporary, and Negro suffrage as a final answer to all present perplexities. The political ambition of many of its agents and proteges led it far afield into questionable activities, until the South, nursing its own deep prejudices, came easily to ignore all the good deeds of the Bureau, and hate its very name with perfect hatred. So the Freedmen's Bureau died, and its child was the Fifteenth Amendment.

The passing of a great human institution before its work is done, like the untimely passing of a single soul, but leaves a legacy of striving for other men. The legacy of the Freedmen's Bureau is the heavy heritage of this generation. Today, when new and vaster problems are destined to strain every fibre of the national mind and soul, would it not be well to count this legacy honestly and carefully? For this much all men know: despite compromise, struggle, war, and struggle, the Negro is not free. In the backwoods of the Gulf states, for miles and miles, he may not leave the plantation of his birth; in well-nigh the whole rural South the black farmers are peons, bound by law and custom to an economic slavery, from which the only escape is death or the penitentiary. In the most cultured sections and cities of the South the Negroes are a segregated servile caste, with restricted rights and privileges. Before the courts, both in law and custom, they stand on a different and peculiar basis. Taxation without representation is the rule of their political life. And the result of all this is, and in nature must have been, lawlessness and crime. That is the large legacy of the Freedmen's Bureau, the work it did not do because it could not.

I have seen a land right merry with the sun; where children sing, and rolling hills lie like passioned women, wanton with harvest. And there in the King's Highway sat and sits a figure, veiled and bowed, by which the traveler's footsteps hasten as they go. On the tainted air broods fear. Three centuries' thought has been the raising and unveiling of that bowed human heart, and now, behold, my fellows, a century new for the duty and the deed. The problem of the twentieth century is the problem of the color line.