
IN THE SENATE OF THE UNITED STATES.

MARCH 2, 1864.

Read twice and referred to the Select Committee on Slavery and Freedmen.

MAY 25, 1864.

Reported by Mr. SUMNER with an amendment, viz: Strike out all of the original bill, and in lieu thereof insert what follows printed in *italics*.

AN ACT

[To establish a Bureau of Freedmen's Affairs.]

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That an office is hereby created in the War Department to be
4 called the Bureau of Freedmen's Affairs, and the President of
5 the United States is hereby authorized to nominate, and,
6 with the advice and consent of the Senate, to appoint, a
7 Commissioner of Freedmen's Affairs, with an annual salary
8 of four thousand dollars, to whom shall be referred the ad-
9 justment and determination, under the direction of the Secre-
10 tary of War, of all questions arising under this act, or under
11 any laws now existing or hereafter to be enacted, concerning
12 persons of African descent, and persons who are or shall
13 become free by virtue of any proclamation, law, or military

14 order issued, enacted, or promulgated during the present re-
15 bellion, or by virtue of any act of emancipation which shall
16 be enacted by any State for the freedom of such persons held
17 to service or labor within such State, or who shall be other-
18 wise entitled to their freedom. And the said Commissioner
19 shall have authority, under the direction of the Secretary of
20 War, to make all needful rules and regulations for the gen-
21 eral superintendence, direction, and management of all such
22 persons, and to appoint a chief clerk, who shall be also a
23 bonded disbursing officer, and shall have an annual salary of
24 two thousand dollars, and such number of clerks, not exceed-
25 ing two of each class, as shall be necessary for the proper
26 transaction of the business of said bureau. But no rules or
27 regulations shall be made concerning persons held to service
28 or labor in any State not now or heretofore in insurrection
29 against the United States, nor concerning any other persons
30 than freedmen.

1 SEC. 2. *And be it further enacted,* That it shall be the
2 duty of all military and civil officers charged with the execu-
3 tion of any law of the United States, or of any military
4 order, by virtue of which any persons who shall have been
5 theretofore held as slaves within the United States shall be
6 discharged from service or labor, to make return of all their
7 proceedings in execution thereof to said Commissioner, under

8 such regulations and in such form as shall be from time to
9 time prescribed by the Secretary of War.

1 SEC. 3. *And be it further enacted,* That the said Com-
2 missioner shall, under the direction of the Secretary of War,
3 establish suitable and proper regulations from time to time,
4 and cause the same to be enforced, for the needful, economical,
5 and judicious treatment and disposition of all persons named
6 in the first section of this act, to the end that said freedmen
7 and the government of the United States shall be mutually
8 protected, and their respective rights and interests duly deter-
9 mined and maintained.

1 SEC. 4. *And be it further enacted,* That the said Com-
2 missioner shall have authority to create, in such districts of
3 country within the rebel States as are or shall be from time
4 to time brought within the military power of the United
5 States, departments of freedmen, each of which shall be
6 under the supervision and direction of an assistant commis-
7 sioner, to be appointed by the Commissioner, under the direc-
8 tion of the Secretary of War; but no department shall
9 consist of less than one State; and such assistant commis-
10 sioners shall make quarterly report of all their doings to the
11 Commissioner of Freedmen's Affairs, and such other reports,
12 from time to time, as shall be directed by him. Each of said
13 assistant commissioners shall be paid an annual salary of

14 two thousand five hundred dollars, in full compensation for
15 all his services.

1 SEC. 5. *And be it further enacted,* That the said
2 assistant commissioners shall, under such regulations, direc-
3 tions, and orders as may be given by the Commissioner of
4 Freedmen's Affairs, from time to time appoint all necessary
5 resident superintendents and clerks, who shall be paid for
6 their services such reasonable compensation as the Commis-
7 sioner shall determine, under the direction of the Secretary
8 of War, not exceeding the ordinary and usual compensation
9 for similar service in other departments. And the said Com-
10 missioner, and by his direction the said assistant commis-
11 sioners, shall have power to permit persons of African de-
12 scent, and persons who are or shall have become free, as
13 aforesaid, under such rules and regulations as may be from
14 time to time prescribed by said Commissioner and approved
15 by the Secretary of War, to occupy, cultivate, and improve
16 all lands lying within those districts now or heretofore in
17 rebellion, which lands may have been or may hereafter be
18 abandoned by their former owners, and all real estate within
19 such districts to which the United States shall have acquired
20 title, and which shall not have been previously appropriated
21 by the government to other uses, and to advise and aid them,
22 when needful, to organize and direct their labor, adjust with
23 them their wages, and receive all returns arising from said

24 lands, which shall be duly accounted for to the Commissioner
 25 of Freedmen's Affairs; and all balances, if any there be,
 26 after defraying the charges and expenses of the bureau,
 27 shall be annually paid into the treasury of the United States.
 28 The said assistant commissioners and superintendents shall
 29 have power, as arbitrators, to bring to conciliation and set-
 30 tlement all difficulties arising between freedmen, except when
 31 resort to a provost judge or other legal tribunal becomes
 32 necessary. All acts and parts of acts heretofore passed, so
 33 far as the same are inconsistent herewith, shall be, and
 34 the same are hereby, repealed. And the Commissioner of
 35 Freedmen's Affairs shall, before the commencement of each
 36 session of Congress, make full report of all acts done in his
 37 department to the Secretary of War, who is hereby directed
 38 to communicate the same to the Congress of the United
 39 States.]

Passed the House of Representatives March 1, 1864.

Attest: EDWARD McPHERSON, *Clerk,*

By CLINTON LLOYD, *Chief Clerk.*

To establish a Bureau of Freedmen.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*
 3 *That an office is hereby created in the Treasury Department*
 4 *to be called the Bureau of Freedmen, meaning thereby such*
 5 *persons as have become free since the beginning of the*

6 present war, under the care of a Commissioner, with an an-
7 nual salary of four thousand dollars, who shall be appointed
8 by the President, by and with the advice and consent of the
9 Senate; and there shall be a chief clerk, acting also as dis-
10 bursing officer, under bonds to the United States, with an
11 annual salary of two thousand dollars, and also such number
12 of clerks, not exceeding two of each class, as shall be neces-
13 sary, who shall be appointed by the Secretary of the Treasury.

1 SEC. 2. And be it further enacted, That the Commis-
2 sioner shall have authority, under the direction of the Secre-
3 tary of the Treasury, to create departments of freedmen
4 within the rebel States, so far as the same may be brought
5 under the military power of the United States; and each de-
6 partment shall be under the supervision of an assistant com-
7 missioner, with an annual salary of two thousand dollars, to
8 be appointed by the Secretary of the Treasury, and with
9 authority to appoint local superintendents and clerks, so far
10 as the same may be needed, at a compensation not exceeding
11 the ordinary rate for similar services, subject, in all respects,
12 to the approval of the Secretary.

1 SEC. 3. And be it further enacted, That the military
2 commander within any department shall, on the application
3 of the assistant commissioner thereof, supply all needful mili-
4 tary support in the discharge of the duties of such assistant
5 commissioner, unless there are controlling military reasons for

6 *withholding the same; and any military commander may be*
7 *appointed assistant commissioner, without increase of salary.*

1 SEC. 4. *And be it further enacted, That the Commissioner,*
2 *under the direction of the Secretary of the Treasury, shall*
3 *have the general superintendence of all freedmen throughout*
4 *the several departments, and it shall be his duty especially to*
5 *watch over the execution of all laws, proclamations, and*
6 *military orders of emancipation, or in any way concerning*
7 *freedmen, and generally, by careful regulations, in the spirit*
8 *of the Constitution, to protect these persons in the enjoyment*
9 *of their rights, to promote their welfare, and to secure to them*
10 *and their posterity the blessings of liberty.*

1 SEC. 5. *And be it further enacted, That the assistant*
2 *commissioners shall have authority, within their respective*
3 *departments, to take possession of all abandoned real estate*
4 *and all real estate, with the houses thereon, liable to sale or*
5 *confiscation, or to any claim of title by the United States, and*
6 *not already appropriated to government uses; and also to take*
7 *possession of all personal property found on such estate, and*
8 *to rent or lease all such real estate, or any part thereof, with the*
9 *personal property thereon, and to act as inspectors of the same;*
10 *or in case no proper lessees can be found, then to cause the same*
11 *to be cultivated or occupied by the freedmen, on such terms, in*
12 *either case, and under such regulations, as the Commissioner*
13 *may determine: Provided, That no freedmen shall be held to*

14 *service on any estate above mentioned, otherwise than accord-*
15 *ing to voluntary contract reduced to writing and certified by*
16 *the assistant commissioner or local superintendent, nor shall*
17 *any such contract be for a longer period than twelve months.*

1 SEC. 6. *And be it further enacted, That the assistant*
2 *commissioners and local superintendents shall be ready, as*
3 *advisory guardians, to aid the freedmen in the adjustment of*
4 *their wages, or, where they have rented plantations or small*
5 *holdings, in the organization of their labor; that they shall*
6 *take care that the freedmen do not suffer from ill-treatment*
7 *or any failure of contract on the part of others, and that on*
8 *their part they perform their duty in the premises; that they*
9 *shall further do what they can as arbitrators, to reconcile and*
10 *settle any differences in which freedmen may be involved*
11 *whether among themselves or between themselves and other*
12 *persons; and in case such differences are carried before any*
13 *tribunal, civil or military, they shall appear as next friends of*
14 *the freedmen, so far as to see that the case is fairly stated*
15 *and heard. And in all such proceedings there shall be no dis-*
16 *ability or exclusion on account of color.*

1 SEC. 7. *And be it further enacted, That leases here-*
2 *tofore made by the supervising special agents of the Treas-*
3 *ury Department, under the authority of the General Order*
4 *three hundred and thirty-one, of the Secretary of War,*
5 *dated October nine, eighteen hundred and sixty-three, and*

6 *in accordance with the regulations of the Treasury Depart-*
 7 *ment, shall have the same effect as if made by assistant com-*
 8 *missioners under this act; and such agents shall have the*
 9 *same powers in the premises as are given herein to assistant*
 10 *commissioners: Provided, That no lease shall be made by*
 11 *them for a longer period than one year, and that immediately*
 12 *upon the organization of any department of freedmen, such*
 13 *agents shall cease to execute their functions within such de-*
 14 *partment, and shall deliver over to the assistant commissioner*
 15 *thereof all property and papers held by them as agents. But*
 16 *all expenses necessarily incurred by such agents in any de-*
 17 *partment, prior to its organization under this act, shall be*
 18 *defrayed by the Secretary of the Treasury out of any moneys*
 19 *in his hands arising from the leases made by such agents.*

1 SEC. 8. *And be it further enacted, That the Commis-*
 2 *sioner shall apply the proceeds arising from leases in the sev-*
 3 *eral departments to pay the salaries and other expenses under*
 4 *this act, so that the bureau herein established may become, at*
 5 *an early day, self-supporting; and any proceeds over and*
 6 *above the annual expense thereof shall be paid into the treas-*
 7 *ury of the United States.*

1 SEC. 9. *And be it further enacted, That it shall be the*
 2 *duty of all officers, civil and military, charged with the exe-*
 3 *cution of any law, proclamation, or military order of eman-*
 4 *cipation, or in any way concerning freedmen, not mustered*

5 *into, nor regularly engaged in, the military service, to make*
6 *return to the Commissioner of all their proceedings in execu-*
7 *tion thereof, under such regulations as shall from time to*
8 *time be prescribed.*

1 *SEC. 10. And be it further enacted, That the Commis-*
2 *sioner shall, before the commencement of each session of Con-*
3 *gress, make full report of his proceedings to the Secretary*
4 *of the Treasury, who shall communicate the same to Con-*
5 *gress. And the assistant commissioners shall make quarterly*
6 *reports of their proceedings to the Commissioner, and also*
7 *such other special reports as from time to time may be*
8 *required.*

38TH CONGRESS, }
1ST SESSION. } H. R. 51.

AN ACT

[To establish a Bureau of Freedmen's Affairs.]

To establish a Bureau of Freedmen.

1864—MAY 2.—Read twice, and referred to the Select Committee on Slavery and Freedmen.

MAY 25.—Reported with an amendment.